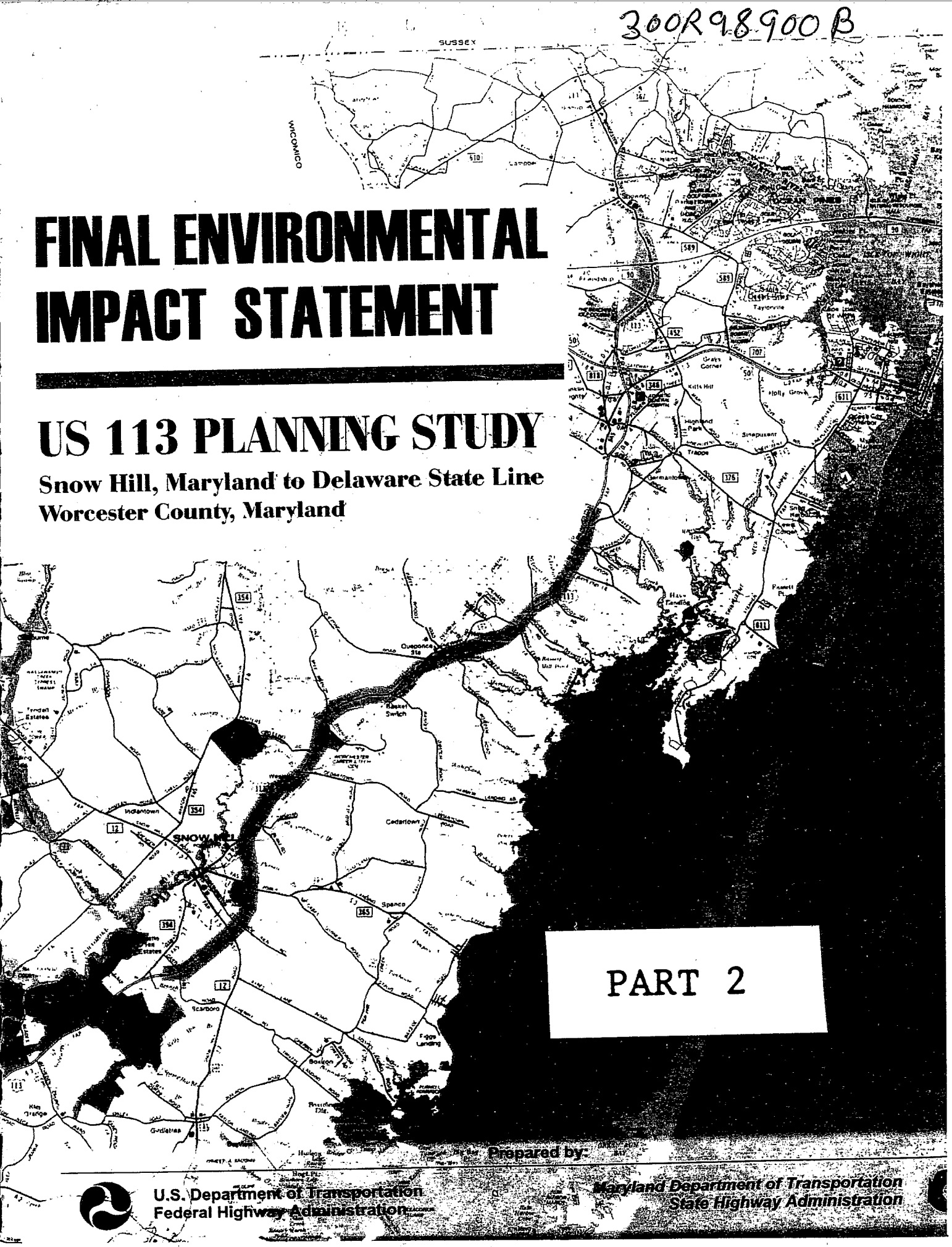
300R98900B

FINAL ENVIRONMENTAL IMPACT STATEMENT

US 113 PLANNING STUDY

Snow Hill, Maryland to Delaware State Line
Worcester County, Maryland



PART 2

Prepared by:

U.S. Department of Transportation
Federal Highway Administration

Maryland Department of Transportation
State Highway Administration

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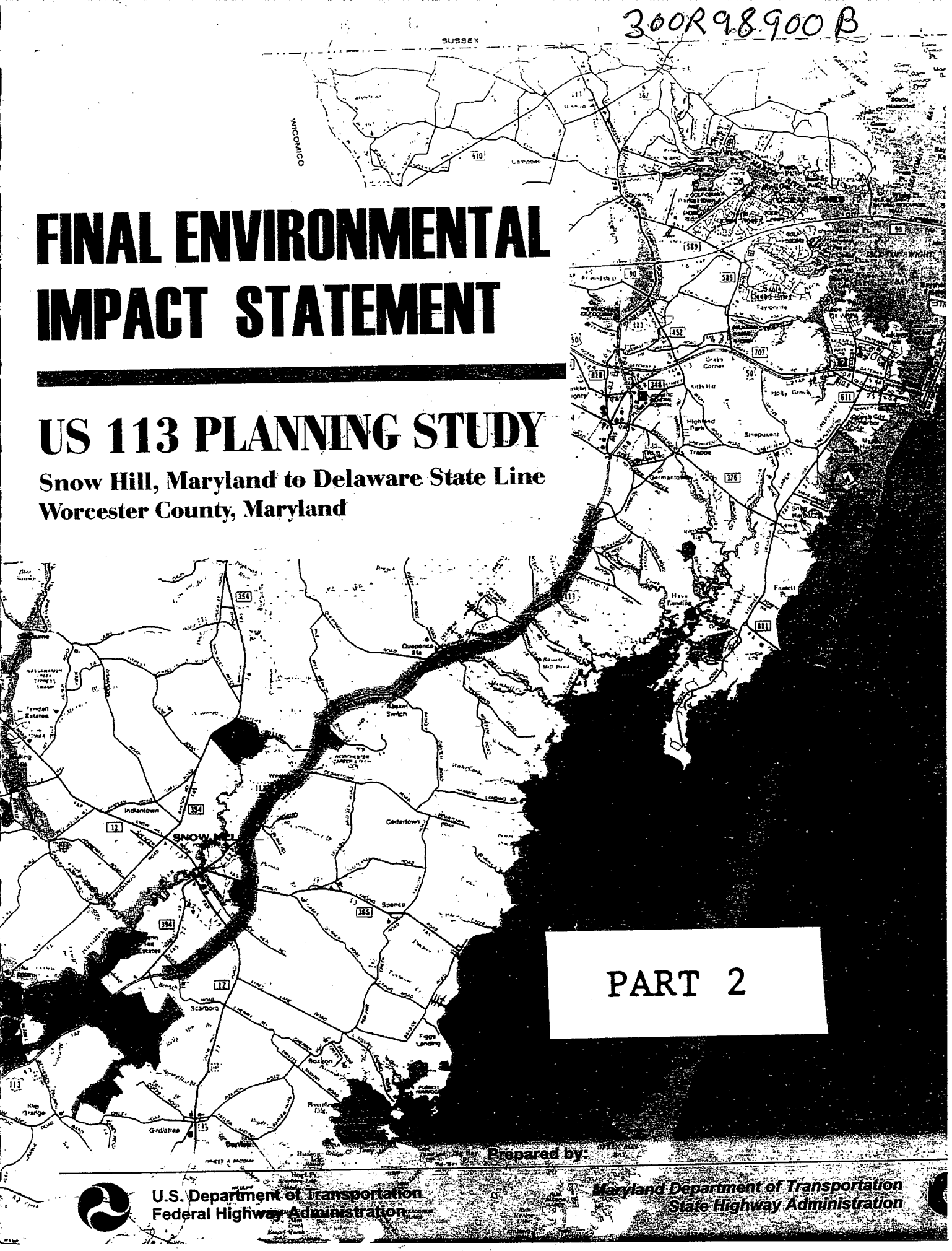

PART 2

Prepared by:

U.S. Department of Transportation
Federal Highway Administration

Maryland Department of Transportation
State Highway Administration

V.
COMMENTS AND COORDINATION

US 113 Planning Study
Snow Hill, Maryland to Delaware State Line

Office of Planning and Preliminary Engineering
Maryland State Highway Administration

V. COMMENTS AND COORDINATION

Introduction

Coordination with environmental resource agencies, elected officials, organizations/ associations, and the public has been an important component of the US 113 planning study. Agency coordination in preparation for the Draft Environmental Impact Statement/Section 4(f) Evaluation (May 1997) document was conducted throughout the study. Chapters of the Draft EIS/Section 4(f) Evaluation were submitted to the environmental resource agencies for their review and comment prior to finalizing the document. Section VI of the Draft EIS/Section 4(f) Evaluation included a compilation of correspondence with agencies, public groups, and elected officials.

For the purposes of this preliminary Final EIS, copies of this coordination as presented in Section VI of the Draft EIS/Section 4(f) Evaluation have not been reproduced in this document.

Following circulation of the Draft EIS/Section 4(f) Evaluation in May 1997 and the June 17, 1997 Combined Location/Design Public Hearing, written comments were received from environmental resource agencies, elected officials, organizations/associations, and the public. This Section of the Final EIS presents these comment letters, and responses as appropriate, in the following order (blue divider pages for each subsection). These comments and responses have also been incorporated as appropriate into this document and the **Southern Preferred Alternative** and the **Northern Preferred Alternative**.

A. Agency Letters on Draft EIS/Section 4(f) Evaluation (circulated May 1997) and/or Combined Location/Design Public Hearing (held June 17, 1997)
B. Agency Letters Concurring on SHA's Preferred Alternatives
C. Elected Officials Letters
D. Organizations/Associations Letters
E. Minutes from InterAgency Meetings (excluding handouts)
F. Public Letters
G. Selected Revised Minutes of J.D. Review Meetings

Combined Location/Design Public Hearing - held June 17, 1997

Approximately 700 people attended the Combined Location/Design Public Hearing co-sponsored by the Maryland State Highway Administration and the U.S. Army Corps of Engineers and held at the Stephen Decautar High School in Berlin, Maryland. Thirty-three citizens and twelve elected officials spoke at the Hearing. **All spoke in favor of dualization of US 113 from Snow Hill to the Delaware state line and the need to complete this project soon.** Of those who specified an alternative, support was expressed for Alternative 3S in the south and the Combination Alternative 3N/4N or Alternative 4N Modified in the north; both with a 34' median.

Following the Public Hearing, 2,248 letters expressing support for the dualization of US 113 and six (6) letters in opposition to the dualization were received. Section V.F. of this document summarizes these letters and lists the names and addresses of all citizens who provided comments.

Elected Officials who spoke in support of dualization

Senator Stoltzfus
Delegate Bozman
Delegate Conway
Senator Bunting (Del.)
Commissioner Trimper
Commissioner Barrett
Commissioner Purnell
Sheriff Martin
State Attorney Joel Todd
James Mathias-Mayor of Ocean City
Will Turner - Councilman Town of Berlin
Mayor Lippoldt - Mayor of Pocomoke City
Ms. Betts - representing Senator Mikulski

Summary of Organizations / Agencies who spoke

- **CRASH:** Supported Alternatives 3S and 3N/4N Modified with 34' median. Talked about safety concerns; aware of environmental issues and NEPA; they have done all they can do, it is up to SHA and the Corps to move forward (received standing ovation). Submitted approximately 1,600 letters in support of dualization of US 113.

- **Friendship Community Association:** Supported Alternative 4N or Combination Alternative 3N/4N Modified, opposed to Alternative 3N.

- **Ocean Pines Community Association:** Supported Alternative 3S - 34' Median and Combination Alternative 3N/4N - 34' Median.

- **West Ocean City Association:** Supported CRASH's efforts, supported dualization.

- **Worcester County Environmental Trust:** Supported the project; speed-up control of access!

- **Worcester County Economic Development:** Supported dualization - expansion of existing businesses and new businesses - economic benefits.

- **Worcester County Board of Education:** Supported dualization; noted that 49 school buses and 42 bus stops are located along US 113.

- **Worcester County Commission on Women:** Supported dualization of US 113.

- **Worcester County Farm Bureau:** Supported dualization; concerned about large farm equipment.

Summary of Other Public Comments

Loss of family member, friend or neighbor
Safety issues, accident experiences
Growth and economic benefits
US 113 neglected, while funding stadiums and other roadway improvements in other parts of the State
Save Historic Showell Store
Mix of traffic; local and long distance traffic, farm equipment, trucks and school buses
Opposition to Alternative 2S-20' Median

Summary of Private Testimony

Six individuals gave private testimony:

All supported dualization.
One suggested using an alignment through the wetlands near Race Track Road instead of the current alignments.
One supported Alternative 4N or Combination Alternative 3N/4N Modified only.

A. Agency Letters on Draft EIS/Section 4(f) Evaluation (circulated May 1997) and/or Combined Location/Design Public Hearing (held June 17, 1997)

A. Agency Letters on Draft EIS/Section 4(f) Evaluation (circulated May 1997) and/or Combined Location/Design Public Hearing (held June 17, 1997)

1.	Federal Emergency Management Agency	May 22, 1997	(2 pages)
2.	United States Department of the Interior, Fish and Wildlife Service	June 5, 1997	(1 page)
3.	United States Department of the Interior, Fish and Wildlife Service	June 20, 1997	(3 pages)
4.	National Oceanic and Atmospheric Administration	June 24, 1997	(2 Pages)
5.	United States Army Corps of Engineers (an attachment includes copy of their March 31, 1997 letter and SHA's responses)	July 18, 1997	(2 pages)
6.	United States Environmental Protection Agency	July 18, 1997	(5 pages)
7.	Maryland Department of Natural Resources	July 21, 1997	(1 page)
8.	United States Department of Commerce, National Marine Fisheries Service	July 23, 1997	(2 pages)
9.	Maryland Office of Planning	July 24, 1997	(2 pages)
10.	United States Environmental Protection Agency	July 28, 1997	(3 pages)
11.	Maryland Department of the Environment (via Maryland Office of Planning)	August 4, 1997	(2 pages)
12.	United States Department of the Interior-National Park Service	August 11, 1997	(2 pages)
13.	SHA response to EPA letter dated April 25, 1997	September 4, 1997	(3 pages)
14.	Maryland Historical Trust	October 31, 1997	(3 pages)
15.	Maryland Historical Trust	November 7, 1997	(2 pages)
16.	United States Army Corps of Engineers*	November 12, 1997	(4 pages)

Copies of these letters, and responses as appropriate, are presented on the following pages.

- By telephone conversation on November 12, 1997, Maryland SHA was advised by the Corps that this November 12, 1997 letter replaced their earlier handwritten comments dated August 29, 1997.

Federal Emergency Management Agency

Region III
Liberty Square Building (Second Floor)
105 South Seventh Street
Philadelphia, PA 19106

May 22, 1997

Re: US 113 Planning Study, Worcester County, Maryland

Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering
Mail Stop C-301
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege:

This letter is in response to our review of the Draft Environmental Impact Statement (DEIS) for Project Number W0720B11 (US 113 Planning Study). In 1968, the U.S. Congress passed the National Flood Insurance Act, which created the National Flood Insurance Program (NFIP). The NFIP was designed to reduce future flood losses through local floodplain management and to provide protection for property owners against potential losses through flood insurance. As part of the agreement for making flood insurance available in a community, the NFIP requires the participating community to adopt floodplain management ordinances containing certain minimum requirements intended to reduce future flood losses. All proposed work within the Special Flood Hazard Area (SFHA) must be in compliance with the local floodplain ordinance. The SFHA is defined as the area that would be inundated by the flood that has a 1-percent chance of being equaled or exceed each and every year.

The community has a responsibility to enforce its floodplain ordinance as well as submit to the Federal Emergency Management Agency (FEMA) technical data supporting any changes to the currently mapped floodplain, including changes to the floodplain boundary and/or the base flood elevations. This should be completed prior to any construction and can be accomplished by following the Letter of Map Revision process. I have enclosed for your reference all the required application and certification forms and instructions for the map revision process. As explained in the "Revisions to National Flood Insurance Program Maps" handout, we will issue a Conditional Letter of Map Revision for proposed projects in the 100-year floodplain provided all the necessary plans and hydraulic data are submitted. We will then follow up with a physical map revision when as-built plans are submitted, if necessary. The only way we can keep each community's floodplain maps up-to-date is by obtaining your cooperation in this effort. (1)

Also, in accordance with Executive Order (E.O.) 11988, Federal Agencies are required to avoid direct or indirect support of floodplain development whenever there is a practical alternative. If an action must be located in the floodplain, then the agency must avoid the long- and short-term adverse impacts associated with the occupancy and modifications of the floodplain and must minimize the potential harm to people and property and to natural and beneficial floodplain values. (2)

I have enclosed a booklet entitled "Floodplain Management Guidelines for Implementing E.O. 11988" for your reference. Within this booklet, Part II - Decision Making Process outlines an eight step process designed to reflect the decision making process required under Section 2(a)(1) of the Order. Section 2 states, "In carrying out the activities described in Section 1 of this Order, each agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget requests reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of this Order." (3)

In summary, the Federal Agency funding or constructing the project is responsible to ensure compliance with E.O. 11988. Because this proposed project will be located in the floodplain, the minimum requirements of the NFIP must be met through compliance with local floodplain ordinances, including the requirement to submit technical data to FEMA for the purpose of revising the effective Flood Insurance Rate Map for that community.

Our role is to offer guidance or assistance in any way that we can. If you have any questions concerning this letter, map revisions, or any other floodplain management issue, please feel free to contact me at (215) 931-5665.

Sincerely,

Erik J. Rourke

Erik J. Rourke
Hydrologist
Hazard Identification and Risk
Assessment

Enclosure: 1.Revisions to National Flood Insurance Program Maps
2.Floodplain Management Guidelines for Implementing E.O. 11988

Response to Federal Emergency Management Agency letter dated May 27, 1997

1. Information regarding any potential changes to the 100-year floodplains resulting from the construction of the US 113 improvements will be provided by Maryland SHA to Worcester County.

2. Impacts to the 100-year floodplain are unavoidable with the dualization of existing US 113. The project will not, however, support further floodplain development. The crossings will also be designed to minimize upstream and downstream modifications to the existing flood level to the extent possible.

3. Based on currently available information, it is expected that adverse impacts to the 100-year floodplain will be minimal as a result of this project. Steps will be taken during final design to ensure the potential harm to people and property are minimized and the natural and beneficial values of floodplains are retained.

   See Section IV.P, Construction Impacts, which also addresses construction activities in floodplain areas. See also Section IV.D - Floodplains.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

June 5, 1997

Ms. Susan Binder
Federal Highway Administration
Rotunda, Suite 220
711 West 40th Street
Baltimore, MD 21211

Attn: Mary Huie

Re: Cooperating Agency for US 113

Dear Ms. Binder:

The U.S. Fish and Wildlife Service is responding to your request to be a cooperating agency for the US 113 highway project. There are significant amounts of high value wetlands along US 113, and the Service believes strongly in protecting these high value fish and wildlife habitats.

The Service has been involved with US 113 since the early stages of the field review and attended most of the interagency coordination meetings. We have every intention of continuing with the NEPA/404 review process. Our ability to provide additional project hours is restricted by personnel and funding. Should you wish us to commit additional resources beyond our current and projected review involvement, you will need to provide us with funds. (1)

The Service appreciates the opportunity to provide comments on issues related to fish and wildlife resources. If you have any questions regarding these comments, you may contact David W. Sutherland of my staff at (410) 573-4535, or E-Mail David_Sutherland@mail.fws.gov.

Sincerely,

John P. Wolflin
Supervisor
Chesapeake Bay Field Office

Response to United States Department of the Interior, Fish and Wildlife Service letter dated June 5, 1997

1. SHA concurs that the protection of the significant amounts of high value wetlands along US 113 must be a part of this project. The **Preferred Alternatives** reflect wetland avoidance and minimization efforts accomplished following circulation of the Draft EIS/Section 4(f) Evaluation.

   The U.S. Fish and Wildlife Service has been involved in the US 113 planning study since the early stages of the field review and has attended the majority of the InterAgency Meetings.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

Jun 24 2 45 PM '97

June 20, 1997

Mr. Louis H. Ege, Jr.
Office of Planning and Preliminary Engineering
Maryland State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Re: US 113, Snow Hill to DE Line

Dear Mr. Ege:

The U.S. Fish and Wildlife Service (Service) is responding to your request for comments on the Draft Environmental Impact Statement (DEIS) for the U.S. 113 Planning Study, dated May, 1997. The project proposes dualization of U.S. 113, from Snow Hill to the Delaware State Line.

As determined in the field and mentioned in previous letters, the wetlands along U.S. 113 provide high value habitats for fish, amphibians, reptiles, birds, and mammals. Fish and wildlife use wetland habitats during migration and as permanent habitat. Animals use these wetlands as travel corridors and often cause safety problems when they attempt to cross the highway. Stream migration of anadromous, catadromous, resident fish require obstruction-free passage from physical (i.e. drop-off) and behavioral (i.e. illumination level) barriers when spawning (O'leary and Kynard 1986; Sutherland 1997; Theiss 1997) or foraging. Deleterious alterations of these habitats during highway construction may cause a corresponding reduction in fish and wildlife populations using these wetlands. (1)

The data from the DEIS are not conclusive on the need for dualization of U.S. 113 along the entire project area. The need for dualization in the study areas is based on safety and volume. This dualization could impact wetland acreage ranging from 0 (TSM) to 40 acres (complete dualization off alignment). The Service believes these wetland impacts could be minimized in the most critical wetland areas. In the northern study area, the Service recommends alternative 3N-20', one of the least damaging alternatives, with a design speed of 50 MPH. This alternative is proposed for construction along the existing alignment and provides increased safety and capacity. It reduces wetland impacts from 25 to 4 acres by dualizing next to the existing roadway, using guard rails along wetlands, and reducing the safety grading from 20 to 9 feet. This alternative also reduces stream impacts from 1,105 linear feet to 775 linear feet. (2)

In the southern study area, accident rates and traffic volumes do not exceed statewide averages. The southern area's total accident rate is half of the statewide average, and the fatality rate is equal to the statewide average. The 2020 daily traffic estimate is half of the volume in the northern study area. Dualization seems unnecessary in the southern study area. We recommend alternative 2S (TSM). This alternative would reduce potential wetland impacts from 14 to 0 acres and protect the bald cypress wetland. This alternative would also reduce stream impacts from 870 linear feet to zero. 3

We endorse the 3N-20', at 50 MPH with guard rails, alternative in the northern study area, and alternative 2S (TSM) in the southern study area. The Service does recommend that the following upgrades be included on the 3N-20' alternative to improve fish and wildlife passage. Replace corrugated pipes with box culverts to promote fish passage, and enlarge existing box culverts to promote wildlife passage. These measures are necessary as an attempt to fully minimize construction impacts to fish and wildlife. 4

We appreciate the opportunity to provide information relevant to fish and wildlife resources. If you have any questions on these comments, please contact David W. Sutherland at (410) 573-4535 or David_Sutherland@fws.gov.

Sincerely,

for John P. Wolflin
Supervisor
Chesapeake Bay Field Office

cc:
COE, Baltimore, MD (Michele Gomez)
SHA, Baltimore, MD (Loraine Strow)
FHA, Baltimore, MD (Mary Huie)
EPA, Philadelphia, PA (Danielle Algazi)
NMFS, Oxford, MD (John Nichols)
MDE, Baltimore, MD (Ray Dintaman)
MDE, Salisbury, MD (Alan Kampmeyer)

Literature Cited

O'leary, J. and B. Kynard. 1986. Behavior, length, and sex ratio of seaward-migrating juvenile American shad and blueback herring in the Connecticut River. *Transactions of the American Fisheries Society*. 115:529-536.

Sutherland, D. W. 1997. Behavior of American shad and blueback herring in an Ice Harbor fishway. Master's Thesis (draft), University of Massachusetts, Amherst, Massachusetts.

Theiss, E. 1997. Effects of illumination intensity on water velocity selection of three *Alosid* species. Master's Thesis, University of Massachusetts, Amherst, Massachusetts.

Response to United States Department of The Interior letter dated June 20, 1997

1. Adverse impacts by each of the proposed alternatives (including the **Preferred Alternatives**) have been noted throughout Chapter IV of the Final EIS. Mitigation measures to be considered to minimize the deleterious effects of these impacts have also been addressed.

2. As addressed in Section II.E - **Preferred Alternatives** and throughout Section IV of this document, extensive wetland minimization avoidance measures have been developed for the **Preferred Alternatives**. The Draft EIS/Section 4(f) Evaluation (Table IV-11) identified a total of 13.7 acres of wetland impacts for Alternative 3S-34' Median (measured right-of-way line to right-of-way line). As a result of the conceptual wetland minimization studies, this total impact has been reduced to approximately 5 to 5½ acres of wetland impacts (measured to limits of disturbance). Similarly, the Draft EIS indicated 12.5 acres of wetland impacts for Combination Alternative 3N/4N Modified - 34' Median. Using similar minimization techniques, this total impact has been reduced to approximately 7 to 7½ acres. While several acres of these reductions are attributable to the difference in measuring methodology (i.e., right-of-way line to right-of-way line versus limits of actual disturbance), these reductions are also the result of the minimization of median widths and roadside safety grading. The typical sections in Section II.E and the plans in Appendix A reflect the reduced median width and roadside grading widths in sensitive wetland areas.

3. Current accident and traffic data are presented in Section I.C of this document (see Tables I-1, I-2, and I-3). Alternative 2S (Transportation Systems Management Alternative) was not preferred for the Southern Study Area because it would not significantly enhance safety operations along the two-lane US 113 nor did it separate opposing directions of travel. As addressed in Section IV-I., significant mitigation measures are included in the **Southern Preferred Alternative** at Wetland W-8.

4. Reducing design speed from 60 MPH to 50 MPH is not a normal consideration on a facility that is classified as a Principal Arterial on level terrain. Furthermore, the adverse community impacts associated with the Alternative 3N alignments through the Friendship community precluded its selection as the preferred alternative. See AASHTO 1990 pg. 494.

   USF&W is recommending replacing existing CMP's with box culverts and enlarging existing box culverts to promote wildlife passage. These types of features would need to be determined upon the completion of Hydraulic and Hydrologic analysis. The potential for additional wetland and floodplain impacts would be analyzed if enlarged structures are determined feasible.

   During final design, full consideration will be given to culvert modifications and bridging options. Until detailed hydrologic and hydraulic data becomes available during final design, it is impossible to make commitments regarding these structures.

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for
Oceans and Atmosphere
Washington, D.C. 20230

June 24, 1997

DEVELOPMENT DIVISION
JUN 26 2 13 PM '97

Mr. Louis H. Ege, Jr.
Office of Planning/Preliminary Engineering
State Highway Administration, Mail Stop C-301
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege, Jr.:

Enclosed are comments on the Draft Environmental Impact Statement for US 113 Planning Study Snow Hill Maryland to Delaware State Line Worcester County, Maryland. We hope our comments will assist you. Thank you for giving us an opportunity to review this document.

Sincerely,

Susan B. Fruchter

Susan B. Fruchter
Acting NEPA Coordinator

Enclosure

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THE ADMINISTRATOR

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

JUN 2 0 1997

MEMORANDUM FOR: Donna Wieting
Acting Director, Ecology and Conservation Office

FROM: for Captain Lewis A. Lapine, NOAA
Director, National Geodetic Survey

SUBJECT: DEIS-9705-05--US 113 Planning Study, Show Hill, Maryland, to Delaware State Line Worcester County, Maryland

The subject statement has been reviewed within the areas of the National Geodetic Survey's (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

All available geodetic control information about horizontal and vertical geodetic control monuments in the subject area is contained on the NGS home page at the following Internet World Wide Web address: http://www.ngs.noaa.gov. After entering the NGS home page, please access the topic "Products and Services" and then access the menu item "Data Sheet." This menu item will allow you to directly access geodetic control monument information from the NGS data base for the subject area project. This information should be reviewed for identifying the location and designation of any geodetic control monuments that may be affected by the proposed project.

If there are any planned activities which will disturb or destroy these monuments, NGS requires not less than 90 days' notification in advance of such activities in order to plan for their relocation. NGS recommends that funding for this project includes the cost of any relocation(s) required. (1)

For further information about these monuments, please contact John Spencer; SSMC3, NOAA, N/NGS; 1315 East West Highway; Silver Spring, Maryland 20910; telephone: 301-713-3169; fax: 301-713-4175.

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Response to U.S. Department of Commerce letter dated June 24, 1997

1. Maryland SHA's design engineers and contractors will utilize the National Geodetic Survey's (NGS) monuments for project survey controls. Should construction activities require the relocation of one of these monuments, SHA will so advise NGS no less than 90 days prior to this impact.

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

REPLY TO
ATTENTION OF

JUL 18, 1997

Operations Division

Subject: CENAB-OP-RX(MD SHA/US 113:MD 394 TO DELAWARE LINE)97-63647-9

Mr. Louis Ege, Jr.
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege:

I am replying to your request of May 21, 1997 for comments on the subject Draft Environmental Impact Statement/Section 4 (f) Evaluation (DEIS). At this time, the Corps of Engineers has not had an opportunity to review all comments to the joint Corps/State Highway Administration public notice. The Corps has extended its public notice comment period for the resource agencies who did not receive the public notice when it was originally sent out for review until July 25, 1997. Upon receipt and review of all comments, the Corps will provide SHA thorough comments on the draft document and alternatives. The Corps has the following preliminary comments on the DEIS.

1. The DEIS still needs to include the information requested in our letter dated March 31, 1997 (Enclosure 1). Although responses were listed in a SHA document dated April 21, 1997, these responses did not adequately address the issues which were raised by the Corps. All of the issues outlined in the Corps letter must be in the NEPA document before we can consider it as our document. (1)

2. Cumulative effects and indirect impacts analysis in the DEIS need to be improved. The Corps provided the SHA with documentation on how to address cumulative effects at the Interagency meeting on July 16, 1997. The documents included some examples of cumulative effects analyses as well as scientific reports published in wetlands journals. The Corps also recommended that the SHA use the Council of Environmental Quality's document, "Considering Cumulative Effects Under the National Environmental Policy Act," dated January 1997, to further develop the cumulative effects discussion in the US 113 DEIS. The cumulative and indirect impacts of the US 113 will need to be discussed in the US 113 document to satisfy both NEPA and Section 404. (2)

3. The Corps did not have the opportunity to review the minutes of several of the US 113 meetings before they were included in the DEIS. We do not concur with the minutes as shown in the DEIS. The Corps provided comments on the field meeting minutes to the Environmental Programs Division on July 15, 1997. We suggest that such minutes be coordinated with the agencies involved in the meeting for their review and concurrence prior to being included in a NEPA document. We are providing revised field meeting minutes (Enclosure 2), mitigation site search minutes (Enclosure 3), and minutes from the March 25, 1997 interagency meeting (Enclosure 4) to be incorporated into the document. (3)

We look forward to receiving the comments submitted to you in response to the US 113 public notice. The Corps will then provide SHA with an assessment of the US 113 project which incorporates these comments. The Corps also recommends that the SHA have a working meeting with the agencies to review the document and discuss comments which were raised and resolve any outstanding issues. We look forward to meeting with SHA and the resource agencies. (4)

If you have any questions regarding this correspondence, please call Ms. Michele Gomez at (410) 962-4343.

Sincerely,

Keith A. Harris
Chief, Special Projects
Permits Section

Enclosures

Copy Furnished:
Renee Sigel, FHWA
Danielle Algazi, USEPA
David Sutherland, USFWS
John Nicols, NMFS
Elder Ghigiarelli, Jr., MDE
Alan Kampmeyer, MDE-Salisbury
Beth Cole, MHT

Response to U.S. Department of the Army letter dated July 15, 1997

1. The COE letter dated March 31, 1997 providing comments on the preliminary Draft EIS was reviewed and the majority of these issues were addressed in the Draft EIS/Section 4(f) Evaluation (May 1997). All changes to the document required have been made and are also reflected in the Final EIS. Reference to the location of these changes in the Final EIS are shown in bracketed, bold, italic text in the Response to Comments. See Enclosure 1 (pages V A5(1)-1 through -16).

2. A detailed cumulative effects analysis has been conducted for the US 113 Planning Study in accordance with the guidelines in the Council on Environmental Quality's Considering Cumulative Effects Under the National Environmental Policy Act", January 1997. Both the scope and the methodologies for this analysis were developed in close consultation with Federal and state resource agencies. The scope, methodologies, analysis and conclusion of this work is presented in Final EIS Section IV.Q.

3. Meeting minutes have been revised and are included in Section V.E. of this Final EIS.

4. Maryland SHA has been forwarded a copy of the 3-volume transcript to the Corps.

MAR 31 1997

Operations Division

Subject: MD SHA/US 113

Mr. Louis Ege, Jr.
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege:

I am writing to convey our concerns and comments regarding the Preliminary Draft Environmental Impact Statement (pre-DEIS) for the US 113 Planning Study, dated February 19, 1997.

The alternatives described in the pre-DEIS are not adequate for analysis using the 404(b)(1) guidelines as described in 40 CFR 230.10. While we agree that there is a safety issue that needs to be addressed along this study area, it is unclear how the range of alternatives studied in the document satisfy a 404 alternatives analysis given the overall project purpose of improving highway safety. The Corps recommends that the alternatives discussed in the conference call with the State Highway Administration (SHA) on March 3, 1997 as well as the attached technical comments on alternatives be studied along with the ones currently outlined in the pre-DEIS.

A review of the document for NEPA compliance shows that indirect and cumulative (past, present, and future) impacts have not been properly addressed in accordance with CEQ regulations at 40 CFR Part 1508.8. Department of Army regulations require the Corps consider indirect and cumulative impacts when rendering a decision. Therefore the DEIS should be modified to address these impacts.

As mentioned above, technical comments on the pre-DEIS are attached for your consideration. Incorporation of these comments will facilitate the SHA's and Corps' goal of meeting the accelerated time line for this important project. If these concerns and comments are not properly addressed in the DEIS, they will be reiterated by the Corps at each concurrence point. The DEIS must properly address NEPA and 404 requirements or this may result in a lengthy evaluation of the project. The Corps is available and willing to assist you in the development of the NEPA documents for the US 113 study.

Enclosure 1

If you have any questions, please call Michele Gomez at (410) 962-4343.

Sincerely,

Keith A. Harris
Chief, Special Projects
Permits Section

cc:
Renee Siegel, FHWA
Danielle Algazi, EPA
David Sutherland, FWS
John Nichols, NMFS
Elder Ghigiarelli, MDE
Al Kampmeyer, MDE
Beth Cole, MHT

Enclosure

Corps of Engineers Comments on the Preliminary Draft Environmental Impact Statement dated February 19, 1997

Summary

* In Section 8, it is stated that "... the majority of residents within the study area, as well as the motorists using the existing two-lane facility, strongly support the need to dualize the remaining 23.8 miles of two-lane US 113." Is there documentation available which supports this statement? Please clarify if there is strong support to alleviate the number of traffic fatalities or the need to dualize the highway. If there is no evidence to support this statement, we suggest that it be removed as it indicates a bias to dualization without examining all possible safety alternatives to address the purpose and need. (1)

Purpose and Need

Traffic Volumes & Levels of Service

* Please provide documentation to demonstrate that LOS C and D will occur in the northern and southern areas of the study area. Increased trips? Increased # people? (2)

Safety

* Please provide information on the number of accidents which have occurred in the currently dualized portion of US 113. Has the number of accidents in these areas been reduced since the dualization has occurred? Provide the type of accident, and the time of day each accident occurred similar to the format used in the accident reports provided with the SHA letter dated March 5, 1996. How does the US 113 study area accident statistics compare with the US 50 from Berlin to Ocean City accident statistics? (3)

* Please provide the status of the proposed Bill requiring drivers on US 113 to leave their headlights on. Provide accident data for MD 90 before and after this requirement went into effect similar to the format used in the previous accident report mentioned above. (4)

* Update the tables and figures showing the accident statistics so that all are dealing with the same years of data. It is difficult to read trends when the study years are different for each table.

* Please explain how the statewide average was derived. If a comparison is made between similar facilities in the State, please identify these facilities. Explain why the statewide average is different for the northern and the southern segments of the study area. (5)

Planning and Project History

* Please describe how the accident rate, including the number of fatalities caused, has changed due to the implementation of the safety measures since the 1990 US 113 study. (6)

Alternatives Considered

* Explain how the TSM alternatives do not fully address all safety issues for the US 113 study. Explain how dualization alternatives have addressed all safety issues, including the elimination of automobile accidents and the high percentage of fatalities which have occurred in this corridor. Dualization will result in higher speed limits, traffic travelling faster, and additional traffic being drawn to use the improved highway. With increased speed and increased traffic on a highway which provides access to a rural community, this appears to create a higher probability of traffic congestion and potential for collision with the local users. (7)

* Please provide costs of all alternatives to be studied including acquisition of right-of-way as well as construction costs. (8)

* Explain how the wetlands impact was calculated for alternatives which were dropped from further study. At the time that these alternatives were dropped these wetlands areas had not been verified or surveyed. (9)

* Please explain the need for a 34 foot median for the dualization alternatives. Discuss if a narrower median, or alternative measures to divide the traffic lanes, can be used to avoid or minimize wetlands impacts. (10)

Affected Environment

Land Use

* Please provide a County zoning map which shows how the land in the watershed has been zoned. This zoning map will provide us with an idea of how much growth may occur due to the road project. (11)

* There is a statement on page III-12, under Future Land Use that says,"no new subdivisions are under construction within the study area." Although there may be no construction occurring at this time, there may be proposals for new subdivisions along the study area. Please provide information from the County which indicates the location of any new or proposed residential or commercial subdivisions. Also are there any subdivisions which are not directly in the study area but will require access via US 113? (12)

Cultural Resources

* Please provide the letter and reference letter coordinating with (13)

Maryland Historical Trust on the historic structures and archaeological resources in the study area.

* All resources should be discussed in the same detail, that is, provide the criteria which the resource meets. (14)

* For archaeological sites, explain why the remainder of the 81 documented sites are not eligible. Include and reference the Phase I document as well as MHT's concurrence. (15)

Groundwater Resources

* Explain what is meant by the statement "groundwater is expected to be a sufficient source for demand within the project alignment." (16)

* Explain the statement "Worcester County depends on surface water for its water supply." If this is so the wetlands resources in this areas are extremely important to maintain the quality of the water supply. (17)

Surface Water

* Explain how it was determined that some tributaries in the study area were fed by underground springs. Provide any documentation, including field verification, which supports this statement. (18)

* Cross reference the discussion on habitat with the discussion of surface waters. (19)

* There are no natural ponds or lakes in the study area. (20)

* Provide existing water quality data for any of the systems which are in the study area. (21)

Wetlands

* Please provide the documentation for determining the functional assessment for the wetlands to be affected by the proposed alignments. (22)

* Provide documentation for the statement on page III-26, "most of the depressional and upland flat wetlands are located in the northern study area and have been altered by previous logging activity." (23)

* Need to include information regarding the "new" wetlands which were not verified at the time the document was developed. (24)

* Preliminary review of the functional assessment of the wetlands indicates that some wetlands have only one or no functions or values. This functional analysis should be reviewed for accuracy as field observations do not agree with the assessment in the document. The Corps does not concur with the functional assessment in the pre-DEIS. (25)

* In the Corps opinion, some of these wetlands are irreplaceable, for example, the cypress swamps. Re-creating these systems will be difficult at best. The avoidance of these ecosystems should be a priority. (26)

Wildlife and Wildlife Habitat

* Explain how the species listed were identified for terrestrial, aquatic and wetlands habitats. Field observations indicate that there are more species in these areas than what is listed in the document. Other species, i.e., New Jersey chorus frogs, spring peepers, green snakes, etc., have also been observed. (27)

* Please provide the method used for assessment of upland habitat. (28)

Hazardous Waste

* There was what appears to be an abandoned gas station found near the Wetland 37. This site needs to be included in the identification of the potential hazardous waste sites along the study area. (29)

ENVIRONMENTAL CONSEQUENCES

Traffic

* Explain why the No Build alternative, which is providing improvements to intersections, and the TSM alternative, which includes improvements to intersections and other safety measures (i.e., lighting, rumble strips, etc.) will not reduce accident rate or improve the study area. (30)

* The explanation provided on page IV-3 states studies demonstrate that dualization (i.e., separating traffic) with left turn refuge areas will reduce the number of accidents on a highway by 24 %. If this is so then a two lane highway separated by a median with left turn refuge should also have the same results. (31)

* Table IV-1, the note should be changed from "dualization" to "separated by a median." (32)

Social, Economics, and Land Use

* Explain how alternative 3 N, which follows the existing alignment, has more impact to unimproved lands (135.4 acres) than alternative 4 N Modified, which is for the most part on totally new alignment (122.6 acres) and the combination alternative (112 acres). (33)

* Please provide the land use maps for the segments of the watersheds (Coastal Bays and Pocomoke River) which are affected by the US 113 study. (34)

* Provide the status of the Worcester County Comprehensive Development Plan. Also, provide information from the existing plan which is pertinent to the US 113 study area. (35)

Farmlands

* The Corps recognizes that any road construction will result in the loss of prime agricultural land both for the highway and development due to the highway construction. (36)

* Address any impacts to farmlands which will result from potential mitigation sites being developed in the area. (37)

* Explain if the accessibility problem caused by alternative 4 N Modified crossing several farm fields was figured in to the 61 to 62 acres of additional impact to farmlands. (38)

Soils, Geology, Topography

* Explain why the stormwater management and sediment control measures are addressed under this heading. Also, in the discussion of these BMPs explain how they will be accomplished. Impacts to the resources, i.e., wetlands, surface waters, groundwater, etc., should also be addressed. (39)

* Explain how the underground springs mentioned in Affected Environment will be affected. (40)

* Explain the impacts to soils, geology, topography resulting from compaction of the fill for the road way. (41)

* Need to address where the fill for the road is going to obtained. Address how the borrow pits for fill will affect the resources in the study area. (42)

Groundwater Resources

* Provide well data to support the statement that groundwater will not be altered by the construction. Also, explain how other measures, i.e., stormwater, borrow pits, sediment control, etc., will affect groundwater. (43)

Surface Water Resources

* Explain how the road construction will affect the surface water resources, such as alteration of flow, loss of stream and aquatic habitat, etc. (44)

* Explain why the predicted 2020 off season ADT is used versus the summer time ADT for determining that only negligible impacts will occur due to the increase amount of impervious surface and traffic using the road. (45)

* Pocomoke River and its tributaries will be affected by the road improvements. (46)

* The effects of stormwater management facilities on surface waters needs to be addressed. Include both the physical location of these as well as the potential for introduction of pollutants to the waterway. (47)

Floodplains

* It is stated that there will be no significant floodplain impacts. Explain how this was determined. (48)

* Provide the total number (acreage) of floodplain in the study area. (49)

Wetlands

* The proper term to be used is "waters of the United States, including jurisdictional wetlands." This term includes both water and wetlands. (50)

* Define "MFTP." (51)

* Loss of functions and values is not necessarily proportional to the impact acreage (i.e., cypress swamp may have greater loss of function and subsequently higher loss of value although there may be less impact to the resource). (52)

* The wetladns and waterways located in this study area are regulated under Section 404 of the Clean Water Act. Avoidance, minimization, and compensation of impacts to wetlands and waterways is required in accordance with the 404 (b)(1) guidelines. (53)

* Because of the difference in value of the different systems, certain wetlands areas which are impacted may require a higher mitigation ratio to offset the loss of these resources and the length of time and difficulty it will take to recreate these systems to replace their current functions. (54)

* The mitigation ratios listed on page IV-42 in the pre-DEIS are not correct. The "Maryland Compensatory Mitigation Guidance" should be referenced. The ratios for creation or restoration are: (55)

forested wetlands 2:1
scrub/shrub wetlands 2:1
emergent wetlands 1.5:1

* The potential functions lost should also include loss of discharge/recharge areas. (56)

* The statement regarding alternatives analysis on page IV-35 should be deleted. (57)

* The "new" wetlands areas which were not originally surveyed with the rest of the wetlands areas will need to be identified and discussed in this section. These wetlands should also be located on the wetladns maps. (58)

* Without monitoring wells or well data for the proposed mitigation sites, a statement cannot be made that mitigation for impacted wetlands will be done easily with only minor excavation. The ease of creating a cypress swamp or a swamp/floodplain wetland and having it successfully replicate the functions of the impacted area is highly questionable. (59)

Vegetation and Wildlife

* There is no habitat evaluation discussed in this section nor are impacts to habitat addressed. This habitat evaluation and potential impacts needs to be addressed. (60)

Response U.S. Department of the Army Corps of Engineers letter dated March 31, 1997 (Enclosure 1)

INTRODUCTION:

The COE letter dated March 31, 1997 providing comments on the preliminary Draft EIS was reviewed and the majority of these issues were addressed in the Draft EIS/Section 4(f) Evaluation (May 1997). All changes to the document required have been made and are also reflected in the Final EIS. Reference to the location of these changes in the Final EIS are shown in bracketed, bold, italic text in the Response to Comments. See Enclosure 1 (pages V A5(1)-1 through -16).

1. **Section 8** of the **Summary chapter** has been revised to clarify public support for the project.
   [Summary Chapter, Section 8 of the Final EIS]

2. The growth rates used for the traffic data associated with the US 113 project area were developed from data contained in the Worcester County Comprehensive Plan along with input from the District Traffic, the Regional Planner, the Maryland Office of Planning, along with historical growth from both the MDSHA Traffic Volume Maps over the last 20 years as well as data obtained from MDSHA Traffic Trends (count locations 37, 62 & 63). Count location 37 (US 13 at Beaverdam - south of the project limits) has consistently shown growth rates between 2 percent to 2.5 percent over the last 15 years. See also **Chapter IV, Section B** - land use.
   [See also Section IV.B of the Final EIS]

3. SHA's threshold for upgrading a road is based on the statewide average. As discussed in both the **Summary chapter** and **Chapter I, Section C.3** of this document, considerable emphasis has been placed on accident experiences along existing US 113 which **significantly** exceed the statewide average (statistically, the term significant is used when the accident rate is two or more standard deviations above the average rate).

   The statewide average accident rates are derived from a database of all Maryland roadways. For roads with similar characteristics (i.e., similar functional classification, roadway cross-section, traffic operations) an accident average is computed. Hundreds of road segments were used in computing the statewide accident rates for US 113.

   If the statewide average for a particular type of accident is exceeded, typically the project will focus on measures to reduce that particular type of accident. Thus when safety is the purpose and need of the project, measures to reduce those accidents that are greater than the statewide average are studied since this will have the most significant effect on the overall accident rate.

   US Route 113 within the study area dates from the late 1700's; the dualized portion around Berlin was constructed in the early 1970's as a divided bypass. The section of US 113 between Pocomoke City and south of Snow Hill was dualized in the early 1970's. See **Chapter II, Section A**.

   Page S-6 : The accident data before dualization for the currently dualized portions of US 113 is not available since it was dualized before 1970. The accident rates for two-lane undivided and four-lane undivided rural roadways are available and can be used for comparison.

Dualization of US 113 through Berlin was completed in the early seventies. Statistics from many roadway improvement projects throughout Maryland show that dualization to a four lane roadway from two lanes has a proven effectiveness in providing a significant reduction in accident rates.

[Area accident data is presented in Appendix D of the Final EIS.]

4. The signs requiring drivers to leave their headlights on US 113 will be ready to be installed in mid May prior to Memorial Day. Enforcement will begin the same day signs are installed.
   Because of the varying level of details available for accident statistics, three tables are presented in the current/revised document:
   Table I-2 Historical Accident Data - 16 Years (1980 through 1995)
   Table I-3 Detailed Accident Data - 6 Years (1990 through 1995)
   Table I-4 Fatal Accident Data - 17 Years plus 3 Months (January 1980 through March 1997)
   Clarifying notes have been added.
   [Accident data are presented in Section I.C (Table I-2: Detail Analysis of 7-Years Accident Data, Table I-3: Tabulation of 17 Years + 9 Months Fatal Accident Data), and Appendix D of Final EIS]

5. See response # 3. Footnote #1 on Tables I-2 and I-3 addresses why the statewide average is different for the northern and southern segments of the study area.
   [Footnotes on Table I-2 in the Final EIS address why the statewide average is different for the northern and southern segment of the study area.]

6. The No-Build Alternative would not provide major improvements to the existing US 113. Minor improvements are planned for construction or were just recently implemented as part of SHA's normal maintenance and safety programs. Since the alternatives are being compared based on possible future scenarios, these minor improvements have been included in the analysis of the No-Build Alternative. These improvements are listed in **Chapter II, Table II-1** and locations are shown in **Chapter II, Figure II-2**. If the No-Build alternative were selected, these improvements reflect the safety and design characteristics that would be in place.

   Improvements must be in place for at least three years before an adequate amount of data is available from which the magnitude of the safety improvement can be portrayed. Since many of these improvements were just recently implemented, a study to evaluate their effectiveness cannot be completed as yet.

   The improvements are intended to increase safety and address some particular problem areas with numerous low-capital measures. However, by the nature of such improvements, the results may be positive in addressing safety, though minimal in their scope. Specifically, the minor improvements would not provide features to prevent further opposite direction collisions as vehicles cross the centerline; as occurs in most of the fatal accidents. Although the No-Build Alternative will therefore not meet the project need, it was used as a basis for comparison for the analysis of the other alternatives.

   [See also Chapter II of the Final EIS.]

7. **Chapter II** has been revised to address these issues.
   [See Section II.D.3 of the Final EIS.]

8. Costs for right of way and construction are presented on **Table S-1** and in **Chapter II**.
   [See also Table S-1 and Section II of the Final EIS.]

9. The best available wetlands mapping was used at each stage of this study to compare impacts. The wetland impacts presented in the DEIS are based on field verified and surveyed wetland boundaries.
   [The wetland impacts presented in Section IV.I of the Final EIS are based on field verified and surveyed wetland boundaries.]

10. Accident data indicates that most fatal accidents occur when vehicles cross the centerline. The proposed median designs along the corridor will minimize the number of vehicles that cross over into opposing traffic. Recovery area widths suggested by FHWA roadside design guidelines is 30 feet; this figure is based on studies of typical reaction and recovery areas necessary for vehicles that run off the road.

    Alternatives with a 34 foot median would provide more recovery area for vehicles that leave the roadway toward the center; meeting FHWA guidelines. The 20 foot median design effectively reduces the number of vehicles that cross into opposing traffic, however, it has the disadvantage of providing less recovery area for vehicles that leave the roadway before striking the barrier. Thus, the alternatives with a 20' median effectively reduce fatal accidents but will have a higher incidence of fixed-object collisions than alternatives with a 34 foot median.

    The principal advantages of divided roadways are increased safety, driver comfort and ease of operation. Divided highways must provide enough room for a left turn lane so that vehicles are not using the travel lanes. There is a significant reduction in head-on collisions and virtual elimination of such accidents on sections with wider medians. When turning bays are provided in the median, rear end collisions and other inconveniences to through traffic resulting from left turn movements are greatly reduced. Divided multi-lane arterials make for more relaxed and pleasant operation, particularly in inclement weather and at night when headlight glare is bothersome. Headlight glare is reduced somewhat by narrow medians but can almost be eliminated by wide medians.

    [Dualization alternatives with a 20-foot median were carried through the environmental analysis. In addition, as presented in Section II.E (text and typical sections) and Appendix A (1" = 400' scale maps of the Preferred Alternatives), median widths have been reduced in areas of sensitive natural resources, i.e., wetland areas. The proposed 34' median will be narrowed to either 10' or 16' at specific locations.]

11. A graphic showing the zoning classification has been included in **Chapter III, Section B** (Land Use).
    [See Figures III-4A through 4D in the Final EIS.]

12. Text has been added stating new residential development has occurred along Shingle landing Road and Bunting Road and that the coastal bay areas where future development is projected for home access to US 113 via state and county roads.
    [See Section III.A.2 in the Final EIS.]

13. See **Chapter IV, Section C** and **Chapter VI**.
    [See Section IV.C and Chapter V in the Final EIS.]

14. See **Chapter IV, Section C**.
    [See Section IV.C in the Final EIS.]

15. See **Chapter IV, Section C.2.**
    [See Section IV.C in the Final EIS.]

16. See **Chapter IV, Section F.**
    [See Sections III.G and IV.F in the Final EIS.]

17. See **Chapter IV, Section F.**
    [See Section III.G and IV.F in the Final EIS.]

18. Natural stream flow is made up of three components: baseflow, interflow, and surface runoff. Perennial streams generally have all three components, while intermittent streams lack the baseflow component. Baseflow is the discharge of groundwater which maintains stream flow through the dry portions of the year. The example of "underground springs" does not appropriately describe this baseflow component and has been removed from the text.

19. Discussions of surface water resources in **Chapter III, Section F** and wetland resources in Section III-H have been cross-referenced with aquatic and wetland habitat discussions in **Chapter III, Section I.**
    [See Section III.F and III.I in the Final EIS.]

20. The statement that there are no natural ponds or lakes in the study area has been noted in **Chapter III, Section F.2.**
    [Section III.F.2 in the Final EIS.]

21. Existing water quality data was not available for these small tributary systems.

22. The functional assessment has been revised using the New England Corps Descriptive Approach. Assessment teams including SHA and resource agency representatives have identified the principal functions of representative wetland areas. These principal functions have been applied to all similar wetlands in the study area as reflected in Table III-16.
    [See Section III.H and Table III-18 of the Final EIS.]

23. Although the entire study area has been logged since the arrival of European settlers (as determined through the review of historic aerial photographs and verified through coordination with NRCS), the statement in the DEIS deals specifically with the depressional and upland flat wetlands of the northern study area (Wetlands W-23, 24, 25, 26, 27, 33, 34, 35, 36, 37, 39) where direct observations of logging and farming disturbances were made in the field. A reference for the NRCS verification has been added to the DEIS in Section III-H.
    [See Section III.H of the Final EIS.]

24. The wetland Jurisdictional Determination and functional assessment have been completed for this latest submittal of the Final EIS, as have the avoidance and minimization alternatives. This is included in **Chapter IV, Section I.**
    [See Sections III.H and IV.I of the Final EIS.]

25. The functional assessment has been revised using the New England Corps Descriptive Approach. Assessment teams including SHA and resource agency representatives have identified the principal functions of representative wetland areas. These principal functions have been applied to all similar wetlands in the study area as reflected in **Chapter III, Table III-12.**
    [See Table III-18 of the Final EIS.]

26. The avoidance of impacts to wetland resources throughout the project area is always a priority with SHA, however, some impacts are unavoidable. Because of the proximity or the extent of many wetlands complete avoidance is not possible and measures to minimize impacts have been considered. In the case of Wetland 8 (the Cypress Swamp), the wetland is located adjacent to the existing roadway on both the east and west side of the road. Any alternative which involves the widening of the existing road will impact this wetland. Measures to minimize these impacts include widening to the side where the wetland is the narrowest, and the use of 2:1 slopes to reduce the width of the roadway footprint. Additional measures such as narrowing the median and reducing safety grading are also being considered and will continue to be developed throughout the ongoing design process. Similar measures are being developed where appropriate for all of the wetlands impacted throughout this project. Only after full consideration of avoidance and minimization alternatives is compensation for unavoidable impacts considered. Where compensation is required, close coordination with the resource agencies will promote the successful completion of the wetland creation.
[See Section IV.I of the Final EIS.]

27. The wildlife species listed in the DEIS were identified from coordination with MD DNR, review of other sources such as field guides and checklists, and field observations during the summer of 1996. The listing of species is not meant to be comprehensive but to show a representative cross-section of the variety of wildlife to be found in the study area. Space and ease of reading considerations do not allow for a complete listing of the wildlife species in the DEIS. For example, there are nearly 300 bird species which may be found at various times of the year in the study area.

28. The habitat evaluation methodology is presented in **Chapter IV, Section J.2.**
[A listing of Fish and Wildlife Species in Worcester County is presented in Appendix E of the Final EIS. See also Section IV.J.2 of the Final EIS.]

29. An area containing drums was identified by the US Army Corps of Engineers during wetland field reviews. This area was not identified as a site during preparation of the ISA. There are no records of waste material sites or source events at the identified location. The contents of the drums is unknown. If this area would be impacted by proposed expansion activity, then this location should be added to the sites to receive Phase I site investigations. The potential risk posed by the drums can be characterized at that time. This site, identified as site 24, has been added to the list of potential waste sites. See **Chapter III, Section M.2.** Inclusion of this site in Chapter IV, Section N, was inadvertently left out of the April 21, 1997 publication of this DEIS. This site will be included in the next publication of this DEIS.
[See Sections III.M and IV.N of the Final EIS.]

30. Accident rates for the No-Build and TSM alternatives are discussed in **Chapter IV, Section A.5** and presented on **Table IV-1.**
[See Section IV.A.5 of the Final EIS.]

31. Accident rates for Alternative 2S-20' Median are discussed in **Chapter IV, Section A.5.**
[See Section IV.A.5 of the Final EIS.]

32. **Chapter IV, Section A 5, Table IV-1** has been reformatted to include each alternative being considered.
[See Section IV.A.5 of the Final EIS.]

33. SHA currently owns much of the right-of-way required under the Alternative 3N alignments. Total right-of-way required, amount of right-of-way already owned by SHA and amount of additional right-of-way required have been included in **Table S-1**.
[See Table S-1 in the Final EIS.]

34. The existing land use graphic in **Chapter III** has been revised to show the land use within approximately 1 mile east and west of the existing roadway.
[See Figure III-3A through 3D in the Final EIS.]

35. Additional information from the County Comprehensive Plan (1989) has been provided in the Land Use discussion in **Chapter IV**. The County Comprehensive Plan is currently being updated and is projected to be completed by July 1, 1997 to comply with the provisions of the State Economic Growth, Resource Protection and Planning Act of 1992. This has been included in **Chapter III** in the Land Use discussion.
[A Supplement to the 1989 Comprehensive Development Plan for Worcester County was published in September 1997. Both the 1989 Plan and the 1997 Supplement were used extensively in understanding the development in Worcester County. These documents are referenced in Sections III.A, IV.B and IV.Q of the Final EIS. See also Figures III-3A through 3D in the Final EIS]

36. No response required.

37. A footnote has been added to the Farmland impact summary table - **Chapter IV, Table IV-7** stating that additional Farmland impacts may occur as a result of wetland mitigation requirements. Pending selection of mitigation sites for wetland impacts, farmland/other property impacts are unknown. These analyses will be completed prior to the permit.
[See Table IV-7 and Section IV.D of the Final EIS.]

38. Indirect farmland impacts were calculated separately and are shown in more detail on **Table IV-5**.
[See Table IV-7 and Section IV.D of the Final EIS.]

39. Storm water management and sediment control measures are issues directly influenced by soils, geology and topography. Some soils to be encountered within the study area are highly erodible. Therefore, sediment control was briefly addressed. Impacts to wetlands, surface waters, and groundwater have been addressed in the document.
[See Section IV.E of the Final EIS.]

40. Underground springs are recharged mainly by precipitation that filters through the soil. It is anticipated that a minimal change in relief and decrease in recharge area resulting from roadway construction will not significantly affect water recharge to underground springs and aquifers in this region.
[See Sections III.E and IV.F of the Final EIS.]

41. Compaction of soils may impact the infiltration of water into the soils; however, it is anticipated that underground springs and aquifers will not be significantly impacted on the large scale.
[See Sections III.C and IV.E of the Final EIS.]

42. The selection of borrow sites for highway development is left up to the contractor. It is the contractor's responsibility to obtain any required permits and adhere to all applicable regulations in obtaining of the borrow material. To meet the requirements of Section 230.10, SHA has specified throughout the DEIS, that the required borrow material be obtained from clean, upland sites that are free of contamination.
[This has been carried through the Final EIS]

43. Current well data was not reviewed as part of this study. It is estimated that 360 million gallons per day of water is available from water bearing beds within the uppermost 500 feet of sedimentary deposits. It is anticipated that an abundant groundwater supply is available for development within the study area.

44. Discussions of the alteration of surface flow and loss of stream habitat have been added to **Chapter IV, Section G.**
[See Sections IV.F, IV.G, IV.H, IV.I, and IV.J of the Final EIS.]

45. The yearly ADT volumes presented in the DEIS includes the average traffic for the entire year not just the "off-season". The summer ADT volumes are presented to demonstrate the dramatic seasonal increase of traffic. The summer ADT volumes represent the average Saturday traffic from Memorial Day to Labor Day. The yearly ADT volumes represent the average year-round weekday (Monday through Friday) traffic and are therefore the appropriate numbers to use for this analysis.
[See Section IV.G of the Final EIS.]

46. Because the Pocomoke River is located from 2,500 to 8,000 feet or more to the west of US 113, no direct impacts to the river will occur. Impacts to tributaries of the Pocomoke, which may cause indirect impacts to the River, have been addressed in **Chapter IV, Section G.** Mitigation measures to minimize these impacts are also included.
[See Sections IV.G, and IV.Q of the Final EIS.]

47. The general effects of storm water management facilities best management practices has been added to **Chapter IV, Section G.** The location of these facilities and specific impacts will be determined during final design, when the drainage design is completed.
[See Sections IV.F, IV.G, IV.H, and IV.I, of the Final EIS.]

48. Only small areas of the 100-year floodplain will be impacted by this project under the various build alternatives. These floodplain impacts were examined in accordance with EO11988 and due to the general proximity to tidal waters and the lack of downstream development, it was determined that there will be no significant impact to the 100-year floodplains.
[See Section IV.H of the Final EIS.]

49. As partially shown on **Figure III-11**, the 100-year floodplains in the study area are part of a very large and contiguous system. It is therefore not feasible or meaningful to give a "total" area of floodplain in the study area.
[See Figures III-11A through 11-D of the Final EIS.]

50. The terminology 'waters of the United States, including jurisdictional wetlands' has been noted where appropriate throughout the document.

51. This was a typographic error and has been replaced with "US 113"

52. The loss of wetland functions and values is generally proportional to the impact within a given wetland system for direct impacts. Unless a very small percentage of the wetland remains after the construction, the remaining wetland will continue to function but to a lesser degree due to the loss of area. This general statement is not true if indirect impacts cause changes in hydrology or hydroperiod up or down stream of the project, sedimentation causes the loss of wetland vegetation, etc. Through the proper design of culverts and drainage, Storm water management and best management practices, and strict erosion and sediment control; SHA will minimize these indirect impacts. The compensation for

unavoidable impacts (both direct and indirect) will take into account these high value and highly functioning wetland (see the response to Comment # 54).
[See Section IV.I of the Final EIS.]

53. The requirements of the Section 404(b)(1) guidelines have been addressed in **Chapter IV, Section I.**
[See Section IV.I of the Final EIS.]

54. The replacement ratios for creation or restoration of wetlands, as shown in **Chapter IV, Section I**, are understood to be guidelines. The ratios may be adjusted up or down as appropriate to compensate for losses of wetland functions and values.
[See Section IV.I of the Final EIS.]

55. These higher ratios have been noted in **Chapter IV, Section I.**
[See Section IV.I of the Final EIS.]

56. Given the nature of the geology (unconsolidated sediments) of the study area, groundwater recharge occurs everywhere that there is not impervious surfaces or active groundwater discharge. The addition of the impervious road surface will account for a small percentage of the pervious surface and therefore should have minimal impact on groundwater recharge. Groundwater discharge areas must be accounted for in the roadway construction to ensure the roadway foundation is stable.

57. This statement was deleted from the DEIS.

58. The wetland Jurisdictional Determination and functional assessment have been completed for this latest submittal of the DEIS, as have the avoidance and minimization alternatives. This is included in **Chapter IV, Section I.**
[See Section IV.I of the Final EIS.]

59. The intent of the text was to point out that due to the low, flat topography of the study area, selected mitigation sites would require relatively minor excavations. This statement has been removed from **Chapter IV, Section I.**

60. Impacts to vegetation, wildlife habitat, and wildlife have been addressed in **Chapter IV, Section H-1 and 2.**
[See Section IV.J of the Final EIS.]

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July 18, 1997

Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering
P.O. Box 717
Baltimore, Maryland 21203-0717

Mr. Keith Harris
U.S. Army Corps of Engineers
Baltimore District
CENAB-OP-RX
P.O.Box 1715
Baltimore, Maryland 21203-1715

RE: US 113 from MD 394 to the Delaware State Line, Worcester County, MD: Draft EIS, May 1997 and Joint Public Notice for Section 404 authorization.

Dear Messrs. Ege and Harris:

In accordance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508), Section 309 of the Clean Air Act and Section 404 of the Clean Water Act, the Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) and the Joint Public Notice for the above referenced proposal.

Based on our review of the DEIS, EPA has rated only those alternatives which we believe would satisfy the purpose and need of the project. Due to the potential impacts to 100 to 111 acres of upland forest habitat, 1565 to 1705 linear feet of stream channel and 34.2 to 38.4 acres of mostly palustrine forested wetland habitat, EPA has rated the environmental impacts of alternatives 4N Modified -20' & 34' Median (60 MPH) (dualization on new alignment) and 3S - 20' and 34' Median (dualization on alignment) "EO" (Environmental Objections). Due to the potential impacts to 87 to 92 acres of upland forest habitat and 17 to 18.2 acres of mostly palustrine forested wetland, EPA has rated the environmental impacts of alternative 2S-20' Median and 3N/4N Modified - 20' & 34' Median "EC" (Environmental Concerns). Due to the possible 24 residential displacements, up to 1.13 acres and 3 properties of Historic Resources affected and 6 archeological resources affected, EPA has rated alternative 3N-20' & 34' Median (50 & 60 mph), "EC". Based on the overall content and adequacy

1

of the document, EPA has rated the DEIS a "2" (Insufficient Information). A copy of EPA's ranking system is enclosed for your reference. The detailed basis for these ratings are contained in the following comments.

Project Discription

U.S. 113 northern study area extends from north of Berlin, Maryland to the Delaware state line and the southern study area extends along U.S. 113 from south of Snow Hill, Maryland to south of Berlin. The purpose and need of the project are based primarily on safety and the significant number of fatalities occurring on U.S. 113. The northern section is above the statewide average for fatalities and there is an immediate need to provide safety measures to improve the conditions of the road in the northern and southern portions. In addition to safety concerns in the northern portion of the project, there is also a need to accommodate the growing population and land use projections for the northern portion of Worcester County. (2)

Environmental Objections

The wetlands and streams that would be impacted by alternative 4N Modified in the northern portion of U.S. 113 are associated with the coastal bays of Maryland. The wetlands and streams that are potentially impacted by alternative 3S Dualized in the southern portion of U.S. 113 are part of the Pocomoke/Chesapeake Bay watershed system and the coastal bays of Maryland. These systems act as natural filters, sediment traps, and are important habitat areas for wildlife. They also provide flood attenuation and nutrient removal functions. These wetland functions are not easily or quickly duplicated. Most of the potential maximum 38.4 acres of wetlands impacted are forested. Specifically in the southern section of U.S. 113, the potential loss of 1.6 acres of Bald Cypress Swamp can not easily be replaced. If either alternative 2S and 3S are chosen as the preferred alternative, EPA believes the Bald Cypress dominated wetland (Wetland #8) can and should be avoided during the design stages of the project. (3)

Environmental Concerns

The wetlands and streams associated with alternatives 3N/4N Modified Combination and 2S - 20' median are located in the same watersheds and have the same functions as the alternatives described above. However, with alternatives 3N/4N and 2S, the impacts are avoided and minimized to 18.2 maximum acres of wetland impacts. As presented in the document, these alternatives avoid ecological impacts while still satisfying the purpose and need of the project. This is in accordance with the requirements of Section 404 (b) (1) Guidelines of the Clean Water Act which requires that the least damaging practicable alternative on the aquatic ecosystem be selected unless there are other significant adverse consequences. (4)

Alternative 3N further minimizes the impacts to wetlands in accordance with the 404 (b) (1) guidelines. However, because of the residential displacements and historic

and archeological resources potentially impacted, we have rated this alternative "EC".

Insufficient Information

The DEIS states in the summary section that the projected 2020 accident rate for alternative 2S - 20' Median would be 34 annually. This is compared with alternative 3S which projects 31 accidents annually. Table S-1 states that alternative 2S is a moderate improvement for overall safety experience and 3S is a substantial improvement. There is a lack of supporting data in the determination that the 3S alternative is a "substantial improvement" from the 2S-20' Median alternative for the southern area. In addition, it is unclear from the documentation how the location for the passing lanes were determined and if their positioning would provide the best possible safety conditions for this alternative. (5)

On page IV-57 of the DEIS, the Southern Study Area wetlands are examined for avoidance in accordance with Section 404 (b) (1) Guidelines. However, it is not specified whether these avoidance measures are addressing alternative 2S or 3S. Both of these alternatives need to be addressed in this section. (6)

The DEIS stresses that the dualization of U.S. 113 will have limited secondary or "indirect" impacts because the major need of the project is safety. The Worcester County Plans do state that U.S. 113 is part of the growth that is projected and targeted for the northern area. The DEIS states that U.S. 113 is not located near the water and therefore not where the growth is projected to occur because of population preference. However, the attempt to localize the growth sprawl to certain growth centers and limiting the widening of the growth centers that might add to additional future ecological impacts to the area has not been demonstrated. Consequently, EPA believe that the DEIS does not accurately portray the full extent of secondary impacts. (7)

Page IV-26 of the DEIS states that "a cross functional team will meet every few weeks to review all access permit requests in the corridor to make recommendations on limiting the number of access points and in some situations to recommend denial of access." EPA would like additional information regarding the cross functional teams. What Federal, state and local agencies will be part of these teams? When will they commence and for how long will they continue? Since the southern portion of U.S. 113 is not targeted for growth, what strategies does SHA have to limit access in this area? Will there be two separate teams for the northern versus the southern sections of U.S. 113? EPA suggests that SHA and Worcester County form a long term partnership agreement to discuss these issues and to address secondary and future (cumulative) impacts to the area. (8)

Mitigation Planning

EPA believes that the Final EIS should have adequate wetland mitigation plans for the preferred alternative that follow the mitigation sequencing steps. We believe

that mitigation for wetlands should take an ecosystem approach, integrating both aquatic and terrestrial habitat. We would like to remain involved in these plans and would like to work to resolve any issues that need to be addressed. The Maryland Coastal Bays Management Committee is in the process of developing action plans which will include habitat and living resources restoration efforts within the watershed. We recommend that SHA work closely with this committee in the development of mitigation plans for wetland loss. Please contact Steve Talor, Program Director at (410) 260-8744 for additional information. In addition, EPA would like to be invited to participate in the review of storm water management facilities after the selection of the preferred alternative. 9

Thank you for the opportunity to comment. If you have any questions, please contact Danielle Algazi. She can be reached by phone at (215) 566-2722, by facsimile at (215) 566-2782 or by E-Mail at ALGAZI.DANIELLE@EPAMAIL.EPA.GOV.

Sincerely,

John D. Forren, Program Manager
NEPA & Wetlands Regulatory Review

Enclosure

cc: Michele Gomez, COE
David Sutherland, FWS
Mary Huie, FHA
John Nichols, NMFS
Elder Ghigiarelli, MDE
Larry Hughes, DNR
Phil Hager, Worcester County Planning
Ray Dintaman, DNR
Christine Wells, MOP
Al Kampmeyer, MDE Salisbury

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO—Lack of Objections
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC—Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO—Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU—Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1—Adequate
The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2—Insufficient Information
The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3—Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment

Response to Environmental Protection Agency letter dated July 18, 1997

1. While we understand EPA's comments on the dualization alternatives as presented in the Draft EIS/ Section 4(f) Evaluation, recent studies and alignment refinements which have minimized wetland impacts for the **Preferred Alternatives** have resulted in EPA's concurring with the **Preferred Alternatives** (concurrence dated September 15, 1997, see Section V.B.).

2. Updated accident statistics and traffic data are presented in Section I.C. of this document, including Tables I-1, I-2, and I-3.

3. The **Preferred Alternatives** would result in the unavoidable loss of approximately 12 acres of wetlands in the Pocomoke and Coastal Area watersheds. Mitigation planning for unavoidable wetland impacts will address the replacement of existing wetland functions and values. SHA acknowledges that certain functions and values are not easily or quickly duplicated, depending on the location of the selected mitigation sites. Ongoing site selection studies will focus on landscape positions that offer the best potential for replacing the functions and values of the impacted wetlands.

   Impacts to the Bald Cypress dominated wetland (Wetland 8) cannot be completely avoided, and additional minimization techniques will be employed to reduce wetland encroachment. Preliminary design studies have been completed that reduce wetland impacts to 0.32 acres, as compared to 1.6 acres reported in the Draft EIS. Minimization measures include construction of an epoxy coated retaining wall 16-feet beyond the edge of the travel lane, reducing the 34-foot grass median to a 16-foot paved median with a guardrail separator, and reducing the 20-foot wide grass safety grading to 6-feet with a guardrail. During final design, detailed studies will be completed to ensure that wetland impacts are minimized to the greatest extent practicable.

4. The **Northern Preferred Alternative** minimizes impacts to wetlands in accordance with Section 404 (b) (1) guidelines as noted by EPA. Alternative 3N, which would require residential displacements and would have adverse impacts on several historic properties, was not chosen as the preferred alternative. However, the Maryland Historical Trust (MHT) has determined that the **Northern Preferred Alternative** does have an adverse effect on the National Register St. Martin's Church. Coordination with MHT and the Advisory Council for Historic Preservation has been initiated in accordance with Section 106 of the National Historic Preservation Act of 1966.

5. As discussed in Section IV.A of this document, a considerable body of literature exists to support the benefits of dualizing a two lane highway in terms of accident reduction. In every case, these supporting data are based on studies of two-lane 2-way highways being dualized to four-lane divided highways. Previous case studies of improvements similar to that proposed for Alternative 2S-20' median are not available, hence making precise determinations of accident reduction somewhat speculative. Furthermore, while the terms "moderate improvement" and "substantial improvement" are subjective, Table S-1 and IV-1 present best estimates for accident reductions associated with each of the alternatives under consideration as well as for the **Preferred Alternatives**.

   Placement of the passing lanes for Alternative 2S-20' median was accomplished with the goal of providing passing lanes (1 mile in length) approximately every 4 to 5 miles within the 16 mile segment for the Southern Study area. In addition, these passing lanes were placed between intersections that were at least a mile and a half apart and in areas to avoid/minimize residential/business impact and wetland impacts.

6. The wetland minimization studies referenced on page IV-57 of the Draft EIS were primarily for the dualization alternatives then under consideration, although similar strategies would clearly apply to Alternative 2S-20' median. As previously discussed, the **Preferred Alternatives** reflect the results of extensive wetland minimization and avoidance studies.

7. Secondary impacts have been addressed in the Final EIS, Section IV. Q - Cumulative Effects. Projected and potential development has been studied in light of the development goals of Worcester County as stated in the 1997 Supplement to the 1989 Comprehensive Development Plan for Worcester County. Development projections forecasted in 1990 do not reflect the impact of Federal, state and local conservation efforts, many of which are legislated.

8. The Maryland State Highway Administration's Access Management Team (AMT) meets a minimum of once every three weeks. The Team consists of representatives from SHA Office of Planning and Preliminary Engineering, Division of Engineering Access Permits, the Office of Council, Office of Real Estate and the Office of Traffic and Safety. The AMT will meet regularly to review opportunities for improving access to US 113. This will be done through the development process by reviewing site plans, building permit application, property sale listings and access permit applications. These reviews will be coordinated with the Worcester County Office of Planning. Access management has been ongoing within the SHA since 1987.

   Property owners and developers submit their plans to the local planning offices who in turn forward those on the Primary Highway System, to the Access Management Team. The plans are reviewed on a case by case basis to determine the best options.

   - If the property has access via another public road the team will recommend that the owner use the alternate means of access to the Primary highway.

   - If access can only be obtained via a future service road or a public road a "TEMPORARY" access permit may be issued. Once the improvement is realized, access to the Primary highway would be via the service road or public road and the "temporary" access would be closed.

   - If a property were to be landlocked by the State Highway Administration's proposed improvement or it is not cost effective to construct a service road the team may recommend the purchase of the property.

   Existing permitted entrances remain as long as there is no change in land use or traffic operation problems do not occur. However, these entrances could be closed as alternate access is provided.

9. Mitigation planning for unavoidable wetland impacts has been be conducted in accordance with the sequencing guidelines developed by the interagency mitigation task force. Nine potential wetland mitigation sites have been identified that are suitable for "in-kind" replacement of wetlands, and are either near the proposed impact areas or within the same watershed. This work is being coordinated with the Maryland Coastal Bays Management Committee and with the EPA. Wetland mitigation is discussed in Section IV.I of the Final EIS

Parris N. Glendening
Governor

Maryland Department of Natural Resources

ENVIRONMENTAL REVIEW

Tawes State Office Building
Annapolis, Maryland 21401

John R. Griffin
Secretary

Carolyn D. Davis
Deputy Secretary

July 21, 1997

Neil J. Pedersen, Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Pedersen:

Thank you for providing the Department with the opportunity to review and comment on the US 113, Snow Hill to the Delaware State Line, Draft Environmental Impact Statement. After reviewing the submittal we have determined that the Department's concerns have been adequately addressed. It is our judgement that the environmental information provided in this document is sufficient for aiding in making an informed decisions as to which of the proposed alternatives should be the selected alternative. The Department looks forward to continued participation in interagency coordination to help assure maximized avoidance and/or minimization of environmental impacts as an alternative is selected, final designs are formulated, and approvals sought. (1)

Should you have any questions concerning these comments, please contact me or Larry Hughes of my staff at (410) 260-8330.

Sincerely,

Ray C. Dintaman, Jr.

Ray C. Dintaman, Jr., Director
Environmental Review Unit

RCD:LEH
cc. John R. Griffin, Secretary
Sarah Taylor-Rogers, Assistant Secretary
Sandi Olek, CCWS
Lynn Davidson, FWHS
Renee Sigel, FHWA
Keith Harris, COE
John Forren, EPA
Robert Zepp, USFWS
Timothy Goodger, NMFS
James Noonan, MOP
Elder Ghigiarelli, MDE
J. Rodney Little, MHT

Telephone:_____
DNR TTY for the Deaf: (410) 974-3683

Response to Maryland Department of Natural Resources letter dated July 21, 1997

1. On September 17, 1997, SHA Administrator Parker F. Williams concurred with the planning team's recommendation for the **Preferred Alternatives**. By copy of letter dated September 16, 1997, Maryland DNR also concurred with the planning team's recommendation for the **Preferred Alternatives**.

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Habitat And Protected
Resources Division
Oxford, Maryland 21654

July 23, 1997

Louis H. Ege, Jr.
Deputy Director, Office Of Planning & Preliminary Engineering
State Highway Administration
P.O. Box 717
Baltimore, Maryland 21203-0717

Dear Mr. Ege:

We have reviewed the draft Environmental Impact Statement (EIS) for the U.S. Route 113 Planning Study, in Worcester County.

In general, the draft EIS contains an adequate level of information to cover the broad range of issues that are associated with this project. However, we offer the following comments about two issues discussed in the document.

Section IV (Environmental Consequences): parts pertaining to indirect and cumulative impacts associated with the project provide a detailed discussion on the limited development that is anticipated in the southern study area, and the minimal impacts the project will have on stimulating development in this area. However, information provided in Section I (Purpose & Need) on Average Daily Traffic (ADT) Volumes predicts significant ADT volume increases between 1995 and 2020 for the southern area. In fact, the normal (non-summer) ADT volume for the southern area more than triples, from 3,500 (low end of the range) for 1995, to 10,800 (high end of the range) for 2020. Therefore, the EIS should explain how anticipated future increases in ADT volumes relate to anticipated low development levels in the southern area. (1)

Section IV, page IV-5: the document states that because of an unusual design (i.e., one lane per direction), and narrow median width, Alternate 2S-20' Median is not expected to improve traffic safety to the same degree on the dualization alternates. However, Alternate 2S will have a median width similar to some of the dualization alternates, and well as a median traffic barrier, safety grading and/or guard rails. If it is anticipated that Alternate 2S will provide less safety improvements than dualization, a more detailed explanation is needed. (2)

Finally, it was stated in the document that the .."primary need for the proposed roadway improvements is safety and not traffic capacity.." Because the southern study area differs markedly from the northern area relative to the surrounding environment and traffic levels, dualization may not be necessary in the southern area if a two-lane alternate can provide an adequate level of safety improvements and traffic management. Consequently, Alternate 2S-20' Median, which reduces wetland losses by approximately half of that associated with dualization alternates in the south, should be given full consideration during the upcoming review. (3)

If there are any questions concerning these comments, you may call John S. Nichols at (410) 226-5771.

Sincerely,

Timothy E. Goodger
Officer in Charge
Oxford Habitat Office

Response to National Marine Fisheries Service letter dated July 23, 1997

1. A comparison between the low end of the ADT range and the high end of the ADT from Table I-1 range does not provide an accurate representation. The location with an 1995 ADT of 3,500 in the southern area in the non-summer months increased to 5,100, a net increase of 44 percent. The ADT volumes are shown graphically in Figures IV-1A thru IV-1D and are described in Section IV-A.

	1995	2020
Average Daily Traffic	3,500	7,450
Average Daily Traffic	5,025	10,800

Build & No Build: Only a modest increase is forecast in this area (i.e., 3,500 up to 5,025 and 7,450 up to 10,800, or 1.5 percent per year).

Currently the ADT volumes on US 113 vary as a result of the variation in land use density throughout the corridor. In areas where there are lower volumes of residential and commercial activity, a lower ADT is generally observed. Since significant changes in land development patterns is not expected, a uniform growth rate of 1.5 percent per year can be used for the entire study area to forecast the increases in ADT for the year 2020. Thus, while the entire corridor will experience a growth in future traffic volumes, the observed pattern of varying magnitudes in traffic volumes when moving from south to north would remain the same. For example, in some of the more agricultural areas along the corridor, an ADT of 3,500 vehicles per day has been observed; this is predicted to increase at a rate of 1.5 percent per year. In the year 2020, traffic volumes of 5,025 could be expected in these areas. In some of the more densely developed areas, the existing ADT volume is 7,450 vehicles per day. This volume is expected to increase to 10,800 vehicles per day by the year 2020 using the same growth rate. A comparison of existing and future traffic volumes should be made based on the volume experienced in one particular area and to compare the absolute minimum existing volume to the maximum future predicted volume would be an erroneous comparison.

2. As discussed under response #5 to EPA's July 18, 1997 letter, a review of current research literature was unable to identify any similar case studies in order assess accident reductions as a result of improvements similar to Alternative 2S-20' median. While this alternative would provide positive traffic separation through a median and the traffic barrier, passing operations would be severely constrained and operations would clearly be atypical in terms of other highways on the Delmarva peninsula. Therefore, it was these operational concerns, coupled with a lack of case studies, that led the study team to conclude that Alternative 2S-20' median will provide less safety improvements than the dualization alternatives, including the **Preferred Alternatives.**

3. As a result of extensive wetland minimization and avoidance studies completed for the **Southern Preferred Alternative**, wetland impacts have been considerably reduced; from the 13.7 acres shown in Table IV-11 of the Draft EIS to a range of 5 to 5½ acres. This level is now approximately equal to the 5.8 acres anticipated with Alternative 2S-20' median.

MARYLAND *Office of Planning*

Parris N. Glendening
Governor

Ronald M. Kreitner
Director

July 24, 1997

RECEIVED
JUL 29 1997
MARC TRAIN SERVICE

Mr. Neil J. Pedersen
Office of Planning and Preliminary Engineering
Maryland Department of Transportation
P.O. Box 717
Baltimore, MD 21202

REVIEW AND RECOMMENDATION

State Application Identifier: MD970605-0484
Description: Draft Environmental Impact Statement/Section 4(f) Evaluation for the US 113 Project
Applicant: Maryland Department of Transportation
Location: Worcester County
Approving Authority: State Highway Administration

Recommendation: **Endorsement With Qualifying Comment(s)**

Dear Mr. Pedersen:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 14.24.04, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State process review and recommendation. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Departments of the Environment, Housing and Community Development including the Maryland Historical Trust, Natural Resources and Business and Economic Development; Maryland Energy Administration; Worcester County; and the Maryland Office of Planning. As of this date, the Maryland Departments of the Environment, Housing and Community Development including the Maryland Historical Trust and Business and Economic Development have not submitted comments. This endorsement is contingent upon the applicant considering and addressing any problems or conditions that may be identified by their review.

Worcester County and the Maryland Office of Planning found this project to be **consistent** with their plans, programs, and objectives. The Maryland Energy Administration has no comment on this project because it is not related to their program or functions.

The Maryland Department of Natural Resources found this project to be **generally consistent** with their plans, programs, and objectives, but included certain qualifying comments summarized below.

Summary of Comments:

The Coastal Zone Management Administration (CZMA) requires that federally conducted or supported activities which affect the State's coastal zone be consistent, the maximum extent practicable, with the State's approved Coastal Zone Management Program (CZMA, Section 307). For further information please call Mr. Elder Ghiagiarelli at (410) 631-8091.

301 West Preston Street • Baltimore, Maryland 21201-2365
State Clearinghouse: (410) 767-4490 Fax: 767-4480

The Department of Natural Resources (DNR) is currently conducting a review of the Draft EIS and will be commenting directly to SHA. For information on the DNR review, please contact Larry Hughes of the Environmental Review Unit at (410) 260-8335.

Any statement of consideration given to the comments should be submitted to the approving authority, with a copy to the State Clearinghouse. Additionally, the State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the recommendation cannot be accommodated by the approving authority.

Please remember, you must comply with all applicable state and local laws and regulations. If you have any questions about the comments contained in this letter or how to proceed, please contact the State Clearinghouse at (410) 767-4490. **Also please complete the attached form and return it to the State Clearinghouse as soon as the status of the project is known.** ***Any substitutions of this form must include the State Application Identifier Number.*** **This will ensure that our files are complete.**

We appreciate your attention to the intergovernmental review process and look forward to your continued cooperation.

Sincerely,

Scribner H. Sheafor
Chief, Planning Assistance and Review Unit

SHS:LG:mds
Enclosures

cc: The Honorable Craig Johnson, Mayor
MDE - Steve Bieber
MEA - Frederick Hoover
DNR - Ray Dintaman
DHCD - Sue Hartman
DBED - Jim Gatto
WRCS - Gerald Mason
OPC - Mary Abrams
OPL - Scrib Sheafor

Response to Maryland Office of Planning letter dated July 24, 1997

1. Consultation and coordination with the Maryland Department of the Environment (Mr. Elder Ghigiarelli) has been conducted during monthly InterAgency Meetings and review of the Draft EIS/Section 4(f) Evaluation. A final determination that the project is consistent with the State's federally approved Coastal Zone Management Program will be completed when wetland and waterway permitting actions are conducted by MDE after design plans are prepared.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431

July 28, 1997

Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering
P.O. Box 717
Baltimore, Maryland 21203-0717

RE: Interagency meeting July 16, 1997 and US 113 recommended preferred alternative.

Dear Mr. Ege:

The Environmental Protection Agency (EPA), in the role of cooperating agency, is offering this letter in response to the interagency meeting held July 16, 1997 and to add to our comments sent July 18, 1997 on the DEIS for U.S. 113. The following is a summary of the U.S. 113 discussions:

- Sue Rajan, representing SHA, described the public hearing in which approximately 700 people attended, a majority of which were in favor of dualization of U.S. 113 because of the safety concerns. She described the approximately 1500 letters that she received in support of the project. She stated that there were a few letters that were in opposition against the dualization, but she stated that she thought that they might have been written by the same person. While this may be true, a form letter response is standard practice for public issues and should not be discounted. In fact, a majority of the 1500 letters received by SHA and COE were form letters and written by school children. (1)

- Sue Rajan reviewed the comments that were outstanding from the June 24, 1997 conference call and stated that SHA would present their recommended preferred alternative. EPA stated that this was not acceptable and had contacted SHA prior to the meeting to express concerns regarding the presentation of the recommended alternative. The official end of the comment period was July 18 and SHA had not receive all comments, including EFA's and other federal resource agencies. EPA believes that agency comments are not being taken into consideration in the process. The proposed elimination of alternatives prior to the end of the comment period violates the Maryland NEPA/404 guidelines. In addition, a letter from Neil Pederson of SHA thanked the agencies for participating in the conference call and stated that the recommended preferred (2)

alternative would be presented at the August interagency monthly meeting. The COE and FWS agreed that the recommendations for alternatives should be reviewed at the end of the comment period. SHA continued to describe SHA's recommended preferred alternative at the interagency meeting despite opposition. (2)

- Cathy Maher provided a slide presentation on SHA's preferred alternative. The slides indicated that SHA will not select the No Build and TSM alternatives, 2S, 3N and 4N modified alternatives. The main reasoning behind eliminating the 2S alternative included the inability of making a "u-turn" and the problem with certain vehicles to compute the turn. The FWS stated that their pre-DEIS letter recommended that the alternatives demonstrate use of jug handles and other means to solve this type of issue. The use of "u-turns" as the main mechanism to change direction will jeopardize safety and subsequent gains through road expansions and realignment. SHA challenged the agencies to provide designs and alternative solutions. The FWS, COE and EPA believe that the responsibility to provide engineering solutions to these safety issues lies with SHA. The DEIS has not demonstrated that the safety issues were addressed and should be addressed in the Final EIS. (3)

- Ms. Rajan discussed comments from the June 24th conference call. At this time, questions were raised regarding the speed limit for trucks and the need for truck weigh stations and increased enforcement. Ms. Rajan stated that SHA could not find information regarding the effects of increased truck speeds and that there were no public comments regarding the need for truck weigh stations along U.S. 113. The COE stated that there were a few people who spoke about the truck traffic and the safety problems associated with it at the public hearing. EPA stated that the fatality information found that 51% of the fatal accidents were truck related. The information regarding truck speed and risks associated with "roving" weigh stations or ramp access to weigh stations is instrumental to the improvements of safety on U.S. 113, regardless of which alternative is preferred. Cynthia Simpson stated that currently SHA does is not have information on the vicinity of the "roving" weigh stations, the frequency of these station or enforcement procedures. These issues should be addressed in the Final EIS for SHA to make a proper decision on alternatives. (4)

- SHA responded to the agencies concerns regarding secondary and cumulative impacts by stating that SHA does not believe that secondary and cumulative impacts need to be addressed because the main drive of this project is safety. However, in a previous meeting on March 19, 1997 (minutes dated March 25, 1997), the issues of indirect and cumulative impacts were discussed. It was determined by SHA that because there was a strong case for both arguments: 1) that 113 would be a catalyst for growth; or 2) that growth would occur regardless of the infrastructure. Therefore, SHA stated that both would be presented in the DEIS. SHA has not upheld this determination. Notwithstanding SHA's comment (5)

to discontinue the indirect and cumulative impact study, the COE submitted three documents pertaining to cumulative impact assessment for review and consideration for the FEIS.

- The COE stated that there were several comments from the public hearing, including one from a state delegate and a C.R.A.S.H. representative, which referred to the growth and the need for economic development in Worcester County. The COE stated that this should be included in the secondary and cumulative impact sections of the document. The EPA concurs and has stated this in previous comment letters. (6)

EPA would like responses to all unresolved issues that were discussed at the interagency meeting. If you have any questions, please contact Danielle Algazi. She can be reached by phone at (215) 566-2722, by facsimile at (215) 566-2782, or by E-Mail at ALGAZI.DANIELLE@EPAMAIL.EPA.GOV.

Sincerely,

John Forren
NEPA Program Manager

cc: Michele Gomez, COE
David Sutherland, FWS
Mary Huie, FHA
John Nichols, NMFS
Elder Ghigiarelli, MDE
Larry Hughes, DNR
Phil Hager, Worcester County Planning
Ray Dintaman, DNR
Christine Wells, MOP
Al Kampmeyer, MDE Salisbury

Response to U.S. Environmental Protection Agency letter dated July 28, 1997

1. Agreed - As a result of the public hearing, approximately 2,030 letters were received. Of these, six letters were in opposition to dualizing US 113. Please see the summary of Public Hearing comments for more detailed information and Section V.F. of this Final EIS.

2. SHA's original schedule was to present the **Preferred Alternatives** in August, 1997. In order for SHA to meet the project schedule, and due to the overwhelming support received at the Hearing and the letters of support that were received following the Hearing, the project team identified the **Preferred Alternatives**. SHA felt that presenting their preference to the agencies earlier would allow sufficient time to obtain comments on the **Preferred Alternatives** from the agencies prior to the selection of an alternative by the State Highway Administrator. It is true that SHA had not received comments from all agencies prior to the July 16, 1997 meeting.

   In order to address the agency comments and concerns, two additional meetings, one on August 20, 1997 and another on September 10, 1997 were held. Agency comments were taken into consideration and modifications were made to the **Preferred Alternatives** in order to minimize impacts.

3. SHA did look at jug handles as an alternative to U-turns. Jug handles require a signalized intersection in order to operate and most intersections throughout the corridor are and will remain unsignalized.

   The main reasoning behind eliminating the Alternative 2S-20 foot median was due to the inability to make U-turns and concerns about operational effects. Alternative 2S provided for two lanes in each direction with passing lanes. The alternative proposed a 20 foot wide median with a traffic barrier separating the single northbound and southbound lanes. The cross-section with passing lanes would have created some safety problems. Passing lanes may result in more high speed accidents as drivers are not used to the transitions from a passing to a no passing section of roadway. Although this alternative did address the fatal accidents, it did not provide for continuity through the corridor. This roadway would therefore be atypical and not congruent with driver expectations.

   Most fatal accidents (57.5 percent) have resulted from Opposite Direction Collisions. To have an impact on the number of fatal accidents and satisfy the purpose and need, the **Preferred Alternatives** should reduce the incidence of opposite direction accidents. The provision of a median with traffic barriers would nearly eliminate opposite direction collisions, thereby addressing a significant portion of the fatal accidents.

   The narrow median, however, could be expected to increase the number of fixed object collisions due the proximity of the guardrail in the median. A reduced median provides less of a recovery area for vehicles that leave the roadway. The overall accident rate is expected to improve in comparison to the No-Build, but less than the degree of improvement anticipated for the dualization alternatives. The 20 foot median also provides for less room for storage of vehicles in the median. Left turning cars from all four directions will conflict and compete for the same small median space. Most intersections in the study area are unsignalized and adequate room for turning movements is desirable.

4. Several comments received from the public expressed concerns regarding increased truck traffic along US 113 and a few suggested including a truck weigh station along this route could discourage trucks using US 113 instead of US 13.

   The possibility of a truck weigh station along US 113 has been further investigated and the results were presented at the September 10, 1997 InterAgency meeting. SHA's Motor Carrier Division and the Maryland State Police Commercial Vehicle Division were contacted regarding this matter. Their recommendation is to consider a truck pull-off area north of Snow Hill. This could be an exclusive pull-off area or a wide shoulder. A permanent weigh station is not recommended due to cost and other factors.

   Most of the fatal accidents involving trucks that occurred along US 113, were not found to be the fault of the truck driver. As an additional safety measure, traveler education is recommended. As part of this program, brochures or flyers regarding sharing the road with trucks can be distributed.

5. A detailed cumulative effects analysis has been conducted for the US 113 Planning Study following the guidelines in the Council on Environmental Quality's "Considering Cumulative Effects Under the National Environmental Policy Act" (January, 1997). Both the scope and the methodologies for this analysis were developed in close consultation with Federal and state resource agencies. The scope, methodologies, analysis and conclusion of this work is presented in the Final EIS, Section IV.Q.

6. Two of the speakers at the public hearing for the US 113 Planning Study referred to the growth and the need for economic development in Worcester County. The Worcester County Department of Economic Development is committed to promoting the county and recognize that development will rely on the preservation of the rural nature and natural resources present in the County. Most of the growth in the County is occurring in the Ocean City and Ocean Pines area with Berlin and Newark being the other growth center. Water treatment facilities are sited as a major limiting factor to development in much of the county. However, County officials have also stated that the demand has not been present even at locations with infrastructure in place.

MARYLAND *Office of Planning*

Parris N. Glendening
Governor

Ronald M. Kreitner
Director

August 04, 1997

Mr. Neil J. Pedersen
Office of Planning and Preliminary Engineering
Maryland Department of Transportation
P.O. Box 717
Baltimore, MD 21202

State Application Identifier: MD970605-0484
Project Description: Draft Environmental Impact Statement/Section 4(f) Evaluation for the US 113 Project
State Clearinghouse Contact: La Verne Gray

Dear Mr. Pedersen:

We are forwarding the enclosed comment(s) made by the Maryland Department of the Environment regarding the referenced project for your information. If you need assistance or have questions concerning this review, please contact the staff person noted above.

Thank you for your cooperation.

Sincerely,

Scribner H. Sheafor

Scribner H. Sheafor
Chief, Planning Assistance and Review Unit

SHS:LG:okk
Enclosure
cc: The Honorable Craig Johnson, Mayor

301 West Preston Street • Baltimore, Maryland 21201-2365
State Clearinghouse: (410) 767-4490 Fax: 767-4480

COMMENTS FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT
CONCERNING MD970605-0484

Draft Environmental Impact Statement/Section 4(f) Evaluation for the US 113

Consistent with the following comments and response statements:

Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility or recycled if possible. Contact the Solid Waste Program at (410) 631-3318 for additional information. (1)

The Maryland Department of the Environment (MDE) requests that efforts be made to prevent contamination of the surface and groundwater of the State of Maryland during the construction and renovation at the US 113 project. In the event that spills or other releases of petroleum or hazardous materials occurs from the proposed operations which may potentially impact State waters, MDE requests prompt notification at (410) 974-3551. (2)

Section II, Affected Environment, Part M. Municipal, Industrial and Residual Waste Sites addresses initial site assessment and field potential waste sites. The section mentions that a review of MDE's Hazardous Waste Management Section files were reviewed in this study. It is recommended that a more comprehensive file review be conducted to locate potential waste sites to include reviewing all Waste Management Administration files, i.e., Oil Control Program, Solid Waste Program, CERCLA files. Please contact our Freedom of Information Act Coordination Donald Mauldin at (410) 631-3422 to request a file review. (3)

This project has undergone an air quality analyses completed for 1-hour and 8-hour CO concentrations for the year 2000 and 2020 under the build and no-build alternatives. The S/NAAQS for CO is 35.0 ppm for the A.M. or P.M. peak hour, and the 8-hour average is 9.0 ppm. According to the analysis, sixty-five receptor sites were monitored. The results of the modeling indicate that no violations of either standard would occur. The modeling outputs appear satisfactory. Therefore, alternative 3 (N&S) and alternative 4N are acceptable build alternatives according to the results of the carbon monoxide analysis. However, alternative 3 (N&S) appears to be a more appropriate option from an environmental perspective. A dualization of the existing roadway should not have as critical an impact as constructing a 4-lane divided highway on a new alignment. (4)

Response to MDE (Maryland Office of Planning Clearinghouse) letter dated August 4, 1997

1. A statement to this effect has been added in Section IV.N of the Final EIS.

2. As stated in Section IV.F of the Final EIS, because of the low Average Daily Traffic (ADT) projected for this roadway, the project is expected to have minimal adverse impacts to surface and groundwater quality. In the event of accidental spills, MDE will be notified per SHAs standard procedures.

3. The *Hazardous Waste Initial Site Assessment Report*, December, 1995, prepared by Gannett Fleming for Maryland State Highway Administration presents the results of the MDE, Waste Management Administration Information request. This documentation is contained within Appendix F of that report. MDE coordination was performed through Donald Mauldin, MDE Public Information Act Coordinator.

   If desired, Gannett Fleming can offer further explanation of why an inventory of all registered waste, and/or storage, locations is needed for a study of this nature.

4. Alternative 3S-34' Median was chosen as the **Southern Preferred Alternative**. Alternative 3N/4N Modified was chosen over the dualization of the existing roadway in the northern study area for a number of reasons that involved environmental values: it would cause fewer impacts to historic resources, fewer residential and business relocations, and less impact to 100-year floodplains.

United States Department of the Interior

NATIONAL PARK SERVICE
P.O. Box 37127
Washington, D.C. 20013-7127

IN REPLY REFER TO:

AUG 11 1997

ER-97/308

Ms. Susan J. Binder
Division Administrator
Federal Highway Authority
The Rotunda
711 West 40th Street, Suite 220
Baltimore, Maryland 21211

Dear Ms. Binder:

This is in response to the request for the Department of the Interior's comments on the Draft Environmental Impact Statement/Section 4(f) Evaluation for the US-113 Planning Study, Snow Hill, Maryland to the Delaware State Line, Worcester County, Maryland.

Section 4(f) Evaluation Comments

We concur that there is no feasible and prudent alternative to the proposed project, if project objectives are to be met. However, we do not believe that all possible planning has been done to minimize harm to Vic's Country Store, the Hale Farm/Mariner Farm, and the Showell Store. Therefore, we recommend continued cooperation and coordination with the State Historic Preservation Officer in order to prepare the proposed Memorandum of Agreement (MOA) which should include measures to avoid or minimize harm to the three historic properties, in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended. Assigned copy of the MOA should be included in the Final Section 4(f) Evaluation. (1)

Environmental Statement Comments

The environmental statement adequately addresses other issues of concern to this Department. (2)

Summary Comments

The Department of the Interior has no objection to Section 4(f) approval of this project by the Department of Transportation, providing that the mitigation measures to minimize harm to the three historic properties are adequately documented in the Final Section 4(f) Evaluation. (3)

We appreciate the opportunity to provide these comments.

Sincerely,

Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

cc: Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning
and Preliminary Engineering
State Highway Administration
707 North Calvert Street, Mailstop C-301
Baltimore, Maryland 21202

Response to United States Department of the Interior letter dated August 11, 1997

1. "All possible planning to minimize harm" has been a strategy employed for the **Preferred Alternatives.** Because a preferred alternative was not presented at the time of the Draft EIS/Section 4(f), minimization of impacts to these resources effected by Alternative 3N had not been considered . Since the time of the Draft EIS/4(f), a **Preferred Alternative** has been chosen that does not impact these resources.

2. On September 17, 1997, the SHA Project Planning Team recommended **Preferred Alternatives.** See Section V.B of this document for letters of concurrence from Federal and state resource agencies.

3. As discussed in Section IV.C of this document, the **Preferred Alternatives** will not have any Section 4(f) impacts. Maryland Historical Trust has, however, determined that all dualization alternatives (including the **Northern Preferred Alternative**) will have an adverse impact on St. Martin's Church. Subsequent to circulation of the Draft EIS/Section 4(f) Evaluation, SHA and consultant representatives met with representatives of St. Martin's Church and MHT to develop mitigation for this determination of adverse impacts.

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

September 4, 1997

RE: Project No. WO720B11
US 113
Delaware State Line to
MD 394 South of Snow Hill
Worcester County

Mr. John Forren
NEPA Compliance Section
Environmental Protection Agency
Region III
841 Chestnut Street, 3ES43
Philadelphia PA 19107

Attention: Mr. Paul Wentworth

Dear Mr. Forren:

We have reviewed the comments on the subject Air Quality Analysis that are contained in the letter from Ms. Danielle Algazi dated, April 25, 1997. Based on discussions with Federal Highway Administration, the Maryland Department of the Environment and the Maryland State Highway Administration, we offer the following responses:

- **Comment :** *While it is stated that the conformity requirements of 23 CFR 770 do not apply to this project, the requirements of the Transportation Conformity Rule apply and should be so stated (page 2).*
  Response: The US 113 project is within an Air Quality Attainment Area for CO and Ozone and with the exception of construction procedures requirements, the conformity requirements of 23 CFR 770 do not apply. However, the Transportation Conformity Rule does apply and will be stated as such in subsequent air quality analyses.

- **Comment:** *Receptors should be cited (sic) according to EPA document : Guideline For Modeling Carbon Monoxide From Intersections (PA 454/ 92-005).*
  Response: Receptors were sited based on SHA Specifications for Consulting Engineers, which requires 4 to 5 receptors per mile and at all primary intersections or interchanges, rather the three worst intersections suggested by the EPA guidance. The receptors were placed at locations

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

to provide worst case pollutant concentrations and are in conformance with FHWA guidance.

- **Comment:** *Areas where receptors should be expected, were not found. This included intersection areas where there is only one receptor located when there should be a receptor for each approach, on each side of the road where queues will form.*
  Response: All intersections were analyzed. See above response.

- **Comment:** *The analysis uses 24 deg C and 35 deg C as input for analysis. The correct temperature should correspond to each of the ten highest non-overlapping 8 hour CO monitoring values for the last 3 years. This can be obtained from the Aerometric Information Retrieval Service (AIRS).*
  Response: The actual temperatures used in the analysis were 20° F for the one hour analysis and 35° F for the 8 hour analysis, per SHA specifications. The EPA guidance permits using the average temperature in January "as a simple alternative" to the method described above. The average temperature for January in this area is 32° F, which would result in lower pollutant concentrations than the as-analyzed 20° F worst case one hour condition.

- **Comment:** *The analysis shows a 1 m/s second and a 2 m/s wind speed were used. A worst case wind speed of 1 m/s should be used for all analyses.*
  Response: The SHA specifications require a 1 m/s (meter/second) wind speed and stability class F for the one hour analysis and for the portion of the 8 hour analysis after 5 p.m. A 2 m/s wind and stability class D is used for the portion of the 8 hour analysis prior to 5 p.m. This methodology is in conformance with FHWA guidance and results in worst case pollutant concentrations.

- **Comment:** *Stability classes F and D were used in the analysis. The Guidance recommends a stability class of D only in urban settings.*
  Response: See above response. In addition, this project is in an rural area.

In summary, the report for the US 113 project presents a detailed comprehensive, worst case analysis that is in conformance with both FHWA and SHA guidance for NEPA projects and the preparation of another analysis is not warranted. We will continue to use the modeling methodology for CO as contained in the SHA Specifications and the FHWA discussion paper *"Air Quality Analysis for NEPA Documents, August 1993"*, for predicting CO concentrations for NEPA documentation and will use the EPA *"Guidance for Modeling Carbon Monoxide From Roadway Intersections"* on projects that require a conformity analysis.

If you have any questions, please feel free to call Mr. Bruce M. Grey, Assistant Division Chief, SHA Project Planning Division at (410) 545-8540.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

by: Bruce M. Grey
Bruce M. Grey
Assistant Division Chief
Project Planning

LHE:GRG
cc: Ms. Danielle Algazi, EPA NEPA Project Coordinator
Ms. Diane Franks, Air Radiation Management Administration MDE
Mr. Gary Green
Ms. Mary Huie
Mr. Joseph Kresslein
Ms. Sue Rajan
Ms. Lorraine Strow

MARYLAND HISTORICAL TRUST

Office of Preservation Services

Parris N. Glendening, Governor
Patricia J. Payne, Secretary

October 31, 1997

Ms. Cynthia D. Simpson
Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
P.O. Box 717
Baltimore, MD 21203-0717

RE: Project No. WO720B11
US 113: MD 394 to the Delaware State Line
Worcester County, Maryland

Dear ~~Ms. Simpson~~ Cynthia:

At the SHA Interagency Review meeting on October 15, 1997, the Trust received the preliminary "Concurrence Package - Selected Alternatives and Mitigation" for the above-referenced project. Trust staff have reviewed the document and find that we cannot concur with the Selected Alternatives at this time. Listed below are the issues and deficiencies that we believe need to be addressed in the final concurrence document.

1. The Concurrence Package does not present adequate or accurate information regarding the project's effects on cultural resources, including historic structures and archeological sites, or discuss the status of the project's Section 106 consultation. The document as it now stands is primarily an environmental document, which contains little information about the cultural resources within the project area. Most of the National Register eligible structures which SHA documented are situated outside the Area of Potential Effects (APE) of the selected alternate. However, the selected alternate (Alternative 3S-34' median and Combined Alternative 3N/4N-34' median) will adversely affect one National Register listed historic property, St. Martin's Church (WO 23), and twelve archeological sites which may be eligible for the National Register of Historic Places. Further, we understand that SHA will be conducting additional archeological field investigations, including Phase I survey in areas where access was denied, Phase II evaluations of 12 sites in the APE, and Phase I survey of circa 120 acres of land proposed for wetlands mitigation. Additional Phase II and Phase III treatment of archeological resources may be warranted pending the results of the further investigations. Please include information about historic structures, archeological sites, and Section 106 coordination in the concurrence package. (1)

2. The Summary of Environmental Impacts on page 3 includes no mention of the various alternatives' effects on historic structures, as determined through Section 106 consultation.

Division of Historical and Cultural Programs
100 Community Place • Crownsville, Maryland 21032 • (410) 514-7631/7636

EQUAL HOUSING OPPORTUNITY

The Maryland Department of Housing and Community Development (DHCD) pledges to foster the letter and spirit of the law for achieving equal housing opportunity in Maryland.

The Criteria of Effect and Adverse Effect, as defined by 36CFR800.9, include more than just the physical taking or destruction of National Register eligible historic properties as an effect. The chart illustrating the Comparison of DEIS Alternatives included at the end of the Concurrence Package does not accurately reflect the alternates' effects on historic properties. It is misleading for the chart to list the impacts to historic properties as ***none***, particularly when the selected alternate will have <u>adverse</u> effects. (2)

3. The Conceptual Wetlands Minimization Studies section explains the present selected alignment of US 113 at St. Martin's Church as being due to "the Maryland Historical Trust [determining] that the effect to St. Martin's Church from any dualization alternative is adverse regardless of how close the roadway is to the church property," which thus allowed a "considerable reduction of wetland impacts" (Concurrence Package, page 11). The Trust has consistently argued that any road alignment would have an adverse visual effect on the Church, because of the drastic change in the historic setting, which is one of the characteristics which qualifies the church for eligibility in the National Register. The dualization of the highway in this locale will also increase traffic loads, noise, and vibrations. The environmental documentation has said little with regard to the physical effect to the church's structure as a result of increased traffic and what measures SHA has explored to minimize these impacts. Does SHA have any information relative to truck weight, speed and noise on adjacent structures given the proximity of the proposed highway? Please provide us with any available reports on these cumulative effects. Does SHA intend to maintain the signal light at the corner of US 113 and Racetrack Road? The Trust believes that such continued traffic controls, along with lower traffic speeds, would be beneficial to St. Martin's structure. Would SHA be willing to maintain lower speeds in an effort to reduce the physical strains on the church? (3)

4. Regarding the proposed wetlands mitigation, the Concurrence Package should note that Section 106 coordination must be completed to address the potential effects of proposed wetlands mitigation on historic and archeological properties. (4)

5. Although the Concurrence Package's title refers to mitigation, no discussion of mitigation for cultural resources is included. Because of the Selected Alternative's adverse effects, a Memorandum of Agreement (MOA) must be negotiated and executed between SHA, FHWA, the Advisory Council on Historic Preservation, the Trust, and any interested parties. The MOA will include stipulations to mitigate the project's adverse effects on St. Martin's Church and procedures for the evaluation and treatment of affected archeological properties. Development of the MOA should include active participation from the Trust and St. Martin's Historical Foundation (SMHF). In addition to the possible traffic control mitigation measures mentioned in item 3 above, both SMHF and the Trust hope that the Perdue land adjacent to the church's southern property line can be acquired for parking. If that is possible, the Trust and St. Martin's would look to SHA to assist with the creation of this area as a significant mitigation measure. The MOA negotiation process will likely lead to the consideration of additional mitigation measures for the project. The Concurrence Package should discuss mitigation measures for cultural resources, and the FEIS should include a copy of the draft MOA. (5)

6. As was discussed in the October 24, 1997 telephone conference between Lorraine Strow of your office and Anne Bruder of the Trust, the Trust's Easement Committee will meet on Tuesday, November 4, 1997 to discuss the selected alternative and mitigation measures with relation to St. Martin's Church, on which the Trust holds a perpetual historic preservation easement. We understand from William Esham, President of SMHF, that the SMHF Board will meet to discuss the same issues on Wednesday, November 5, 1997. Both the Easement Committee and St. Martin's hope to have comments regarding the selected alternative and proposed mitigation by the end of the first week of November. (6)

7. We urge SHA to continue to explore feasible and creative measures to minimize and mitigate the adverse effects on St. Martin's Church. SHA should investigate additional shifts in the alignment which would move the new divided highway farther from the Church, and thus reduce the potential noise and vibration impacts, yet still avoid impacts to wetland 29. Is it possible to develop a compromise alignment between the proposed alignment as shown in the DEIS and the revised alternate developed to minimize wetland impacts? (7)

We recognize that SHA must consider multiple environmental, social, and cultural issues in the selection of alternatives which will fulfill the project's purpose and need. We will continue to work with SHA to seek a successful resolution to the historic preservation concerns for this project and satisfactorily conclude the Section 106 consultation. If you have questions or require further assistance, please call Ms. Beth Cole at (410) 514-7631 or Ms. Anne Bruder at (410) 514-7636. Thank you for providing us with this opportunity to comment.

Sincerely,

J. Rodney Little
Director/State Historic Preservation Officer

JRL/EJC/AEB

cc: Mr. Bruce Grey (SHA)
Dr. Charles Hall (SHA
Ms. Rita Suffness (SHA)
Ms. Susan Rajan/Ms. Lorraine Strow (SHA)
Ms. Renee Sigel (FHWA)
Mr. Don Klima (ACHP)
SHA Interagency Review Group
Mrs. Howard F. Yerges
Mrs. Ricks Savage

Response to Maryland Historical Trust letter dated October 31, 1997

1. The requested information concerning historic structures, archeological sites, and Section 106 coordination has been included in this preliminary Final EIS. This document represents the revised Concurrence Package.

2. Information on effects has been added to the Summary Chapter of the Final EIS, the Summary of Environmental Impacts and Table S-1 of the Final EIS.

3. Traffic volumes on US 113 are expected to increase over time regardless of the number of lanes provided. A two-lane highway would still operate below the roadway's capacity until the year 2020. The dualization is therefore not a capacity improvement and the intention of the widening is not to add capacity. The primary function of the **Preferred Alternatives** will be to address the safety issues and the number of fatalities along the roadway. The roadway widening will occur on the east side of the roadway, away from the church. Therefore, approximately only half of the projected ADT will be use the existing paved section of roadway as this portion of the proposed cross-section will be used for the southbound lanes. The additional northbound traffic will actually be moved further from the church. Hence, since the road will not be moved any closer to the church and the projected ADT is the same for both the build and no-build, there will be no net increase in traffic loads, noise, and vibrations as a result of these improvements.

   The signal at Racetrack Road will be maintained, thus providing for a somewhat slower pace for vehicles immediately in front of the St. Martin's Church. However, SHA cannot agree to maintain slower speeds through the area as this may be incongruent with speeds throughout the rest of the corridor.

4. Regarding the proposed wetland mitigation, we are aware that Section 106 coordination must be completed to address the potential effects of proposed wetland mitigation on historic and archeological properties.

5. Mitigation will be discussed for all impacts in the Final EIS. The draft MOA will be appended.

6. The results of these meetings will be discussed with MHT as SHA is made aware of them.

7. There will be a minimal decrease in the net adverse effect to the St. Martin's Church property due to noise, vibration, and traffic loads as a result of the **Northern Preferred Alternative**. However, SHA will continue to explore feasible and creative measures to minimize and mitigate adverse effects to the St. Martin's Church.

Lorraine

MARYLAND HISTORICAL TRUST

Office of Preservation Services

Parris N. Glendening, Governor
Patricia J. Payne, Secretary

November 7, 1997

Ms. Cynthia D. Simpson, Deputy Division Chief
Project Planning Division
State Highway Administration
707 North Calvert Street
P.O. Box 717
Baltimore, Maryland 21203-0717

RE: Project NO. WO720B11
US 113 Planning Study
Issues for Cumulative Effects Analysis

Dear Ms. Simpson:

Thank you for your recent letter, dated 25 September 1997 and received by the Trust on 29 September 1997, regarding SHA's proposed Cumulative Effects Analysis for the above-referenced project. Unfortunately, the Trust was not able to participate in the September 10, 1997 Interagency Meeting where this issue was discussed. Thus, we do not understand the rationale for SHA's selection of some, but not all, of the resources included in the Affected Environment section of the DEIS for the cumulative effects analysis. According to SHA's letter, cultural resources will not be addressed in the cumulative analysis. (1)

We have reviewed SHA's strategy for not addressing cultural resources in the cumulative effects analysis. SHA's premise is that *impacts to cultural resources have, and may continue to occur* and that *protection of cultural resources would be accomplished through the Worcester County land use planning process.* SHA's opening paragraph does not include cultural resources as one of the sensitive areas of concern identified by the County. The protection of cultural resources at the county level is limited and does not include consideration of impacts to archeological sites. We acknowledge that assessing cumulative effects for cultural resources is difficult, given the lack of a comprehensive data base. However, SHA should consider cumulative effects on cultural resources as for other affected resource types. The methods and level of the assessment for cultural resources may differ from that for other resources given the availability of reliable information and the ability to reasonably assess cumulative effects on historic properties. (2)

For the US 113 project, we suggest that SHA consider including cultural resources in its cumulative effects assessment in a general sense and confining the geographic coverage for that assessment to the northeastern portion of the county - to encompass the project area and near vicinity. SHA may want to use a qualitative rather than a quantitative approach to assessing cumulative effects. Factors to consider include threats and stresses to cultural resources; land use patterns and changes; existing protection measures for cultural resources at the federal, state, and local level; and the reasonably foreseeable cumulative impacts from the US 113 project on cultural resources. In addition,

Division of Historical and Cultural Programs
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EQUAL HOUSING OPPORTUNITY

The Maryland Department of Housing and Community Development (DHCD) pledges to foster the letter and spirit of the law for achieving equal housing opportunity in Maryland.

Ms. Cynthia D. Simpson
November 7, 1997
Page 2

SHA should consider the direct cumulative effects which may occur to identified cultural resources in the study area from the project - for instance, the cumulative effects on St. Martin's Church from increased traffic, noise, and vibrations of the new road in front of this property.

Until we have a better understanding of the cumulative effects requirements, it is difficult for the Trust to provide useful recommendations on the proposed strategy. We will be reviewing the CEQ guidance document on the topic, which you provided, and we look forward to working with SHA to develop meaningful and achievable ways to address cumulative effects on cultural resources.

If you have questions or require additional information, please call Ms. Anne Bruder (for structures) at (410) 514-7636 or me (for archeology) at (410) 514-7631. Thank you for providing us this opportunity to comment.

Sincerely,

Elizabeth J. Cole

Elizabeth J. Cole
Administrator, Archeological Services

EJC/AEB
cc: Mr. Bruce Grey (SHA)
Dr. Charles Hall (SHA)
Ms. Renee Sigel (FHWA)
SHA IAR Group
Mrs. Howard F. Yerges
Mrs. Ricks Savage

Response to Maryland Historical Trust letter dated November 7, 1997

1. SHA's rationale for the selection of items to be addressed in the Cumulative Effects analysis is further addressed in Section IV.Q. of this Final EIS.

2. Section IV.Q has been revised to better address Cultural Resources in the Cumulative Effects Analysis.

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

REPLY TO
ATTENTION OF

NOV 12 1997

Operations Division

Subject: CENAB-OP-RX(MD SHA/US 113: MD 394 TO DELAWARE STATE LINE)97-63647-9

Mr. Louis Ege, Jr.
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege:

I am writing to transmit the U. S. Army Corps of Engineers' (Corps) written comments on the Draft Environmental Impact Statement prepared by the Maryland State Highway Administration (SHA) for the US 113 Transportation Project from MD 394 in Snow Hill to the Delaware State Line, Worcester County, Maryland, dated June 1997. The Corps is a cooperating agency in the preparation of this document. The following comments, which incorporate comments and questions received by the SHA and the Corps from the public, special interest groups, and the Federal and State regulatory and resource agencies during the public comment period for this project, have been previously provided to the SHA during the interagency meetings and conference calls held since June 1997. Draft written comments were provided to the SHA and their consultant, RKK, in September 1997. The following comments must be included and addressed in the final US 113 document for the Corps to utilize it as part of our decision document.

1. Based on the letters received from the public, which provided specific comments on the problems encountered on US 113, it is clear that there is an inordinate amount of commercial truck traffic mingling with the local traffic. The high use of this road by commercial trucks along with local and commuter traffic, farm equipment, and school buses, all of which are traveling at varying rates of speed, has created unsafe conditions for drivers, pedestrians, and cyclists along this road. Almost half of the fatal accidents which have occurred on US 113 in the last 20 years have involved trucks. Because of the high speeds often traveled by these vehicles, many of the comments have suggested that more enforcement, especially in the form of a truck weigh station, may help prevent the unsafe conditions. Individuals who are proponents of the dualization of the road have questioned how dualization alone will address the safety issue which are plaguing US 113. Understandably, (1)

additional safety measures must be employed along with dualizing the remainder of the US 113 to properly address safety along this highway. Such practices as placement of a guard rail or some other form of barrier within the median (regardless of the width of the median), safer intersections, overpasses where new highway intersects with county roads, eliminating access points to the highway, etc., should be considered to make the road safer for all types of traffic. These safety issues, i.e., weigh stations, guard rails, rumble strips, access points, etc., will need to be addressed in the Final Environmental Impact Statement (FEIS). (1)

2. The statement on page II-15 regarding Alternate 2S-20 foot median is misleading as it says that this alternate does not "fully address capacity/operational problems." According to the purpose and need statement for the US 113 study indicates that there is not a capacity problem in the southern area (south of Berlin). In addition, this alternate could accommodate larger medians where intersections with county roads occur to provide safer crossings of the highway while utilizing a 20 foot median in areas where aquatic resources are located. Therefore, the statement should be deleted. (2)

3. In the Affected Environment section of the document, the discussion on the Ocean Pines community should include the date the community was established, its current size, and any future plans for expansion. (3) The discussion on Ocean City needs to include projections for buildout and the current size of the city (population range from non-summer months to summer months). (4) Also, the discussion on the Wild and Scenic Rivers in the area needs to be expanded. The Pocomoke River is on the Nationwide Rivers Inventory. The US 113 project requires coordination with the National Park Service, Department of the Interior to avoid or mitigate adverse effects on Wild and Scenic attributes of the river. (5) Current studies being done at the Pocomoke River, including the Pfeisteria problems, need to be discussed in both the Affected Environment and Environmental Consequences sections. (6) Other issues which need to be addressed in both the Affected Environment and Environmental Consequences sections are the discussion of past US 113 impacts, including the existing dualized road impacts as well as the two lane roadway, and impacts which occurred due to the construction of the uncompleted interchange with MD 90 need to be included. (7) The ongoing Ocean City Water Resources Study by Planning Division of the Corps, Baltimore District which should also be discussed in both of these sections. (8)

4. In the Environmental Consequences section the following items need to be addressed:

a. Discussion on how each alternate addresses safety concerns, i.e., side impacts, angle accidents, head on collisions, fixed object accidents, etc. (9)

b. Indirect impacts, how the land planning and the level of service will be changed by dualization of the road, will need to be addressed. (10)

c. Cumulative impacts discussion should include the Delaware portions of US 113 and Virginia's dualization of the Chesapeake Bay Bridge Tunnel. (11)

d. The discussion on Groundwater Resources states that there are no substantial impacts to groundwater from the construction alternates. There needs to be some discussion on how it was determined that this resource will not be impacted. The discussion should also include consideration of any borrow areas or stormwater management facilities which may be planned for the road construction. The document will need to address how these potential activities may affect the groundwater, i.e., potential for groundwater contamination, affect on baseflow of adjacent streams fed by groundwater. (12)

e. Surface waters must be addressed in the cumulative effects discussion. Possible minimization of impacts to this resource may occur through a variety of best management practices, including but not limited to, sediment control measures, water quality management. Pollutants from impervious road surfaces will be a chronic stress on water quality in the area unless properly managed in water quality management facilities located outside of the waterways and wetlands. Previously stormwater quality had not been properly addressed in the construction of US 113. The placement of stormwater management facilities may also alter base flow within adjacent streams. In addition, bridging of new wetlands/waters crossings will minimize impacts to surface waters. Time of year restrictions will pertain to the wetlands as well as the waterway for those systems which are broad floodplain wetlands. Discussion of the ongoing problems/studies in the Pocomoke River also needs to be included. As the current hypothesis on <u>Pfeisteria</u> is that it is caused by pollutants entering the headwaters, in the area, loss of natural steams and adjacent wetlands may exacerbate the problem. (13) (14) (15) (16) (17) (18) (19)

f. In accordance with Executive Order 11988, any potential impact to floodplain needs to be documented and assessed. If the floodplain cannot be avoided then the minimum requirements of the National Flood Insurance Program must be met. (20) (21)

g. Wetlands and potential impacts to this resource needs to be assessed cumulatively. Any activity which has the potential to alter these systems must be addressed, including stormwater management facilities, borrow areas, etc. Impacts to the wetlands will require mitigation in accordance with the Maryland Compensatory Mitigation Guidance dated August 1994. All proposed mitigation (22) (23)

sites will require documentation to certify that the property owner has provided right of way for use of the land for mitigation purposes, a conservation easement to protect the land from further disturbance, coordination with the Maryland Historical Trust to determine if any Section 106 issues need to be addressed, coordination with the U.S. Fish and Wildlife Service to determine if any threatened/endangered species may be affected, and well data to determine if hydrology is feasible at the site. Any Wetlands of Special State Concern located in the proposed SHA right of way should be identified. In letters received by the Corps and SHA, it was indicated that there are rare plant communities in addition to those identified in the DEIS. SHA will need to verify if the following areas support rare plant communities: bald cypress grove on Church Branch, sea level fen on Newport Bay tributaries, Wetlands 8, 12, and 13. (23) (24) (25)

h. Mitigation for adverse effects to fisheries resources may be done through the elimination of fish blockages in the study area. SHA can coordinate with the Maryland Department of Natural Resources and National Marine Fisheries Service to determine which streams have fish blockages and what can be done to resolve the problem. (26)

5. The cumulative effects discussions should address all resources discussed in the Affected Environment Section. If the SHA has determined from the information available to date, that a resource is not to be affected, SHA should provide the documentation supporting this statement or reference a part of the document which has already discussed the effect on the resource. (27)

If you have any questions regarding this correspondence, please call Ms. Michele Gomez at (410)962-4343.

Sincerely,

Keith A. Harris
Chief, Special Projects
Permits Section

Copy Furnished:
Renee Sigel, FHWA
Danielle Algazi, USFWS
David Sutherland, USFWS
John Nichols, NMFS
Beth Cole, MHT
Elder Ghigiarelli, MDE
Larry Hughes, DNR
Cynthia Simpson, SHA
Susan Jacobs, SHA

Response to Corps of Engineers letter dated November 12, 1997

1. Addressing comments from the citizens and the agencies regarding truck traffic and the need for a weigh station along US 113, the possibility of a weigh station was investigated.

   Trucks are approximately 14% of the average daily traffic along the study sections of US 113. From 1980 through 1996, trucks were involved in 9% of the total accidents in the south and 8% of the total accidents in the northern section. Since 1980, 42 fatal accidents occurred along the study sections of US 113. Trucks were involved in 16 of these 42 fatal accidents (39 percent). Truck drivers were at fault in 4 of the 42 fatal accidents (9.5 percent). Fifteen (15) of these fatal accidents were alcohol related (32 percent).

   Currently there is a permanent weigh station in Salisbury along US 13. On US 113 the police enforcement units are portable scales on the shoulder and pull trucks over for weighing and safety inspection. SHA's Motor Carrier Division and the Maryland State Police Commercial Vehicles Division were contacted regarding this issue. Their recommendation is to consider a pull-off area north of Snow Hill for this purpose. This could be an exclusive pull-off area or a wider shoulder. A permanent weigh station is not recommended due to cost.

   Most of the fatal accidents that involved trucks, were not the fault of the truck driver. As an additional safety measure, traveler education was recommended. As part of this program, brochures or flyers regarding sharing the road with trucks can be distributed.

   The majority of trucks along US 113 are associated with the local poultry industries.

2. As discussed in Section IV.A of this document, a considerable body of literature exists to support the benefits of dualizing a two lane highway in terms of accident reduction. In every case, these supporting data are based on studies of two-lane 2-way highways being dualized to four-lane divided highways. Previous case studies of improvements similar to that proposed for Alternative 2S-20' median are not available, hence making precise determinations of accident reduction somewhat speculative. Furthermore, while the terms "moderate improvement" and "substantial improvement" are subjective, Table S-1 and IV-1 present best estimates for accident reductions associates with each of the alternatives under consideration as well as for the **Preferred Alternatives.**

   While wider medians could be provided at intersections along Alternative 2S-20' median to allow safer cross overs, the other safety and operational problems addressed in response 11 above preclude its selection as a feasible alternative for US 113. Therefore, details of wider medians at intersections along Alternative 2S-20' median were not developed.

   Placement of the passing lanes for Alternative 2S-20' median was accomplished with the goal of providing passing lanes (1 mile in length) approximately every 4 to 5 miles within the 16 mile segment for the Southern Study area. In addition, these passing lanes were placed between intersections that were at least a mile and a half apart and in areas to avoid/minimize residential/business impact and wetland impacts.

3. Ocean Pines, located east of study area, is a high density residential development. This private community, located along the central coastal bay area of the county, was opened in 1968. Current population at this development fluctuates between 8,200 residents during the winter months and 14, 000 residents during the summer months. The community expects this population to increase to its capacity of 14,000 residents during the winter months and 20,000 to 22,000 residents during the summer months by the year 2008 (Gross, 1997).

4. Discussions with the Ocean City Department of Planning and Community Development clarified the following information. The Final EIS, Section III.A.c. has been updated to include this information.

   The Ocean City population of full time residents was 5,146 for the year 2020. The full time resident population is expected to increase by 46% by the design year 2020 to 7,552 residents. Build out population projections for Ocean City are discussed as resident and visitor populations combined. The resident and visitor population projection for 2020, that this the peak population (summer) is estimated at 346,900. This population has been fairly stable since 1985 and is the population number that the city uses for planning purposes. The city has estimated build out of housing units, which includes owner occupied units, rental units, and hotel units (rooms), to be 48,800 units. In 1988 there were 38,924 units in Ocean City. The population information presented in the Draft EIS, Table III-2 describes average seasonal populations. These numbers however represent resident and visitor populations combined.

5. The National Rivers Inventory has been addressed in Sections III.F and IV.G of the Final EIS.

6. Pfeisteria and other on-going water quality problems in the Pocomoke and coastal bays watersheds are discussed in the cumulative effects analysis (Section IV.Q of the Final EIS).

7. The data regarding historic wetland losses contained in the cumulative impact assessment includes losses caused by highway construction and therefore these previous impacts are not addressed separately.

8. The Ocean City Water Resources Study has been cited as a federal project occurring in Worcester County in the Cumulative Effects analysis (Section IV.Q of the Final EIS).

9. Section IV.A.5. of the Draft EIS Section 4(f) Evaluation (pages IV-3 through IV-6) addressed the safety consequences of each of the alternatives under consideration, including an approximation of the effect on several specific types of intersections. Detailed forecasts of changes in accident experience by type of accident are beyond the scope of this study.

10. The Worcester County Planning Commission recently adopted a Supplement to the County's 1989 Comprehensive Development Plan (1997). The Supplement strengthen's the County's commitment to preservation of the rural nature and natural resources of Worcester County. In addition, the Supplement identifies the County's commitment to programs like Rural Legacy, outgrowths of Maryland's Resource Protection and Planning Act and the Smart Growth Act of 1997. Land planning in Worcester County will be guided by these documents, rather than by the configuration or alignment of US 113. Land adjacent to the **Preferred Alternatives** for US 113 will be effected by SHA's access management plan for this corridor. The US 113 corridor was added to SHA's Access Management Program in 1997. Corridors in this program are eligible to use funds programmed in the Consolidated Transportation Program for the purchase of access controls along agricultural frontage and in some instances to purchase residential and commercial property. In the near term, a cross functional team will meet every few weeks to review all access permit requests in the corridor to make recommendations on limiting the number of

access points and in some situations to recommend denial of access. The goal of these initiatives is to balance access to adjoining land with the need to preserve the flow of traffic and to improve safety and capacity of the highway system.

Through enforcement of the county's zoning ordinance and subdivision controls at the local level, use of the guidelines established in the County Comprehensive Development Plan, and implementation of SHA's Access Management Program; county land use objectives can be achieved, economic and population growth can be accommodated and unplanned development can be avoided.

Traffic volumes for the design year 2020 are forecast to increase slightly (less than 1 percent) over the No-Build, primarily because the land use and new development are assumed to be essentially unchanged between the Build and No-Build. LOS, however, would greatly improve given the increased operational flexibility and capacity of the roadway under the dualization alternatives. Traffic congestion has not been a limiting factor for development in Worcester County. The increased capacity inherent in a dualized facility will not create a demand for developable land.

11. The scope, including the geographic boundary, for the cumulative effects analysis of US 113 were developed in close consultation with Federal and state resource agencies. Cumulative effects regarding land use have been studied on a county-wide basis. The cumulative effects analysis for wetlands focuses on upper and lower Pocomoke, Newport Bay, and Isle of Wight Bay sub watersheds for potential future impacts while considering wetland impacts throughout the Worcester County for past impacts. The cumulative effects regarding floodplains and other waters of the U.S. was considered for the whole County.

    The expansion of the Chesapeake Bay Bridge Tunnel would have only a minor effect on traffic volumes and were taken into account by the State Highway Administration when they made their traffic forecasts.

12. The dualization will have an impact on both groundwater quality and quantity, however, this impact is expected to be negligible as discussed in Section IV.F of the Final EIS. The purpose of stormwater management is to reduce the impact on groundwater levels and stream baseflow and attempt to approximate pre-construction conditions. By managing stormwater runoff, peak discharges are reduced, groundwater infiltration is encouraged, and the quality of the runoff is improved.

13. All of the resources presented in Chapter III, Affected Environment have been reviewed for inclusion in the cumulative effects analysis. The findings of this review are included in the Final EIS, Section

14. The minimization of adverse impacts through the strict adherence to erosion and sediment control procedures has been addressed in Sections IV.E, F, G, and I of the Final EIS.

15. As stated in Section IV.G of the Final EIS, because of the low Average Daily Traffic (ADT) expected on US 113, impacts to surface water quality are expected to be minimal. The implementation of stormwater management strategies will help improve water quality.

    As cited in Section IV.G of the Final EIS, numerous studies have shown a direct correlation between the ADT on a road and the toxic effects of the runoff.

16. Stormwater management facilities have the potential to alter base flow within streams particularly if stormdrains divert water from natural discharge areas. Stormwater management facilities for this project are not expected to affect stream baseflow for the following reasons: 1) runoff from the road will be normally conveyed to SWM facilities by open, grassed swales, which will allow for infiltration of runoff and recharge of groundwater, 2) SWM facilities will be sited to collect runoff within natural drainage areas and will outfall to natural discharge streams, and 3) the purpose of SWM facilities is to reduce the impact on baseflow by reducing peak runoff and encouraging infiltration. As stated in Section IV.I of the Final EIS, final design of stormwater management facilities will be planned to minimize hydrological alterations to receiving streams.

17. See response #4 to United States Department of the Interior letter dated June 20, 1997 (letter V A3).

18. Construction activity in wetlands and waterways will adhere to the time of year restrictions specified as part of the Section 404 permit and Section 401 Water Quality Certification. Specific time of year restrictions will be developed by the Corps and MDE during the permitting process, in consultation with the National Marine Fisheries Service, U.S. Fish and Wildlife Service, and Maryland Department of Natural Resources.

19. Pfeisteria and other on-going water quality problems in the Pocomoke and coastal bays watersheds are discussed in the cumulative effects analysis (Section IV.Q of the Final EIS).

20. See Response to Letter VA 1, Comments 1, 2, and 3, and Letter VA 5(1), Comment 48.

21. Cumulative effects regarding wetlands are addressed in the Final EIS, Section IV.Q.

22. The effects of stormwater management facilities has been addressed in Section IV.I of the Final EIS.

23. See also Response to Letter VA 5(1), Comment 42
    A discussion of wetland mitigation requirements and guidance is contained in Section IV.I of the Final EIS.

24. As stated in Sections III.H and IV.I, wetland W-15 is a wetland of "special state concern" because it contains the rare (not listed) seaside alder (*Alnus maritima*).

25. The concerns identified in these letters have been noted. The bald cypress grove on Church Branch and the sea level fens will not be impacted by the US 113 project. The rare plants identified are not listed by Maryland's Heritage and Biodiversity Conservation Program. Through the implementation of proposed minimization strategies, the proposed impacts to wetlands W-8, W-12, and W-13 were reduced from 6.3 acres shown in the Draft EIS to 1.84 acres shown in the Final EIS for the **Preferred Alternatives**.

26. On-going coordination with the Maryland Department of Natural Resources, Fisheries and Tidewater Administrations as well as National Marine Fisheries Service has not revealed any problems with fish blockages on the streams in the vicinity of US 113. Available evidence suggests that all of these major streams may be used by anadromous fish further indicating the lack of fish blockages. If new fish blockage problems are identified during the design and construction of the roadway, the removal of these blockages can be considered to mitigate any adverse impacts caused by the proposed project.

27. All of the resources presented in Chapter III, Affected Environment have been reviewed for inclusion in the cumulative effects analysis. The findings of this review are included in the Final EIS, Section

B. Agency Letters Concurring on SHA's Preferred Alternatives

B. Agency Letters Concurring on SHA's Preferred Alternatives

1.	United States Environmental Protection Agency	September 15, 1997	(1 page)
2.	Federal Highway Administration	September 16, 1997	(1 page
3.	Maryland Department of the Environment	September 16, 1997	(1 page)
4.	National Marine Fisheries Service	September 16, 1997	(2 pages)
5.	Maryland Department of Natural Resources	September 16, 1997	(1 page)
6.	United States Department of the Interior Fish and Wildlife Service	September 17, 1997	(1 page)
7.	United States Army Corps of Engineers	September 18, 1997	(2 pages)
8.	Maryland Department of the Environment	December 18, 1997	(1 page)
9.	United States Department of Commerce National Marine Fisheries	December 19, 1997	(1 page)
10.	United States Department of the Interior Fish and Wildlife Service	January 15, 1998	(1 page)

Copies of these letters, and responses as appropriate, are presented on the following pages.

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

September 12, 1997

Mr. Roy Denmark
NEPA Compliance Section
Environmental Protection Agency
Region III
841 Chestnut Street, 3EP30
Philadelphia, PA 19107

Dear Mr. Denmark:

Attached are the minutes from the US 113 Interagency Meeting held on September 10, 1997. The minutes describe an understanding of the issues and agreements that were reached at this meeting. Your concurrence with these minutes is requested with the understanding that we will continue to work together to develop this project such that agency concerns will be incorporated into the Final Environmental Impact Statement (FEIS) and the final design of the roadway.

More specifically, your signature below indicates that you can concur with the selected alternative Alternative 3S and Alternative 3N/4N Combination both with a 34 foot median except where modified by the conceptual wetland minimization plan assuming that:

- the conceptual wetland minimization plan as detailed in Tables 1 and 2 of the minutes were incorporated into the design;
- the development of a suitable wetland mitigation plan is continuing and will be incorporated into a final design;
- and US 113 is included in SHA's Access Management Program.

You may indicate your concurrence on the signature line below.

Please mail or fax your response to the attention of Sue Rajan before September 18. The fax number is 410-209-5014 and the mailing address is State Highway Administration, Project Planning Division, 707 North Calvert Street, Mailstop C-301, Baltimore, Maryland 21203.

Sincerely,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering

Enclosure (7 Pages)

Concurrence:

Roy E. Denmark
Environmental Protection Agency

9-15-97
Date

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V B1-1

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

September 12, 1997

Mrs. Susan J. Binder
Federal Highway Administration
The Rotunda - Suite 220
711 West 40th Street
Baltimore, MD 21211
ATTN: Renee Sigel

Dear Mrs. Binder:

Attached are the minutes from the US 113 Interagency Meeting held on September 10, 1997. The minutes describe an understanding of the issues and agreements that were reached at this meeting. Your concurrence with these minutes is requested with the understanding that we will continue to work together to develop this project such that agency concerns will be incorporated into the Final Environmental Impact Statement (FEIS) and the final design of the roadway.

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- the development of a suitable wetland mitigation plan is continuing and will be incorporated into a final design;
- and US 113 is included in SHA's Access Management Program.

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Sincerely,

Parker F. Williams
Administrator

by: Neil J. Pedersen
Neil J. Pedersen, Director
Office of Planning and Preliminary Engineering

Enclosure (7 Pages)

Concurrence:

Renee Sigel
for Federal Highway Administration

9-16-97
Date

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V B2-1

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

September 12, 1997

Mr. Elder Ghigiarelli
MD Department of the Environment
Water Management Administration
Wetlands and Waterways Program
2500 Broening Highway
Baltimore, MD 21224

Dear Mr. Ghigiarelli:

Attached are the minutes from the US 113 Interagency Meeting held on September 10, 1997. The minutes describe an understanding of the issues and agreements that were reached at this meeting. Your concurrence with these minutes is requested with the understanding that we will continue to work together to develop this project such that agency concerns will be incorporated into the Final Environmental Impact Statement (FEIS) and the final design of the roadway.

More specifically, your signature below indicates that you can concur with the selected alternative Alternative 3S and Alternative 3N/4N Combination both with a 34 foot median except where modified by the conceptual wetland minimization plan assuming that:

- the conceptual wetland minimization plan as detailed in Tables 1 and 2 of the minutes were incorporated into the design;
- the development of a suitable wetland mitigation plan is continuing and will be incorporated into a final design;
- and US 113 is included in SHA's Access Management Program.

You may indicate your concurrence on the signature line below.

Please mail or fax your response to the attention of Sue Rajan before September 18. The fax number is 410-209-5014 and the mailing address is State Highway Administration, Project Planning Division, 707 North Calvert Street, Mailstop C-301, Baltimore, Maryland 21203.

Sincerely,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering

Enclosure (7 Pages)

Concurrence:

Elder A. Ghigiarelli
MD Department of the Environment

9/16/97
Date

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V B3-1

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

September 12, 1997

Mr. John Nichols
Habitat and Protected Resources
National Marine Fisheries Service
Oxford Laboratory
Oxford, MD 21650

Dear Mr. Nichols:

Attached are the minutes from the US 113 Interagency Meeting held on September 10, 1997. The minutes describe an understanding of the issues and agreements that were reached at this meeting. Your concurrence with these minutes is requested with the understanding that we will continue to work together to develop this project such that agency concerns will be incorporated into the Final Environmental Impact Statement (FEIS) and the final design of the roadway.

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Sincerely,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering

Enclosure (7 Pages)

Concurrence:

Timothy J. Goodger
National Marine Fisheries Service

16 Sept '97
Date

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V B4-1

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Habitat and Protected Resources
Division
904 South Morris Street
Oxford, Maryland 21654

16 September 1997

MEMORANDUM FOR: Sue Rajan

FROM: Tim Goodger Tim Goodger

SUBJECT: US 113, 10 September 1997 Meeting Minutes

Page 6 shows that the acreage losses at Wetland 30 (0.71) and Wetland 31 (0.58) are associated with construction of a 10-ft median, which is incorrect. These acreage losses are associated with a 16-ft median, as shown in the "Wetland Impact Minimization" document (page 5) distributed at the 10 September meeting. (1)

One of the consensus decisions reached at the 10 September meeting was that the consultants investigate the feasibility of reducing the median from 16 to 10 feet, which would result in a slight reduction in the acreage of wetland fill. (2)

Response to National Marine Fisheries Service (letter dated September 16, 1997); reference State Highway Administration's letter dated September 12, 1997.

1. As presented on Table 3 (page 13) of the Concurrence Package - **Preferred Alternatives** and Mitigation distributed by SHA during the October 15, 1997 InterAgency Meeting, acreage losses at Wetland 30 have been revised from 0.71 to 0.68 as a result of the construction of a 10-foot median. The 0.71 acre impacts at Wetland 30 were associated with the wider median. Subsequent studies at Wetland 31 indicate the .58 acre impact, associated with the 16-foot wide median, is appropriate given constrained sight distances.

2. The 10-foot wide median (paved and traffic barrier) was implemented at sensitive wetland crossings in areas were the alignment is on tangent (i.e., sight distance is not an issue) and when the crossing is more than 1,500 feet from the nearest intersection. For the **Preferred Alternatives**, 10-foot medians are proposed at the three following crossings:

   - Wetland W-2
   - Wetland W-12
   - Wetland W-30

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

September 12, 1997

Mr. Larry Hughes
MD Department of Natural Resources
Environmental Review Unit
Tawes State Office Building
Annapolis, MD 21401

Dear Mr. Hughes:

Attached are the minutes from the US 113 Interagency Meeting held on September 10, 1997. The minutes describe an understanding of the issues and agreements that were reached at this meeting. Your concurrence with these minutes is requested with the understanding that we will continue to work together to develop this project such that agency concerns will be incorporated into the Final Environmental Impact Statement (FEIS) and the final design of the roadway.

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- and US 113 is included in SHA's Access Management Program.

You may indicate your concurrence on the signature line below.

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Sincerely,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering

Enclosure (7 Pages)

Concurrence:

Ray C. Dintaman, Jr.
MD Department of Natural Resources

9-16-97
Date

My telephone number is _____

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Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

September 12, 1997

Mr. Bob Pennington
U.S. Department of the Interior
Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

Dear Mr. Pennington:

Attached are the minutes from the US 113 Interagency Meeting held on September 10, 1997. The minutes describe an understanding of the issues and agreements that were reached at this meeting. Your concurrence with these minutes is requested with the understanding that we will continue to work together to develop this project such that agency concerns will be incorporated into the Final Environmental Impact Statement (FEIS) and the final design of the roadway.

More specifically, your signature below indicates that you can concur with the selected alternative Alternative 3S and Alternative 3N/4N Combination both with a 34 foot median except where modified by the conceptual wetland minimization plan assuming that:

- the conceptual wetland minimization plan as detailed in Tables 1 and 2 of the minutes were incorporated into the design;
- the development of a suitable wetland mitigation plan is continuing and will be incorporated into a final design;
- and US 113 is included in SHA's Access Management Program.

You may indicate your concurrence on the signature line below.

Please mail or fax your response to the attention of Sue Rajan before September 18. The fax number is 410-209-5014 and the mailing address is State Highway Administration, Project Planning Division, 707 North Calvert Street, Mailstop C-301, Baltimore, Maryland 21203.

Sincerely,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and Preliminary Engineering

Enclosure (7 Pages)

Concurrence:

U.S. Fish and Wildlife Service

17 Sept. 1997
Date

My telephone number is 410-573-4530

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V B6-1

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

REPLY TO
ATTENTION OF

SEP 18 1997

Operations Division

Subject: CENAB-OP-RX(MD SHA/US 113: MD 394 TO DELAWARE LINE)1997-63647-9

Mr. Louis Ege, Jr.
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Ege:

This letter is in response to the Maryland State Highway Administration's (SHA) request for concurrence, dated September 12, 1997, on the recommended alternate(s) to be identified in the final environmental document for the proposed subject project. SHA has requested that the agencies provide a response to this request before September 18, 1997.

This office has been a cooperating agency with the Federal Highway Administration (FHWA) and SHA in accordance with 40 CFR 1508.5 in the development of the environmental document. We concur that the recommended alternate(s) as proposed by the SHA and as coordinated with this office can be identified in the final environmental document as the SHA/FHWA preferred alternate(s). However, the SHA still needs to address the comments which the Corps has provided on the Draft Environmental Impact Statement and develop a compensatory mitigation plan. In accordance with our requests at the interagency meetings, in telephone conversations, and past written requests, it is necessary for the Environmental Impact Statement to include a cumulative effects analysis for all affected resources in the corridor study, not just those identified by the SHA. Also, the issue of the heavy truck usage along the corridor has not been adequately addressed. According to the handouts provided at the August 20, 1997 meeting, approximately 45 % of the fatal accidents which have occurred in the past twenty years involved tractor trailer trucks. SHA needs to address how the dualization will eliminate the unsafe conditions which currently exist on this highway. Many comments received during the public comment period have indicated that although they are not against dualization, they do not believe dualization alone will address the safety issue. All of these issues need to be adequately addressed in the decision document. In addition to these issues, the SHA has agreed to investigate further minimization of the wetlands and stream crossings by reducing the width of the median in these areas. Compensatory mitigation has also not been identified at this time. A mitigation plan acceptable to the resource agencies will need to be provided by the SHA prior to the issuance of a Corps permit.

1
2
3
4

Please have the SHA provide the preliminary final environmental document to this office for a 60 day review period. You will need to allow additional time to incorporate comments or make any revisions to the document prior to its release to the public. (5)

The SHA is reminded that comments submitted during the circulation of the final environmental document are to be forwarded to this office to be incorporated within our section 404/10 public interest review for the subject project. Comments will be incorporated into our record and used to make a Department of the Army permit decision. Furthermore, that concurrence to identify the proposed alternate(s) as the SHA/FHWA preferred alternate(s) in the final environmental document, does not insure DA permit authorization of that alternate. (6)

If you have any questions concerning this matter, please do not hesitate to contact Ms. Michele Gomez of this office at 410-962-4343.

Sincerely,

Keith A. Harris
Chief, Special Projects
Permit Section

cc: Renee Sigel, FHWA
Roy Denmark, EPA
Bob Pennington, FWS
Elder Ghigiarelli, MDE
Ray Dintaman, DNR
Beth Cole, MHT
Sue Rajan, SHA
Cynthia Simpson, SHA

Response to U.S. Army Corps of Engineers letter dated September 18, 1997

1. Responses to COE letters dated March 31, 1997, July 18, 1997, and November 12, 1997 are presented in this Final EIS (Section V.A.). Wetland mitigation is discussed in Section IV.I.

2. All of the resources presented in Chapter III, Affected Environment have been reviewed for inclusion in the cumulative effects analysis. The findings of this review are included in the Final EIS, Chapter IV, Section Q - Cumulative Effects.

3. See Section I.C. of this document for updated accident data including truck involvement. As noted in Section I.C.4., trucks were involved in 16 of the 42 fatal accidents (39%) which occurred from January 1980 through September 1997 along the 2-lane portions of US 113. Truck drivers were at fault in 4 of these 42 fatal accidents (9.5 percent). While SHA clearly agrees that the **Preferred Alternatives** will not address all of the safety issues, the wider median, traffic barrier, roadside grading, and overall improvements in traffic operations will result in substantial improvements in accident experience. Section IV of this document was also updated to show how 11 of the 16 fatalities involving trucks could have been avoided with dualization. Furthermore, Maryland SHA and Worcester County representatives will continue to monitor existing development and require that redevelopment parcels access US 113 only at public roads.

   In addition to the dualization that would occur under the **Preferred Alternatives**, SHA District 1 will continue to implement spot improvements (similar to those detailed in the TSM alternatives) on an as needed

4. As discussed in Section III.E of this document, extensive wetland minimization and avoidance studies have resulted in substantial reductions in wetland impacts. The Draft EIS/Section 4(f) Evaluation (Table IV-11) identified a total of 13.7 acres of wetland impacts for Alternative 3S-34' Median (measured right-of-way line to right-of-way line). As a result of the conceptual wetland minimization studies, this total impact has been reduced to approximately 5 to 5½ acres of wetland impacts (measured to limit of disturbance). Similarly, the Draft EIS indicated 12.5 acres of wetland impacts for Combination Alternative 3N/4N Modified - 34' Median. Using similar minimization techniques, this total impact has been reduced to approximately 7 to 7½ acres. While several acres of these reductions are attributable to the difference in measuring methodology (i.e., right-of-way line to right-of-way line versus limits of actual disturbance), these reductions are also the result of the minimization of median widths and roadside safety grading.

5. In order to meet a February 1998 date for Location/Design Approval, SHA has agreed with the elected officials that a 45 days review of the preliminary Final EIS is preferable.

6. Comments submitted during the circulation of the final environmental document will be forwarded to COE to be incorporated within their section 404/10 public interest review for this project.

Mr. Elder Ghigiarelli
US 113 from MD 394 to Delaware Line
Page Two

Concurrence with ~~Alternates Retained for Detailed Study~~ SELECTED ALTERNATIVE

Please check one:

✓ Concur (without further comments)

____ Concur (comments attached)

____ Do not concur (comments attached)

Elder A. Ghigiarelli Jr.
Maryland Department of the Environment

Date 12/18/97

Attachment
cc: Mr. Louis H. Ege, Jr.
Mr. Joseph Kresslein
Ms. Gay Olsen
Mrs. R. Suseela Rajan
Ms. Renee Sigel
Ms. Cynthia D. Simpson
Ms. Lorraine Strow

Mr. Timothy E. Goodger
US 113 from MD 394 to Delaware Line
Page Two

Concurrence with Preferred Alternates [redacted]

Please check one:

___ Concur (without comments)

✓ Concur (comments attached)

___ Do not concur (comments attached)

Timothy E. Goodger
National Marine Fisheries

19 Dec 97
Date

Attachment
cc: Mr. Louis H. Ege, Jr.
Mr. Joseph Kresslein
Ms. Gay Olsen
Mrs. R. Suseela Rajan
Ms. Renee Sigel
Ms. Cynthia D. Simpson
Ms. Lorraine Strow

Mr. Robert Zepp
US 113 from MD 394 to Delaware Line
Page Two

Concurrence with ~~Alternates Retained for Detailed Study~~ SELECTED ALTERNATIVE/MITIGATION

Please check one:

✓ Concur (without comments)

____ Concur (comments attached)

____ Do not concur (comments attached)

U.S. Fish and Wildlife Service

1-15-98
Date

Attachment
cc: Mr. Louis H. Ege, Jr.
Mr. Joseph Kresslein
Ms. Gay Olsen
Mrs. R. Suseela Rajan
Ms. Renee Sigel
Ms. Cynthia D. Simpson
Ms. Lorraine Strow

C. Elected Officials Letters

C. Elected Officials Letters

1. **Federal Officials**
2. **Maryland State Officials**
3. **Worcester County Officials**
4. **Local Officials**

Copies of these letters, and responses as appropriate, are presented on the following pages.

Page

1. **Federal Officials**

Honorable US Senator Barbara A. Mikulski

- letter from Senator Mikulski to Federal Highway Administration Division Administrator Susan J. Binder dated June 1, 1997 — V C-2(1)
- letter from Administrator Binder to Senator Mikulski dated July 2, 1997 — V C-2(2)
- letter from Maryland Governor Parris N. Glendening to Senator Mikulski dated August 27, 1997 — V C-2(3)

Honorable US Representative Wayne T. Gilchrest

- letter from Representative Gilchrest to Maryland State Highway Administrator Parker Williams dated August 15, 1997 — V C-2(5)
- letter from Administrator Williams to Representative Gilchrest dated August 29, 1997 — V C-2(6)

BARBARA A. MIKULSKI
MARYLAND

COMMITTEES:

APPROPRIATIONS

LABOR AND HUMAN RESOURCES

United States Senate

WASHINGTON, DC 20510-2003

IN REPLY PLEASE REFER TO OFFICE INDICATED:

☑ WORLD TRADE CENTER, SUITE 253
401 E. PRATT STREET
BALTIMORE, MD 21202-3039
(410) 962-4510
VOICE/TDD: (410) 962-4512

☐ 60 WEST STREET, SUITE 202
ANNAPOLIS, MD 21401-2448
(410) 263-1805
BALTIMORE: (410) 269-1650

☐ 9658 BALTIMORE AVENUE, SUITE 206
COLLEGE PARK, MD 20740-1346
(301) 345-5517

☐ 94 WEST WASHINGTON STREET
HAGERSTOWN, MD 21740
(301) 797-2826

☐ SUITE 1E, BUILDING B
1201 PEMBERTON DRIVE
SALISBURY, MD 21801-2403
(410) 546-7717

June 1, 1997

Mrs. Susan J. Binder
Division Administrator
Federal Highway Administration
711 West 40th Street
The Rotunda, Suite 220
Baltimore, Maryland 21211

Dear Mrs. Binder:

I want to draw your attention to a public hearing, on the dualization of Route 113, that is scheduled to be held on June 17 at 7pm at Stephen Decatur High School in Berlin, Maryland.

I have heard from a number of constituents from around the Eastern Shore who have expressed concern over the tragic number of deaths occurring on this heavily travelled highway. I too share these concerns. This is a very important issue to my constituents and to me.

I hope that you will have the appropriate staff attend this meeting. I also request that you continue to work with the State of Maryland to move the dualization of Route 113 forward as expeditiously as possible.

I appreciate your attention to this matter and I look forward to hearing from you about your actions on this issue.

Sincerely,

Barbara A. Mikulski
United States Senator

BAM:kpk

MARYLAND	
6-23-97	
DA	
ADA	
FOP	
P&T	
PRGE	
ADMIN	
R/W	
DR	
JCS	
ALL	
* ACTION	
* INFO	

July 2, 1997

Re: Contract No. WO720B11
US 113 from Snow Hill to the
Delaware State Line
Worcester County, Maryland

Senator Barbara A. Mikulski
World Trade Center, Suite 253
401 E. Pratt Street
Baltimore, Maryland 21202-3099

Dear Senator Mikulski:

Thank you for your June 1, 1997 letter concerning the public hearing and supporting the full dualized highway for US 113 in Worcester County. Although we did not receive your letter until June 20, 1997, Federal Highway Administration representatives were present at the joint public hearing held at Stephen Decatur High School on US 50 in Berlin, Maryland on June 17.

Your support of the dualization of U.S. 113 as well as that of 100's of Worcester County residents is recognized by our agency. We are continuing to work with the Maryland Department of Transportation, Federal and state agencies and the local governments to complete the studies needed to move forward with this important project.

Thank you again for your letter of support for the US 113 study project. Please feel free to contact Renee Sigel, of my staff, at (410) 962-4342 ext. 116 if you have any further questions.

Sincerely yours,

RENEE SIGEL

Susan J. Binder
Division Administrator

cc: Mr. Roy Denmark, EPA
Mr. Keith Harris, COE
Mr. John Wolflin, FWS

bc: Ms. Susan J. Binder
Mr. Dave Lawton, FHWA Reg. 3
Mr. Neil Pedersen, SHA

STATE OF MARYLAND
OFFICE OF THE GOVERNOR

PARRIS N. GLENDENING
GOVERNOR

ANNAPOLIS OFFICE
STATE HOUSE
100 STATE CIRCLE
ANNAPOLIS, MARYLAND 21401
(410) 974-3901

WASHINGTON OFFICE
SUITE 311
444 NORTH CAPITOL STREET, N.W.
WASHINGTON, D.C. 20001
(202) 638-2215

TDD (410) 333-3098

August 27, 1996

The Honorable Barbara A. Mikulski
United States Senate
Suite 1E, Building B
1201 Pemberton Drive
Salisbury MD 21801-2403

Dear Barbara:

Thank you for your recent letter expressing concerns about US 113. I would like to take this opportunity to respond to the three questions you raised. Let me begin with what has been accomplished in the past and a status of our current activities.

The State Highway Administration (SHA) has made a number of improvements to US 113 between US 13 and the Delaware state line over the last 10 years. It has completed major intersection improvements along US 113 at US 13, MD 610, MD 589, Pitts Road, and the Delaware state line. The SHA has also installed 15 street lights and five flasher signals, and has made numerous spot safety improvements, including widening the painted lines which separate northbound from southbound traffic, installing raised pavement markers, adding pavement marking arrows, and adding "no passing" signs. In addition, SHA also resurfaced approximately 80 percent of US 113 in this area. These improvements (most of which were made during the last five years) cost approximately $12 million.

The US 113 project is included in the Department's Consolidated Transportation Program for project development. We are evaluating a variety of alternatives including the construction of an additional two-lane roadway adjacent to the existing facility and a new four-lane road on new location for the section between Berlin and the Delaware state line. The cost of dualizing the entire length of US 113 would likely exceed $100 million. We anticipate holding a public hearing in the Spring of 1997 and expect completion of the analysis later in the year.

Traffic and accident studies were done in the late 1980's when a project planning study was initiated for US 113 from US 50 to the Delaware state line. The traffic and accident data was updated last year when we began the project development effort mentioned above. The entire section of US 113 has experienced 893 accidents in the past 15 years. On average this rate is lower than other similar roadways. The northern section has experienced 20 fatalities over that period of time which is cause for concern and is the primary focus of our present project development efforts.

We would certainly prefer to be able to make an early commitment to the construction of a project such as the dualization of US 113, but given the limits on both federal as well as state transportation funding, we have not been able to do so at this time. As you are well aware, Congress has not readily agreed to federal funding for highway projects in addition to that provided through normal federal funding apportionments. In the coming year, as we approach the re-authorization of the federal surface transportation programs, we will want to work closely with you and other members of the Maryland Congressional delegation. We hope to obtain the highest possible funding formula for Maryland, enabling us to undertake projects such as US 113 as well as special categories of projects such as federally owned highways like the Woodrow Wilson Bridge and the Baltimore Washington Parkway.

Thank you for your interest in the US 113 project. If you have any other questions or comments, please feel free to call me or State Highway Administrator Parker Williams at (410) 545-0400.

Sincerely,

Parris

Parris N. Glendening
Governor

Enclosure

cc: The Honorable David L. Winstead, Secretary, Department of Transportation
The Honorable James G. Barrett
The Honorable Bennett Bozman
Mr. Parker Williams

WAYNE T. GILCHREST
1st District, Maryland

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
CHAIRMAN, COAST GUARD AND MARITIME TRANSPORTATION
WATER RESOURCES

COMMITTEE ON RESOURCES
FISHERIES CONSERVATION, WILDLIFE AND OCEANS
NATIONAL PARKS AND PUBLIC LANDS

Congress of the United States
House of Representatives

☐ 332 CANNON BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-5311
FAX: (202) 225-0254

☐ 44 CALVERT ST., SUITE 320
ANNAPOLIS, MD 21401
PHONE: (410) 263-6321
FAX: (410) 263-7619

☐ 315 HIGH STREET, SUITE 105
CHESTERTOWN, MD 21620
PHONE: (410) 778-9407
FAX: (410) 778-9560

☐ ONE PLAZA EAST
SALISBURY, MD 21801
PHONE: (410) 749-3184
FAX: (410) 749-8458

August 15, 1997

Parker Williams, Administrator
State Highway Administration
P.O. Box 8755
Baltimore/Washington International Airport, MD 21240

Dear Mr. Williams,

I am writing to invite you to a meeting on Thursday, September 18, 1997, in my Washington office to discuss the dualization of Route 113 in Worcester County, Maryland.

Senators Barbara Mikulski and Paul Sarbanes will join me as we hear from the various federal agencies involved in the permitting process for the project, including the Federal Highway Administration, the Fish and Wildlife Service, the Environmental Protection Agency, the U.S. Army Corps of Engineers and the National Marine Fisheries Service.

The meeting is scheduled for 2:30 p.m. in my office, Room 332 in the Cannon Building, located at 1st and Independence Avenue, SE. Please contact Cathy Bassett at (410) 263-6321 to RSVP.

Thank you in advance for your consideration.

Sincerely,

Wayne T. Gilchrest

Wayne T. Gilchrest
Member of Congress

WTG:cmb

PRINTED ON RECYCLED PAPER

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 29, 1997

The Honorable Wayne T. Gilchrist
United States House of Representatives
332 Cannon House Office Building
Washington DC 20515

Dear Congressman Gilchrist:

Thank you for your recent letter inviting me to a meeting on September 18, in your Washington office to discuss the US 113 project in Worcester County. I understand representatives from various federal agencies will be attending this meeting. My staff and I will plan to attend the meeting.

Since the June 17 public hearing for US 113, our staff members have met with the resource agencies and have been working on addressing their issues and concerns regarding the US 113 project. Currently we are developing options to further minimize wetland impacts under the dualization alternatives.

Again, thank you for your continued interest in this project. I look forward to meeting with you, Senator Sarbanes, Senator Mikulski and the resource agencies on September 18. If you need any information, please feel free to call me or Mr. Neil J. Pedersen, our Director of Planning at (410) 545-0400.

Sincerely,

Parker F. Williams
Administrator

cc: Mr. Neil J. Pedersen, Director, State Highway Administration

V C-2(6)

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

2. **Maryland State Officials** — **Page**

Honorable Louis L. Goldstein, Comptroller of the Treasury

- letter from Comptroller Goldstein to Maryland State Highway Administrator Parker Williams dated May 15, 1997 — V C-3(1)

Honorable State Senator Richard F. Colburn

- letter from Senator Colburn (with attachments) to Maryland State Highway Administration District 1 District Engineer Donnie L. Drewer dated August 1, 1997 — V C-3(2)

Honorable State Senator J. Lowell Stoltzfus

- letter from FHWA Division Administrator Susan J. Binder to Senator Stoltzfus dated June 9, 1997 — V C-3(10)

Honorable Delegate Bennett Bozman

- letter from Maryland State Highway Administrator Parker F. Williams to Delegate Bozman dated February 10, 1997 — V C-3(12)

Louis L. Goldstein
Comptroller of the Treasury

Louis L. Goldstein Treasury Building, P. O. Box 466
Annapolis, Maryland 21404-0466

May 15, 1997

Honorable Parker Williams, Administrator
State Highway Administration
707 N. Calvert Street
Baltimore, Md. 21201

Dear Mr. Williams:

A pleasant good morning!

I wish to acknowledge receipt of the "**Joint Public Notice**", which I received on May 14, 1997, with regard to the Location/Design Public Hearing scheduled for Tuesday, June 17, 1997 at 7:00 p.m. at Stephen Decatur High School in Berlin, for the purpose of conducting a study to improve traffic conditions and safety on US 113 from South of Snow Hill to the Delaware State Line.

I think this is a very worthwhile project and you have my support. I would appreciate your keeping me informed as plans are developed.

Keep up the good work!

With kindest personal regards and best wishes to you, your family and staff for continued success, good health and happiness, I remain

Most cordially yours,

Louis L. Goldstein

LLG:cc

V C-3(1)

Voice telephone: (410) 974-3801

For the hearing impaired: MRS 1-800-735-2258 • TDD (410) 974-3157 • EOE

RICHARD F. COLBURN
STATE SENATOR

37TH LEGISLATIVE DISTRICT

CAROLINE COUNTY
DORCHESTER COUNTY
TALBOT COUNTY
WICOMICO COUNTY

MEMBER
JUDICIAL PROCEEDINGS COMMITTEE
SPECIAL JOINT OVERSIGHT COMMITTEE ON
CHESAPEAKE BAY CRITICAL AREAS

SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401-1991

IN REPLY PLEASE REFER TO
OFFICE INDICATED
☐ ANNAPOLIS OFFICE:
ROOM 311 SENATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401-1991
(410) 841-3580 OR TOLL FREE
1-800-492-7122 EXT 3580
☒ MID-SHORE OFFICE:
P.O. BOX 1837
CAMBRIDGE, MARYLAND 21613
(410) 820-1157, 819-3337
OR 376-3757 (FAX)
☐ WICOMICO COUNTY OFFICE:
P.O. BOX 337
HEBRON, MARYLAND 21830
(410) 548-3757

August 1, 1997

Donnie Lee Drewer, District Engineer
District #1(Dochester,Somerset,Wicomico,and Talbot Counties)
P.O. Box 2679
Salisbury, MD 21802-2679

Dear Mr. Drewer:

Enclosed you will find a copy of a letter I received from a very concerned constituent in the 37th District.

I would like to go on record as being supportive of the Dualization on RT. 113. This project needs to be considered as soon as possible.

Please keep me up to date on the progress regarding this matter.

Sincerely,

Richard F. Colburn

Enclosure

c: Bob Hulburd

RECEIVED
AUG 5 1997
SALISBURY OFFICE

C. R. A. S. H.
County Residents Action for Safer Highways
10776 Gray's Corner Road, #4
P. O. Box 1001
Berlin, MD 21811

Robert G. Hulburd, President
Rhonda Dykes, Treasurer
Joel Todd, Vice President
June Clendening, Secretary

410-641-3939 Fax 410-641-9555

July 24, 1997

Honorable Richard F. Colburn
4731 Egypt Road
Cambridge, MD 21613

Dear Senator Colburn:

Although you may have seen them, I'm enclosing articles from Tuesday's *Daily Times* about another victim that Route 113 has claimed and an editorial from the *Maryland Times Press*. The latest tragedy occurred in the southern part of this dangerous, undivided highway.

This is the 72nd death on Route 113 in 20 years. Mr. Gross, who died, was a Vietnam veteran, the father of three children, three stepchildren, three grandchildren and a large extended family. His death alters forever the lives of many.

Also enclosed is an editorial and an article from today's *Daily Times* about the 71st victim's survivors. Needless to say, our volunteer group and Worcester County citizens are deeply concerned. The number of cars using the highway increases daily and the accident rate mounts. We believe the evidence is clear and abundant for dualization of this entire span to move forward rapidly and we ask that you do everything in your power to see that it does.

With kind personal regards, I am

Sincerely,

Bob Hulburd

Bob Hulburd, President

Enclosures

Senator Colburn —
As you can see we have a major problem down here and we need your help. You know that we are outvoted here on the shore because we don't have the population to compete with the Balt-
Please stick together the area

RECEIVED
AUG 5 1997
SALISBURY OFFICE

V C-3(3)

DEATH ON ROUTE 113

Road claims Pittsville man

Reinforces calls for dualization

By DOUGLAS HANKS
Daily Times Staff Writer

SNOW HILL — A Pittsville man driving on Route 113 Monday evening was killed when a Ford Explorer broadsided and then plowed through his car, shoving him out the passenger side door.

Darrell Glen Gross, 44, was pronounced dead at the scene. The 23-year-old driver of the Explorer, Melissa Beth Egloff, of Suffolk, Va., was in stable condition at Peninsula Regional Medical Center Monday night after being flown to the Salisbury hospital by helicopter.

Police said Egloff appeared to be six months pregnant, and a hospital official said the fetus seemed healthy Monday night. Egloff's young daughter, her lone passenger, was not injured in the crash.

Gross' death was the 72nd fatality in 20 years on the dual-lane highway, which has been the focus of an intense, emotional campaign by Worcester County residents to have it widened and divided to prevent cross-lane accidents like this one.

Monday's crash, near Public Landing Road, left some of the most horrible wreckage police said they had ever seen.

It looked as if the Explorer had been dropped from above onto Gross' Chevrolet Monte Carlo, so completely destroyed was the car's passenger cabin. With the crushed Monte Carlo serving as a fulcrum, the Explorer's rear wheels lifted one foot above the road.

Police said the Explorer was heading south on the highway about 5 p.m. when it suddenly veered into the northbound lane, colliding with the Monte Carlo. The Explorer struck the driver's side, then barreled its way through the car until its front end smashed through the passenger door.

Gross, driving alone, was ejected 20 feet or more from his car.

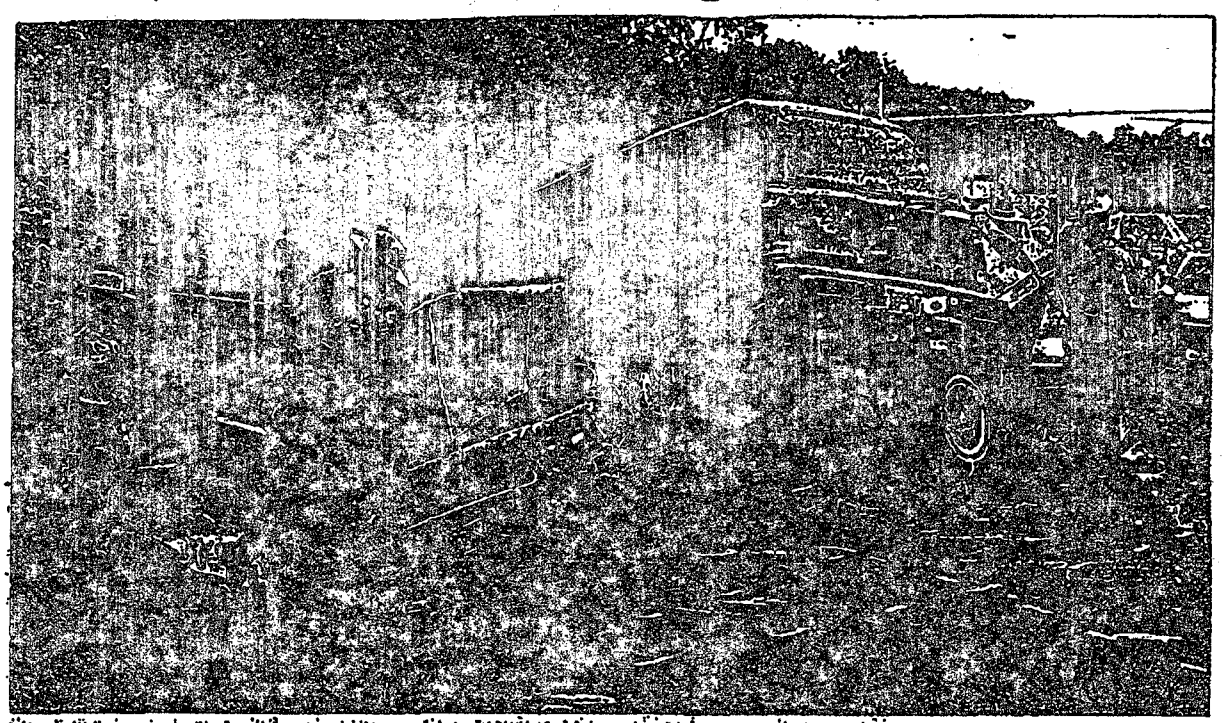
"It's the worst collision I've ever seen," said Worcester County Commissioners President Jim Barrett, eyeing the wreckage about an hour after the accident.

He said the collision proves the point — again — that a divided, four-lane Route 113 would save lives.

"It's about time we got moving," he said. "It's a bad road."

About 700 people attended a June meeting to press Maryland officials on the project, which is currently awaiting state transportation dollars.

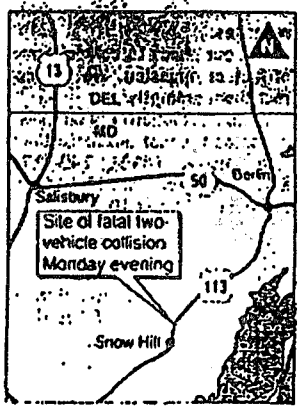
Transportation officials are considering what steps to take in the effort to improve safety of Route 113, which runs from Pocomoke City to Dover. Gov. Parris Glendening has allocated $4.5 million for the project, but a four-lane highway with a median might cost as much as $140 million, officials said.



Times Photo by Todd Dudek

Maryland State Police troopers, from left, Renee Gillam, Mitch Frey, Scott Cook and Mark Darby investigate a fatal accident in which a 44-year-old Pittsville man was killed on Route 113 near Snow Hill Monday evening.

"It's the worst collision I've ever seen."
Jim Barrett,
President, Worcester County Commissioners



Times Graphic

V C-3(4)

THE DAILY TIMES

Keith Blevins, Chief Executive Officer
Gary D. Gossman, Executive Editor

Page 6 Salisbury, Maryland Wednesday, July 23, 1997

OUR MISSION

The Daily Times **strives to be a vital daily reflection of communities on the lower Delmarva Peninsula. By providing timely, accurate information** ***The Daily Times*** **brings readers together to live better lives and build stronger communities.** ***The Daily Times*** **provides a forum for diverse viewpoints which lead our communities to solve problems.**

OUR OPINION

Route 113 toll continues

IN SUMMATION

There's been another fatality on Route 113 in Worcester County. Driver errors notwithstanding, dualization could have already prevented many deaths. When will the slaughter end?

"We owe it to the innocent drivers to make the road as safe as we can and then the margin for error is improved."

So said Bob Hulburd, chairman of County Residents Action for Safer Highways, at last month's public hearing on Route 113 in Worcester County.

One of those "innocent drivers," Darrell Glen Gross, a 44-year-old Pittsville man, lost his life Monday afternoon in a ghastly collision near Public Landing Road on Route 113.

Gross died instantly when his vehicle was broadsided by a Ford Explorer driven by a 23-year-old pregnant woman whose young daughter was a passenger in the back seat. The young mother and daughter appear not to be seriously injured and fortunately, this tragedy was not compounded by the death of the mother's unborn child.

Gross' death is the 72nd on Route 113 in the last 20 years.

Three other fatalities have occurred within a quarter-mile of that site in the last 20 years: in 1979, 1981 and 1994.

Even a cursory glance at the dates should startle any reader.

The rate at which accidents are occurring at that intersection — and on Route 113 as a whole — is accelerating, as is the number of fatalities.

There are any number of reasons for this: increased numbers of vehicles (especially truck traffic), greater speed, more distractions, driver error.

Most importantly, the road is unsafe — or has become — unsafe.

Route 113 may not have been born a killer highway, to use nature vs. nurture jargon, but it has grown to become one.

Seven hundred people turned out at the hearing last month in Worcester County to tell state highway officials about the need to do something — and quickly — to stop the slaughter by this mindless murderer of innocents.

CRASH, and many others, believe the best solution is a dualized highway with a median barrier. We agree: It's hard to argue for any other alternative.

Money has been appropriated by the state for engineering studies, as well as for the purchase of right-of-way, once a final site for a new Route 113 is chosen.

Gov. Parris N. Glendening, when he visited *The Daily Times* recently, promised he will see the project through.

Congressman Wayne Gilchrest, R-Md., is working to get federal money to help the effort. And work has already begun at another deadly intersection, Jarvis Road and Route 113, to make it safer until a final solution can be reached. Construction on a dualized highway would likely not begin until 1999 at the earliest.

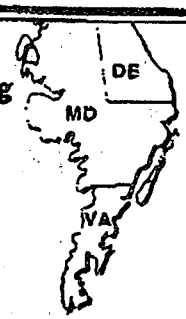
Time is running out.

The margin for error gets slimmer as each year, each day, each moment passes — like Darrell Gross — into eternity.

THE DAILY TIMES
Keith Blevins, Chief Executive Officer
Gary D. Grossman, Executive Editor

OUR MISSION

The Daily Times **strives to be a vital daily reflection of communities on the lower Delmarva Peninsula. By providing timely, accurate information *The Daily Times* brings readers together to live better lives and build stronger communities. *The Daily Times* provides a forum for diverse viewpoints which lead our communities to solve problems.**



OUR OPINION

Let no more die waiting

The words were coming hard. Her voice trembled. She was crying and trying to say something into the microphone.

Another lady rose from the audience to stand by her side and steady her and help with the piece of paper she had brought to help her say what she had to say.

Memories had taken the speaker back and love and pain were drowning her words with tears.

People in the dim auditorium looked at the floor. Their eyes, too, were sad and wet.

Linda Figgs' son, you see, had been killed on Route 113 and had left behind a little boy, who was then 4 and now 7. The little boy had been waiting for his daddy to come home that day and now was still missing his daddy.

It was the road that had taken the little boy's father. It was the road, don't you see. Someone called it the highway of tears.

Yes, the hearing had started with flat, factual information. The people from the state followed one another to the microphone. This is how we plan a highway. This is how we protect the wildlife. This is how we relocate people. This is how we make sure it's fair. This program. These funds. Title this. Title that. Sit.

The state people did their jobs well.

Then the mothers and husbands and brother and drivers stood to tell their tales of life and death, fear and injury and delay along Route 113 in Worcester County, Maryland, where 71 people have perished in 20 years on a two-lane highway.

We have no idea how their stories will look flattened into hearing transcript bounded by stiff cardboard and (we fear) unread through eternity. The words may be dry and complete and follow one after another. They may not rise and fall in anger and sadness and halt for tears and stop for anguish.

IN SUMMATION

The people have spoken. Now is the time to dualize Route 113 in Worcester County. Too many people have died waiting for Maryland to decide to act.

In the auditorium at Stephen Decatur High School Tuesday night, a good measure of the power, eloquence and dignity of the words came from how they were spoken.

"Please excuse the tears," said the mother, as she ended.

No need. The truth of Route 113 through Worcester County is more than engineering and finance and traffic count. The truth about Route 113 is a feeling, a sense that those who travel it and those who have been hurt by it have suffered long and patiently the delays, the patches and dismissals that come from calculators.

Some have died waiting for Maryland to decide it's time to dualize Route 113 and put a median strip in the center of the four lanes of traffic. Then cars will no longer cross over, pass dangerously, spin into traffic and kill people, leaving little boys without fathers, mothers without sons.

No more.

The farmer who has to move slow and cumbersome equipment said now is the time.

The sheriff who has to deal with the accidents and notify the survivors said now is the time.

The educator who buses precious children up and down that highway said now is the time.

The man who came armed with statistics to argue against dualizing the road stood at the podium and tore up his speech and said now is the time.

Now, said the people. Now.

WEDNESDAY
JULY 23, 1997

THE DAILY TIMES

Weather Mostly cloudy, rain likely. High near 80. Low in the 70s. See Page 8.

Salisbury, Md. 50 cents

Crash underscores need for dualization

Community rallies to help Batson's newborn daughter

By NICOLE KRAEMER
Daily Times Staff Writer

POCOMOKE CITY — Everywhere she goes, Maya Nicole Batson turns heads. Her relatives are recognized at the mall. The Salisbury Community Band dedicated a song to her at the City Park.

Hundreds of musicians, students and Lower Shore residents remember the 2-weeks-old's father, Robert Batson Jr., who was killed in a Route 113 car crash shortly before she was born. For eight years, the award-winning teacher was the band director at Pocomoke High School.

Her mother, Terri Batson, has been overwhelmed by the community's support. Nearly 1,000 mourners attended her husband's memorial service. To help secure Maya Nicole's future, Peninsula Bank set up a trust fund. Local branches have collected $4,700 so far.

About 30 family members attended an outdoor concert in

See BATSON, Page 2

HOW TO HELP

All branches of Peninsula Bank continue to accept contributions to the Robert Batson Jr. Memorial Fund. Money collected will be put into a trust fund for his daughter.

Times Photo by Joey Gardner

Terri Batson holds her 2-week-old daughter, Maya Nicole, Tuesday in her Pocomoke City town house.

By NICOLE KRAEMER
Daily Times Staff Writer

SNOW HILL — Darrell Glen Gross of Pittsville was driving on Route 113 Monday afternoon. He saw a car drift into his lane. Seconds later, he was dead.

And there was nothing he could have done.

That's why community activists and police say the two-lane highway where 72 people have died in 20 years has to be widened and divided. The sooner the better.

Residents have been pushing for improvements to the road for more than 30 years, finding only recent success as state officials have said planning is on the fast track.

But there are other battles ahead, including a crucial congressional vote in the fall. Lawmakers then will consider a transportation budget including $24 million for Route 113.

● Editorial Page 6

Activists have also suggested recently they could do more to ensure construction starts on time, including joining forces with community groups in other parts of the state.

Construction could begin as early as the summer of 1999. But only if the money is there. Robert Hulburd, chairman of County Residents Action for Safer Highways, estimated a four-lane highway with a median would cost between $120 million and $130 million.

"Projects can sit there and languish in the doldrums for a long time waiting for the construction money to come in," he said.

Hulburd pointed to Monday's crash north of Public Landing Road near Snow Hill — where three other fatal accidents have occurred — as a clear example of

See CRASH, Page 2

V C-3(7)

CRASH: Route 113 death underscores need for project

CRASH, from Page 1

the need for improvements to Route 113.

That stretch of road is straight. But it gets heavy traffic and affords little room for error.

Up to 18,500 vehicles a day travel the rural highway, passing closely along the 24 miles of two-lane road. Shoulders are only 10 feet wide.

Hulburd plans to join forces with rural counties across the state to get their highway projects more attention in return for help on Route 113.

He wants to meet Gov. Parris Glendening face to face to tell him how much the Eastern Shore needs four lanes on a highway traveled by an increasing number of tractor-trailers.

In the Gross case, the driver of a Ford Explorer crossed over a solid yellow line into his lane of traffic. He saw Melissa Egloff's Explorer and swerved onto the right shoulder to avoid her, but there was no place to escape.

The Explorer barreled into the driver's side of Gross's vehicle. The 44-year-old — a father of three children, three stepchildren and three grandchildren — was killed instantly.

Family members could not be reached for comment Tuesday.

Police and Hulburd said with a barrier, the accident would have been much less severe.

Then, "the worst thing (a person) is going to do is bang themself up, not hit an innocent person coming on the other side," Hulburd said.

Egloff, 23, was traveling with her young daughter at the time of the accident. Trooper Scott Cook of the Maryland State Police said Egloff apparently fell asleep or became distracted while driving. She has not been charged. Police found no evidence of gross negligence such as speeding or drunken driving.

The investigation will continue as police reconstruct the accident, measuring skid marks and studying the points of impact.

Egloff, about six months pregnant, was in satisfactory condition at Peninsula Regional Medical Center Tuesday night. She had gone into labor at the accident scene, but doctors administered drugs to stop the contractions.

Work on the dualization project continues this summer as state highway officials try to get state and federal environmental agencies to agree on a preferred alternate route for construction.

The deadline for public comment was July 18. Environmental agencies must submit their comments by Friday.

State highway officials will meet throughout August to hammer out final road plans which have to be approved by the Federal Highway Administration.

"(This most recent accident) is just all too typical. It's just all too familiar," Hulburd said.

"It just underscores the need to get going on it."

OBITUARIES

Darrell Glen Gross

PITTSVILLE — Darrell Glen Gross, 44, of here died Monday, July 21, 1997, in an automobile accident near Snow Hill.

Born in Salisbury, he was a son of the late Charles Lynn and Mary Ellen Griffith Vance.

Gross was an Air Force veteran who served in Vietnam. He was employed for the past six years for H & H Consolidated in Wallops Island. He played softball for several years, most recently in the Old Timers League.

He is survived by his wife, Barbara J. Gross; two daughters, Bobbi Jean Ingraham of Parsonsburg and Saundra Lynn Gross of Parsonsburg; a son, Darrell G. Gross Jr. of Parsonsburg; three stepchildren, Wayne Martin, Kevin Martin and Bobby Martin, all of Richlands, Va.; three grandchildren; a sister, Carol Ann Brown of Richlands; three brothers, Clarence Wayne Vance of Salisbury, Charles Edward Gross of Salisbury and Perry Vance of Salisbury; and a stepsister, Debbie Cooper of Salisbury.

A sister, Betty Vance, died in 1995 and a brother, Larry Estil Gross died in 1950.

A funeral service will be held Saturday at 11 a.m. at Bounds Funeral Home on East Main Street in Salisbury. The Rev. Sam McWilliams will officiate. Friends may call Friday from 7 to 9 p.m. at the funeral home. Interment will be in Springhill Memory Gardens in Hebron.

The scorecard of pain for 113 gets another check mark

There has been yet another addition to the scorecard being kept for U.S. Highway 113.

This latest statistic goes into the "deaths" category, one that grows each year. It's a category that is kept on a computer, and when it is called up, it bears the names of 72 people who have died travelling on 113.

The latest addition is 44-year-old Darrell C. Gross, who died Monday evening in a heap of twisted cars piled up on the roadside near Public Landing Road.

Upon surveying the three-car pileup, County Commissioner Jim Barrett called it the worst wreck he'd ever seen. His observations, however, will not fit into the computer, nor will the agony of Mr. Gross' family.

The information contained in the computer is rather sanitary: just the facts.

It has the names of those who died — men, women and children, African-American, white and otherwise — their address and some particulars about the incident.

Upon surveying the three-car pileup, County Commissioner Jim Barrett called it the worst wreck he'd ever seen. His observation, however, will not fit into the computer ...

This kind of information is what the decision makers see. They see aggregate data boiled down into computer printouts.

Unfortunately, the data and printouts don't have categories for the ancillary effects of these wrecks — the suffering, shattered families, lingering injuries or life-long feelings of loss.

If so, maybe this would be a priority project. Certainly, there is some movement in the right direction. The widening of 113 is being studied and construction plans are being drafted. Moreover, there have even been some temporary safety improvements made here and there, and more are on the way.

But with a price tag of $140 million, we're fooling ourselves if we think work is going to begin tomorrow or within the next few years.

Sadly, there will be more deaths, more injuries and far more hurt before things get better here.

In truth, 113 is a remote country road in an even more remote area. It doesn't hold the importance that beltways and interstates of elsewhere do. It doesn't carry a considerable percentage of the state's driving population each day and its effect on the state's commerce is minimal. But, those are the statistics that end up in the computer and influence decisions.

Until lawmakers see the pain and agony firsthand, the real-life tears, the funerals, the car wrecks, the blood, the agony and the horror, just as Mr. Barrett did on Monday, change will come slowly.

As this is being written, 72 people have died on that stretch of road in the last 20 years. There is no guarantee that number will not have already gone higher.

Established 1920
MARYLAND TIMES PRESS

June 9, 1997

Re: Contract No. WO720B11
US 113 from Snow Hill to the
Delaware State Line
Worcester County, Maryland

Senator J. Lowell Stoltzfus
Room 409
Senate Office Building
Annapolis, Maryland 21401-1991

Dear Senator Stoltzfus:

Thank you for your June 2, 1997 letter supporting the full dualized highway for US 113 in Worcester County. The Federal Highway Administration (FHWA) is working with the Maryland Department of Transportation, Federal and state agencies and the local governments to insure that a full range of reasonable alternatives, including the no-build alternative, is considered during the US 113 study. A dualized highway is included in several of the alternatives to be studied north and south of Berlin.

All improvements have been assessed in the Draft Environmental Impact Statement (DEIS)/Section 4(f) Evaluation which has been prepared in accordance with the National Environmental Policy Act (NEPA). This document includes an assessment of the need for the improvements and a discussion of the alternatives considered. The approved DEIS/Section 4(f) is available for review. A joint public meeting will be conducted in conjunction with FHWA, Maryland State Highway Administration, U.S. Corps of Engineers, and Maryland Department of the Environment for this improvement project on June 17 at 7:00 p.m. Displays of the project will be available at 6:00 p.m. for viewing. The public hearing will be held at Stephen Decatur High School on US 50 in Berlin, Maryland.

Thank you again for your letter of support for the US 113 study project. Please feel free to contact Renee Sigel, of my staff, at (410) 962-4342 ext. 116 if you have any further questions.

Sincerely yours,

RENEE SIGEL

Susan J. Binder
Division Administrator

cc: Mr. Louis Ege, SHA
Mr. Joe Kresslein, SHA
Ms. Sue Rajan, SHA
Ms. Cynthia Simpson, SHA

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

February 10, 1997

The Honorable Bennett Bozman
Maryland House of Delegates
413 Lowe House Office Building
6 Governor Bladen Boulevard
Annapolis MD 21401-1991

Dear Delegate Bozman:

At the Transportation Commission legislative social on January 27, you had asked me for a letter indicating our commitment to expedite the environmental process, final design and right-of-way acquisition for the US 113 Dualization project. As I mentioned to you, this project has been placed on an accelerated schedule. We are working very closely with the environmental agencies to address their questions and concerns to avoid any project delay. The Location/Design Public Hearing is scheduled this Spring, at which we expect a large number of citizens to testify in support of the project. Final design is scheduled to begin this Summer on a compressed schedule, with right-of-way acquisition to begin in Summer 1998.

Thank you for your interest and support for this project. If I may be of any further assistance, please feel free to call me or Mr. Neil Pedersen, our Director of Planning and Preliminary Engineering, who can be reached at (410) 545-0411.

Sincerely,

Parker

Parker F. Williams
Administrator

cc: The Honorable James Barrett, President, Worcester County Commissioners
The Honorable Norman H. Conway, Member, Maryland House of Delegates
The Honorable Robert Cowger, Jr., Member, Worcester County Commissioners
The Honorable Wayne T. Gilchrest, Member, United States House of Representatives
The Honorable Jeanne Lynch, Member, Worcester County Commissioners
The Honorable Charles A. McClenahan, Member, Maryland House of Delegates
The Honorable James Purnell, Member, Worcester County Commissioners
The Honorable J. Lowell Stoltzfus, Member, Senate of Maryland
The Honorable Granville Trimper, Vice President, Worcester County Commissioners
Mr. Neil J. Pedersen, Director, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
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Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

3. **Worcester County Officials** — **Page**

President County Commissioner Granville D. Trimper

- letter from President County Commissioner Trimper to Maryland State Highway Administrator Parker F. Williams dated June 24, 1997 — V C-5(1)
- letter from Maryland State Highway Administrator Williams to President County Commissioner Trimper dated July 14, 1997 — V C-5(2)
- letter from President County Commissioner Trimper to Maryland State Highway Administrator Williams dated July 30, 1997 — V C-5(4)
- letter from Maryland State Highway Administrator Williams to President County Commissioner Trimper dated August 15, 1997 — V C-5(6)
- letter from President County Commissioner Trimper to Maryland State Highway Administrator Parker F. Williams dated December 12, 1997 — V C-5(8)

Register of Wills Stephen V. Hales

- letter from Register of Wills Stephen V. Hales to Maryland Department of Transportation Secretary David L. Winstead dated June 6, 1997 — V C-5(9)
- letter from Maryland State Highway Administrator Williams to Register of Wills Hales dated August 12, 1997 — V C-5(10)

Emergency Services Assistant Director Wade Taylor

- letter from Assistant Director Wade Taylor to Maryland State Highway Administration Project Planning (Lorraine Strow) dated January 5, 1998 — V C-5(11)

Coalition of Elected Public Officials **Page**

- Petition signed by elected public officials of Worcester County in support of dualization of US 113 dated June 10, 1997 — V C-5(12)

  signed by:
  - Robert W. Abele, Ocean Pine Board of Directors
  - James M. Barrett, President County Commissioners
  - Judith O. Boggs, Worcester County Republican Central Committee
  - James L. Bowden, Judge of the Orphans Court
  - Richard P. Brady, President Ocean Pines Association
  - June Clendening, Democratic Central Committee
  - Robert L. Cowger, Jr., County Commissioner Worcester County
  - Kirk Daugherty, Democraic Central Committee
  - Stephen V. Hales, Register of Wills
  - Bob Hawkins, Vice President Pocomoke City, City Council
  - Young Hines, Central Committee
  - Karen Holck, Democratic Central Committee
  - Ronald Hon, Chair - Democratic Central Committee
  - Jeanne Lynch, Commissioner Worcester County
  - Charles T. Martin, Sheriff
  - John Mayr, Central Committee
  - Linda M. Morawski, Ocean Pines Board of Directors
  - Richard H. Otten, Clerk of the Circuit Court
  - Dennis Parker, Berlin Town Council
  - Nathan P. Pears, Director, Ocean Pines Association
  - James L. Purnell, County Commissioner Worcester County
  - Carey Reece, Worcester County Alcohol/Drug Task Force
  - James A. Roberts, M.D., Board of Directors Ocean Pines
  - William D. Shockley, Judge of the Orphans Court
  - Joel Todd, State's Attorney
  - Granville D. Trimper, President Worcester County Commissioners
  - Will A. Turner, Jr., Berlin Town Council
  - Ken Tyler, Judge of the Orphans Court
  - Darwin M. Way, Board Member Ocean Pines Association
  - Mary Yenney, Board of Directors Ocean Pines

- Sample letter from Maryland State Highway Administrator Parker F. Williams to above signers of petition (a separate and individual letter was forwarded to each signer). — V C-5(16)

TEL: 410-632-1194
FAX: 410-632-3131

COMMISSIONERS
JAMES G. BARRETT, PRESIDENT
GRANVILLE D. TRIMPER, VICE PRESIDENT
ROBERT L. COWGER, JR.
JEANNE LYNCH
JAMES L. PURNELL

OFFICE OF THE
COUNTY COMMISSIONERS
Worcester County
ROOM 112 COURTHOUSE
ONE WEST MARKET STREET
SNOW HILL, MARYLAND
21863-1072

GERALD T. MASON
CHIEF ADMINISTRATIVE OFFICER
EDWARD H. HAMMOND, JR.
COUNTY ATTORNEY

June 24, 1997

Parker F. Williams, Administrator
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

RE: Dualization of U. S. Route 113 - Worcester County

Dear Mr. Williams:

On behalf of the entire Board of County Commissioners, please accept our sincere appreciation for moving forward on the dualization of U. S. Route 113 in Worcester County. At the recent public hearing held June 17, there were over 600 attendees with all speakers in favor of the project. We are encouraged by the support for this project which continues to pour in from the many residents and visitors of the County and are excited to think that this much needed project may finally begin to take shape. However, we understand that the joint public hearing of June 17, is but a first step in improving what has been called "one of the deadliest highways in the State of Maryland," and we ask that you continue the State's support and funding of this critical project. As you may be aware, this highway has claimed 71 lives since 1977. When this project is completed, you can take pride in the countless lives which you will have saved through your efforts.

We look forward to your continued support of this much needed project in Worcester County as together we can ensure future safety of the residents and visitors of Worcester County.

Sincerely,

Granville D. Trimper
President

GDT/KS:ddc
CC125/Deadliest

Citizens and Government Working Together

7 16431

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

Maryland Department of Transportation
State Highway Administration

July 14, 1997

The Honorable Granville D. Trimper
President
Worcester County Board of Commissioners
Court House
One West Market Street
Snow Hill MD 21863-1072

Dear Commissioner Trimper:

Thank you for your recent letter regarding the dualization of US 113 in Worcester County. We were impressed at the number of elected officials and citizens in attendance at the recent public hearing.

The number of fatalities along the two-lane portions of US 113 is a major concern to us as well. The State Highway Administration (SHA) has identified this project to be a top priority and has placed the project on an expedited schedule. We are working closely with the environmental agencies and addressing their concerns in order to meet the schedule. We anticipate location approval from the Federal Highway Administration by this Winter. All comments received from the public, agencies and elected officials will be evaluated before an alternative is selected.

Again, thank you for your letter. We appreciate your continued support for this project. If you need any additional information regarding this matter, please do not hesitate to contact me or Mr. Neil Pedersen, our Director of Planning and Preliminary Engineering, who may be reached at 410-545-0411.

Sincerely,

Parker F. Williams
Administrator

cc: The Honorable David L. Winstead, Secretary, Maryland Department of Transportation
Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V C-5(2)

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

bcc: Ms. Renee Sigel, Team Leader, Federal Highway Administration
Mr. Donnie Drewer, District Engineer, State Highway Administration
Mr. John Lewis, Jr., State Legislative Officer, Maryland Department of Transportation
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

TEL: 410-632-1194
FAX: 410-632-3131

COMMISSIONERS
GRANVILLE D. TRIMPER, PRESIDENT
JAMES G. BARRETT, VICE PRESIDENT
ROBERT L. COWGER, JR.
JEANNE LYNCH
JAMES L. PURNELL

OFFICE OF THE
COUNTY COMMISSIONERS
Worcester County
ROOM 112 COURT HOUSE
ONE WEST MARKET STREET
SNOW HILL, MARYLAND
21863-1072

GERALD T. MASON
CHIEF ADMINISTRATIVE OFFICER
EDWARD H. HAMMOND, JR.
COUNTY ATTORNEY

July 30, 1997

Parker F. Williams, Administrator
Maryland State Highway Administration
707 N. Calvert Street
Baltimore, Maryland 21202

RE: Dualization of U. S. Route 113 - Worcester County

Dear Mr. Williams:

Thank you for your continued support of the complete dualization of U. S. Route 113. I am saddened to report that just last week another life was lost on U. S. Route 113 at its intersection with Public Landing Road near Snow Hill, Maryland. This senseless loss of lives on this highway (72 victims since 1977) underscores the urgency of the complete dualization of U.S. Route 113 from Snow Hill north to the Delaware State line. Every day that passes leading to the completion of this critical project extends the risk that our residents and visitors must face as they travel this dangerous highway which provides the primary means of transportation throughout Worcester County.

At our meeting of July 29, 1997, the Worcester County Commissioners reviewed the comments on the Draft Environmental Impact Statement (DEIS) for this project submitted by the United States Department of the Interior - Fish and Wildlife Service (dated June 20, 1997) and the U. S. Army Corps of Engineers - Baltimore District, and are deeply concerned regarding their position. Specifically, the Fish and Wildlife Service has apparently concluded that the data from the Draft Environmental Impact Statement are not conclusive on the need for dualization of U. S. Route 113 along the entire project area. They claim that based upon the traffic volumes, accident rate, and fatality rate, "dualization seems unnecessary in the southern study area." We believe that nothing could be further from the truth. As I believe you are aware, the past three fatalities have occurred in the southern portion of the study area which will undoubtedly be reflected when the fatality rates are next computed for this highway. In summary, while the Commissioners understand the need to minimize the impact of this project on the environment, we believe that the safety of our citizens <u>must</u> be our primary and overriding consideration.

Citizens and Government Working Together

We look forward to your continued support and expeditious implementation of this much needed project in Worcester County. On behalf of the entire Board of County Commissioners, we thank you for your concern for the safety of the citizens of Worcester County and the State of Maryland.

Sincerely,

Granville D. Trimper
President

GDT/KS:ddc

cf: Congressman Wayne Gilchrest
Senator Paul Sarbanes
Senator Barbara Mikulski
Governor Parris N. Glendening
Comptroller Louis L. Goldstein
Senator Thomas V. Mike Miller, Jr. (Speaker of the House)
Senator J. Lowell Stoltzfus
Delegate Casper R. Taylor (Speaker of the House)
Delegate K. Bennett Bozman
Delegate Norman H. Conway
Secretary David L. Winstead, DOT
Mr. Lewis H. Ege, Jr., MSHA
John P. Wolfiln, Chesapeake Bay Field Office
Michele Gomez, COE, Baltimore, MD
Loraine Strow, SHA, Baltimore, MD
Mary Huie, FHA, Baltimore, MD
Danielle Algazi, EPA, Philadelphia, PA
John Nichols, NMFS, Oxford, MD
Ray Dintaman, MDE, Baltimore, MD
Alan Kampmeyer, MDE, Salisbury, MD

CC125/Death

9782

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 15, 1997

The Honorable Granville D. Trimper
President
Worcester County Board of Commissioners
Court House
One West Market street
Snow Hill MD 21863-1072

Dear Commissioner Trimper:

Thank you for your recent letter regarding US 113 in Worcester County. We were also sorry to hear about the recent fatality near Public Landing Road on US 113 and are very concerned about the number of fatalities along this road. The State Highway Administration (SHA) is looking at additional safety improvements that could be implemented as short-term solutions, until major improvements could be made.

The SHA considers this project to be a top priority and we are doing everything we can to move this project on an expedited schedule. We understand the commissioners have concerns regarding the comments received from the resource agencies. We have several coordination meetings scheduled with the agencies to address their concerns and to review minimization options being developed now for environmental sensitive areas. The SHA is also completing additional analyses that the agencies have requested. We have also been providing them with the latest accident information to keep them informed of the safety problems of US 113.

Again, thank you for your letter. We appreciate your continued interest and support for this project. If you need any additional information regarding this matter, please do not hesitate to contact me or Mr. Neil Pedersen, our Director of Planning and Preliminary Engineering who may be reached at 410-545- 0411.

Sincerely,

Parker F. Williams
Administrator

cc: Mr. Neil J. Pedersen, Director, Planning and Preliminary Engineering, State Highway Administration

My telephone number is _____

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V C-5(6)

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

bcc: Mr. Donnie Drewer, District Engineer, State Highway Administration
Mr. John Lewis, Jr., State Legislative Officer, Maryland Department of Transportation
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

TEL: 410-632-1194
FAX: 410-632-3131

97 DEC 23 PM 1:22
ADMIN.
MAYOR'S OFFICE

COMMISSIONERS
GRANVILLE D. TRIMPER, PRESIDENT
JAMES G. BARRETT, VICE PRESIDENT
ROBERT L. COWGER, JR.
JEANNE LYNCH
JAMES L. PURNELL

OFFICE OF THE
COUNTY COMMISSIONERS
Worcester County
ROOM 112 COURT HOUSE
ONE WEST MARKET STREET
SNOW HILL, MARYLAND
21863-1072

GERALD T. MASON
CHIEF ADMINISTRATIVE OFFICER
EDWARD H. HAMMOND, JR.
COUNTY ATTORNEY

December 12, 1997

Parker F. Williams, Administrator
Maryland State Highway Administration
707 N. Calvert Street
Baltimore, Maryland 21202

RE: Dualization of U.S. Route 113 - Access Management

Dear Mr. Williams:

Thank you for your continued support of the complete dualization of U.S. Route 113 in Worcester County. During the U.S. Route 113 Planning Study, we understand that there has been some concern regarding access management along this proposed dualized highway. This issue was discussed by the Commissioners at our meeting of December 9, 1997 at which time it was unanimously agreed that while we will continue to encourage economic development in Worcester County, we understand that such growth must be managed in a way that maximizes the efficiency of the public infrastructure. As such, the Commissioners look forward to working in partnership with the State Highway Administration to implement and enforce a reasonable access management policy along U.S. Route 113. In furtherance of this goal, the Commissioners have directed the County Planning staff to develop a draft transportation corridor plan for U.S. Route 113 to address these issues. Your assistance in this endeavor will be greatly appreciated.

We look forward to working in continued partnership with the State Highway Administration and other State and Federal agencies to facilitate this process and insure that the complete dualization of U.S. Route 113 is accomplished as quickly as possible. If you should have any questions or concerns with regard to this matter, please feel free to contact either me or Gerald T. Mason, Chief Administrative Officer, at (410) 632-1194.

Sincerely,

Granville D. Trimper
President

GDT/KS:ddc
cc: Donnie Drewer, District Engineer - SHA
Edward A. Tudor, Director Planning, Permits & Inspections
C125/Access

Citizens and Government Working Together

STEPHEN V. HALES
Register

Office of Register of Wills
For Worcester County, Maryland

Telephone:
410-632-1529

ROOM #102 COURT HOUSE
ONE W. MARKET STREET
SNOW HILL, MARYLAND 21863-1074

June 6, 1997

Mr. David L. Winstead
Secretary of Transportation
P.O. Box 8755
BWI Airport, MD 21240-0755

Re: Dualization of Route 113

Dear Mr. Winstead:

I understand that a meeting for public input will be conducted on June 17, 1997 regarding the above topic.

I have recently reviewed the feasibility study and am concerned that our leadership in Annapolis may not realize the seriousness of this project.

I believe that the facts involving the high rate of deaths associated with the National standards demand action rather than consideration. When given the amount of revenue this County contributes, the feasibility range results are positive.

I can not understand how this project has constantly been delayed when you think of the other funded State projects approved both in the past and present. Granted, funding is earmarked through your department, but other projects seem to find funds outside these various areas as well.

Please help us put a stop once and for all to the needless deaths of our children and their parents.

Sincerely,

Stephen V. Hales
Register of Wills

V C-5(9)

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 12, 1997

Mr. Stephen V. Hales
Worcester County Register of Wills
One West Market Street
Snow Hill MD 21863-1074

Dear Mr. Hales:

Thank you for your recent letter to Secretary Winstead supporting the dualization of US 113 in Worcester County and urging approval of these improvement plans. The Secretary asked me to respond on his behalf.

The State Highway Administration (SHA) considers the US 113 project to be a top priority and has put it on a fast track. We just held the required location/design public hearing and anticipate the Federal Highway Administration will grant location approval this Winter. All comments received from the public, agencies and elected officials will be evaluated before an alternative is selected. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact our Project Manager, Mrs. Sue Rajan, who may be reached at 410-545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: Mrs. R. Suseela Rajan, Project Manager, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

EMERGENCY SERVICES

Worcester County

ROOM L-14 COURT HOUSE
ONE WEST MARKET STREET
SNOW HILL, MARYLAND 21863-1000
TEL: 410-632-1311
FAX: 410-632-2141

TERESA A. OWENS
DIRECTOR

PROJECT
DEVELOPMENT
DIVISION
JAN 7 11 60 AM '98

January 5, 1998

Ms. Lorraine Strow
Project Planning
Maryland S.H.A.
P.O. Box 717
Baltimore, MD 21203-0717

Dear Ms. Strow:

I have spoken with the Fire Chief's in the effected areas of Rt. 113 that are to be dualized. As a whole, each Chief is in favor of an expedient completion of the project. The only negative issue which was presented by the Chief's was a slight increase in response times. This was due in fact to having to locate a median to access addresses on opposite sides of the highway.

At the present time, only Pocomoke City and Berlin have dualized portions of Rt. 113. I presented the Chief's of these two company's with the concern noted above. They both stated that any increase in response time was minimal, adding that they each have a sufficient amount of medians to gain access to opposite sides of the highway. The Chief's in the effected areas voiced this as a concern and would like the State to insure that adequate number of cross-overs are included for emergency responders.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Wade Taylor

Wade Taylor
Assistant Director

Coalition of Elected Public Officials
Worcester County, MD

June 10, 1997

David L. Winstead
Secretary of Transportation
P. O. Box 8755
BWI Airport, MD 21240-0755

Dear Mr. Secretary:

We, the elected public officials of Worcester County, urge that your Department approve as rapidly as possible full dualization of the undivided portions of Route 113.

We know that you are aware of the tragic deaths that have occurred on this dangerous stretch of highway. What we have to look forward to in the current situation is that deaths may double in the next 25 years. We were elected to represent our constituents' best interests. Their best interests are served by being able to travel through this county safely and not have to use roads that by themselves pose a safety hazard. Route 113 is the only north-south route. Not only is it traveled by our constituents but by persons traveling north-south along the eastern seaboard. They also have a right and a desire to be able to traverse Worcester County safely.

One only has to look at the great interstate system that binds this republic together and does it as safely as possible to see what we want and believe we are entitled to. The American highway system is unique in the world. It links Ocean City, Maryland and Sacramento, California. It nurtures economic development fed by long-distance trucking. For the national economy as a whole, this is clearly a blessing. For Worcester County, however, the blessing is mixed. Tractor-trailers and big rigs haul the goods into and through our county that enhance economic progress. But at the same time, these huge vehicles pose a threat to others and themselves when they must travel on a single lane highway behind passenger vehicles. Complicating all traffic is slow moving farm machinery that must use the same narrow road. This poses a clear and present danger that must be changed.

We urge most strongly your expeditious action on construction of a full four-lane divided highway on the undivided stretches of Route 113.

Sincerely,

Charles T. Martin	Karen Holck
Name	Name
Sheriff	Democratic Central Committee
Elective Office	Elective Office
#1 W. Market St	708 Loop Rd.
Address	Address
Snow Hill, Md	Ocean City, Md. 21842

William D Shockley
Name
Judge of Orphan Court
Elective Office
11211 Assateague Rd
Address
Berlin, Md 21811

Young Hines
Name
Cent. Com.
Elective Office
4-C OCEAN PINES
Address
BERLIN, MD 21811

James L. Bowden
Name
Judge - Orphan's Court
Elective Office
101 N. Church St.
Address
Snow Hill, Md.

Name
State's Attorney
Elective Office
1 West Market St. Suite 208
Address
Snow Hill, MD 21863

Richard H Cuttin
Name
Clerk of the Circuit Court
Elective Office
P.O. Box 40
Address
Snow Hill, MD 21863

BOB HAWKINS
Name
VP City Council
Elective Office
9-14 th St.
Address
Pocomoke City, Md. 21851

Carey Reece
Name
Worcester County Officer (Other Drugs Task Force
Elective Office
Snow Hill Md
Address

Vicco Parker
Name
Berlin Town Council
Elective Office
100 Washington St.
Address
Berlin, Md. 21811

Lynn A Turner Jr
Name
Berlin Town Council
Elective Office
8 Baker Street
Address
Berlin, Md 21811

Ronald Hall
Name
Chair, Democratic Central Com.
Elective Office
116 W. Mt. St.
Address
Snow Hill, Md 21863

Ken Tyler, Judge, Orphan's Court
Ocean City, Md

Name: Kirk Daugherty
Elective Office: Democratic Central Com
Address: 23106 Soundside Est.
Isle Island, Md. 21824

Name: Nathan P. Pearson
Elective Office: Director, Ocean Pines Assoc
Address: 2259 Ocean Pines
Berlin, MD. 21811

Name: Judith O. Boggs
Elective Office: Worcester County Republican Central Committee
Address: 7051 Ocean Pines
Berlin, MD 21811

Name: Mary Yenney
Elective Office: 2965 Ocean Pines
Address: Berlin MD 21811
(BOD - Ocean Pines)

Name: James A. Roberts, M.D.
JAMES A. ROBERTS, M.D.
Elective Office: BOARD OF DIRECTORS OCEAN PINES
Address: 1453 OCEAN PINES
BERLIN, MD. 21811
410 641 7871

Name: John Wargo
Elective Office: Central Committee
Address: 2974 Ocean Pines
Berlin, MD. 21811

Name: [illegible]
Elective Office: Pres County Commrs
Address: PO Box 29
Berlin, Md 21811

Name: Robert Cowger Jr
Elective Office: County Commrs.
Address: 2417 Lakeland Dr
Pocomke, Md. 21851

Name: [illegible]
Elective Office: Cnty Commrs
Address: 4530 TEAL DR
OCEAN CITY MD

Name: James L. Purnell
Elective Office: Cty. Comm.
Address: 10551 - Flower Dr
Berlin, Md. 21811

Joanne Lynch
Name
Commissioner
Elective Office
Address

Stephen V Hales
Name
Register of Wills
Elective Office
Address
Ocean City MD.

Robert W Abel
Name
Ocean Pines Board of Dir
Elective Office
4667A Ocean Pines
Address
Ocean Pines MD 21811

Darwin M Way
Darwin M. Way
Name
Board Member Ocean Pines Assoc Treas
Elective Office
4940 Ocean Pines
Address
Berlin MD 21811

Richard E Brady
Name
Pres OPA Asso
Elective Office
836 Ocean Pines
Address
Berlin MD 21811

Name
Carnival Mgr. O.P.A
Elective Office
30780 Foxchase Drive
Address
Salisbury, MD 21804

Linda M Morawski
Name
OP Board of Directors
Elective Office
4946 Ocean Pines
Address
Berlin MD 21811

Jane Clendening
Name
Democratic Central Committee
Elective Office
4602-B Ocean Pine
Address
Berlin, Md 21811

Name
Elective Office
Address

Name
Elective Office
Address

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 26, 1997

Thank you for your letter to Secretary Winstead on behalf of the Coalition of Elected Public Officials, Worcester County, Maryland, supporting the dualization of US 113 in Worcester County and urging rapid approval of these improvement plans. The Secretary asked me to respond on his behalf.

Your comments regarding the mix of vehicles on US 113 has been noted. I agree with you this roadway not only serves local traffic including wide farm vehicles, but also carries l long distance trucks and out of town travelers.

The State Highway Administration (SHA) considers the US 113 project to be a top priority and has put this project on a fast track. We anticipate the Federal Highway Administration will grant location approval this Winter. All comments received from the public, agencies and elected officials as a result of the June Location/Design Public Hearing, will be considered in the decision making for this project. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: The Honorable David L. Winstead, Secretary, Maryland Department of Transportation
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

V C-5(16)

4. Local Officials

	Page
Snow Hill Mayor Craig Johnson	
• letter from Mayor Craig Johnson to Maryland Department of Transportation Secretary David L. Winstead dated June 2, 1997	V C-6(1)
• letter from Maryland State Highway Administrator Parker F. Williams to Mayor Johnson dated July 8, 1997	V C-6(2)
Berlin Administrative Director Andrew Fulghum **Berlin Chief of Police Prentice Lyons**	
• letter from Berlin Administrative Director Andrew Fulghum and Berlin Chief of Police Prentice Lyons to Maryland Department of Transportation Secretary David L. Winstead dated June 12, 1997	V C-6(3)
Ocean City Mayor James N. Mathias, Jr.	
• letter from Mayor James N. Mathias, Jr. to Maryland Department of Transportation Secretary David L. Winstead dated June 16, 1997	V C-6(4)
• letter from Maryland State Highway Administrator Parker F. Williams to Mayor Mathias dated July 24, 1997	V C-6(5)
City of Pocomoke City Mayor Curt Lippoldt	
• letter from Mayor Curt Lippoldt to Maryland State Highway Administrator David L. Winstead dated June 17, 1997	V C-6(6)
• letter from Maryland State Highway Administrator Parker F. Williams to Mayor Lippoldt dated July 24, 1997	V C-6(7)

SNOW HILL 300 years on the River 1686-1986

MAYOR AND COUNCIL OF SNOW HILL

June 2, 1997

David L. Winstead
Secretary of Transportation
P.O. Box 8755
BWI Airport, Maryland 21240-0755

Dear Secretary Winstead:

On behalf of myself and the Council of the Town of Snow Hill located in Worcester County directly off of Rte. 113, I urge that the State Highway Administration approve plans for full dualization of Rte. 113 as rapidly as possible.

As you know, 71 people have lost their lives in the past 20 years on the undivided sections of Rte. 113. Local population is growing at a rapid pace, particularly in the north end of the county. This has greatly increased daily traffic on so-called "killer highway", which is the only north-south route through the county. The evidence is clear that local population growth will continue. This fact alone brings increased traffic and increased risks. Added to this is tremendous growth in commercial traffic, particularly huge trucks, making the journey through our county outright dangerous.

The widening of Rte. 113 has been debated for two decades; meanwhile, vehicular deaths and injuries mount. I support the safest route possible and the four-lane divided highway is the only long-term remedy. We urge rapid approval of this project.

Sincerely,

Craig Johnson
Mayor

P.S. We would like to receive information on future developments on Rte. 113. Please add the Town of Snow Hill to the mailing list.

V C-6(1)

Municipal Building • P.O. Box 348 • Snow Hill, Maryland 21863
Telephone: 410-632-2080 Fax: 410-632-2858

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

July 8, 1997

The Honorable Craig Johnson
Mayor
Town of Snow Hill
Municipal Building
P.O. Box 348
Snow Hill MD 21863

Dear Mayor Johnson:

Thank you for your recent letter to Secretary Winstead on behalf of the Council of the Town of Snow Hill and yourself supporting the dualization of US 113 in Worcester County and urging rapid approval of these improvement plans. The Secretary asked me to respond on his behalf.

The State Highway Administration considers the US 113 project to be a top priority and has put this project on a fast track. We have just held the required location/design public hearing and anticipate the Federal Highway Administration will grant location approval this Winter. All comments received from the public, agencies and elected officials will be evaluated before an alternative is selected. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mr. Neil Pedersen, our Director of Planning and Preliminary Engineering at (410) 545-0411 or Mrs. Sue Rajan, Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: The Honorable David L. Winstead, Secretary, Maryland Department of Transportation
Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V C-6(2)

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

STEPHEN DECATUR 1779-1820
MAYOR AND COUNCIL OF BERLIN, MD.

TELEPHONE
410-641-2770
FAX
410-641-2316

Mayor
REX HAILEY

Council

Vice President
ELROY BRITTINGHAM, SR.
DEAN BURRELL, SR.
PAULA LYNCH
F. DENNIS PARKER
WILLIAM TURNER

Town Attorney
RAYMOND COATES, JR.

Administrative Director
ANDREW FULGHUM

Mayor & Council Of Berlin

10 William Street
Berlin, Maryland
21811

JUL 2 2 27 PM '97

June 12, 1997

David L. Winstead
Secretary of Transportation
P.O. Box 8755
BWI Airport, MD 21240-0755

Dear Secretary Winstead:

As residents and employers within Worcester County, we urge that the State Highway Administration approve plans for full dualization of Rte. 113 as rapidly as possible.

As you know, 71 people have lost their lives in the past 20 years on the undivided sections of Rte. 113. Local population is growing at a rapid pace, particularly in the north end of the county. This has greatly increased daily traffic on so-called "killer-highway", which is the only north-south route through the county. The evidence is clear that the local population growth will continue. This fact alone brings increased traffic and increased risks. Added to this is tremendous growth in commercial traffic, particularly huge trucks, making the journey through our county outright dangerous.

The widening of Rte. 113 has been debated for two decades: meanwhile, vehicular deaths and injuries mount. We support the safest route possible and the four-lane divided highway is the only long-term remedy. We urge rapid approval of this project.

Sincerely,

Andrew Fulghum, Administrative Director

Berita A. Gaynor for
Prentice Lyons, Chief of Police

MARYLAND MAIN STREET

V C-6(3)

TOWN OF

OCEAN CITY

The White Marlin Capital of the World

MAYOR & CITY COUNCIL
P.O. BOX 158
OCEAN CITY,
MARYLAND 21842-3922

(410) 289-8221

FAX (410) 289-7385

http://www.ococean.com

MAYOR
JAMES N. MATHIAS, JR.

CITY COUNCIL MEMBERS
RICHARD W. MEEHAN
President
LEE DUGGAN
Secretary
VINCENT GISRIEL, JR.
JAMES S. HALL
NANCY L. HOWARD
WALTER C. MANN
W. GLENN STECKMAN, III

DENNIS W. DARE
City Manager

CAROL L. JACOBS
City Clerk

June 16, 1997

Secretary David L. Winstead
Maryland Department of Transportation
P. O. Box 8755
Baltimore/Washington International
Airport, MD 21240

Dear Mr. Secretary:

On behalf of the citizens and Mayor and City Council of Ocean City, I express full support for the improvements and dualization effort currently under study by the Maryland Department of Transportation.

As you would imagine, friends, families and visitors to the Ocean City area travel this roadway on a daily basis. It is reassuring to know a clear action plan greatly improving the safety of the corridor is progressing forward.

As good citizens of this great State of Maryland, we stand ready to assist you in this effort, and urge you to remain committed to an expeditious solution.

Sincerely,

James N. Mathias Jr.

JAMES N. MATHIAS, JR.
Mayor

JNM/jm

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

July 24, 1997

The Honorable James N. Mathias, Jr.
Mayor
Town of Ocean City
P.O. Box 158
Ocean City MD 21842-3922

Dear Mayor Mathias:

Thank you for your recent letter to Secretary Winstead on behalf of the citizens, Mayor and Council of Ocean City expressing your support for the dualization of US 113 in Worcester County. The Secretary asked me to respond on his behalf.

The State Highway Administration considers US 113 to be a top priority and has put it on a fast track. Location approval from the Federal Highway Administration is anticipated by this Winter. We are planning to begin design activities this Fall for the northern portion from US 50 to the Delaware State Line, since funding is available for this phase. Right-of-way acquisition is partially funded and it could start in mid 1998. All comments received from the public, agencies and elected officials will be taken into consideration in the selection of an alternative.

Again, thank you for your letter. Your letter and your testimony will be made part of the public hearing record. We appreciate your continued support for this project, and will keep you updated on its progress. If you need any additional information regarding this matter, please do not hesitate to contact me or Mr. Neil Pedersen, our Director of Planning and Preliminary Engineering at (410) 545-0411.

Sincerely,

Parker F. Williams
Administrator

cc: Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V C-6(5)

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

ALL-AMERICA CITY FINALIST

Pocomoke City, Maryland

"FRIENDLIEST TOWN ON THE EASTERN SHORE"

MAYOR
CURT LIPPOLDT

CITY MANAGER
RUSSELL W. BLAKE

CITY COUNCIL
MARION L. BUTLER
HONISS W. CANE
ROBERT L. HAWKINS
JOSEPH A. JACKSON III
RICHARD P. TITTERMARY

June 17, 1997

Mr. David L. Winstead
Secretary of Transportation
c/o CRASH
PO Box 1001
Berlin, Maryland 21811

Dear Secretary Winstead:

Pocomoke City is located at the dualized southern end of US 113. Our citizens are, however, very much interested in improving the safety of the highway throughout its entire length including the northern end. Many work in the Ocean City area, especially during the tourist season. Each work day commute for an Ocean City area employee living in Pocomoke City is approximately eighty miles round trip, some on dualized highway and the remainder on single lane highway. Traveling such distances on a daily basis on any highway is tiring and involves risk but the sudden narrowing of US 113 as Pocomoke citizens travel north adds to the hazards - signs or no signs.

The mayor and council of Pocomoke City urgently request the Maryland State Highway Administration to proceed with utmost haste to complete the dualization of highway US 113. The most recent fatal accident on the non-dualized section involved a prominent Pocomoke City school teacher. Our city and county as well as the family, cannot afford such a loss. If dualization will reduce the number of accidents on the northern end of the US 113 highway, the related cost or environmental impact is a small price to pay for the lives saved.

We applaud the work of the CRASH committee, Worcester County government and other interested parties in their sustained drive to resolve a long standing serious problem. We are also very pleased that the State Highway Administration is actively involved and working with the above groups and individuals as demonstrated by the June 17th public hearing and the related displays of information and engineering options. It is our hope that the end of this process will result in the immediate start of the construction process.

Thank you.

Sincerely,

Curt Lippoldt

Curt Lippoldt
Mayor

CITY HALL, P.O. BOX 29
POCOMOKE CITY, MARYLAND 21851
PHONE (410) 957-1333

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

July 24, 1997

The Honorable Curt Lippoldt
Mayor of Pocomoke City
City Hall
P.O. Box 29
Pocomoke City MD 21851

Dear Mayor Lippoldt:

Thank you for your recent letter to Secretary Winstead on behalf of the Council of Pocomoke City and yourself urging the State Highway Administration (SHA) to complete the dualization of US 113 in Worcester County. The Secretary asked me to respond on his behalf.

The SHA has identified US 113 to be a top priority and has put it on a fast track. Location approval from the Federal Highway Administration is anticipated by this Winter. We are planning to begin design activities this Fall for the northern portion from US 50 to the Delaware State Line, since funding is available for this phase. Right-of-way acquisition is partially funded and it could start in mid 1998. All comments received from the public, agencies and elected officials will be taken into consideration in the selection of an alternative.

Again, thank you for your letter. Your letter and your testimony will be made part of the public hearing record. We appreciate your continued support for this project, and will keep you updated on its progress. If you need any additional information regarding this matter, please do not hesitate to contact me or Mr. Neil Pedersen, our Director of Planning and Preliminary Engineering at (410) 545-0411.

Sincerely,

Parker F. Williams
Administrator

cc: Mr. Neil J. Pedersen, Director, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

V C-6(7)

D. Organizations/Associations Letters

D. Organizations/Associations Letters

0.	Worcester County Commission for Women	April 3, 1997	(1 page)
1.	Maryland Environmental Trust	April 29, 1997	(5 pages)
2.	Showell Elementary School	April 30, 1997	(1 page)
3.	Superintendent of Schools, Worcester County	May 28, 1997	(1 page)
4.	Department of Economic Development, Worcester County	May 29, 1997	(2 pages)
5.	Snow Hill Police Department	June 2, 1997	(1 page)
6.	Ocean Pines Civic Association	June 9, 1997	(1 page)
7.	Berlin State Police Barracks	June 10, 1997	(1 page)
8.	Ocean Pines Association, Inc.	June 13, 1997	(2 pages)
9.	Economic Development Advisory Board, Worcester County	June 17, 1997	(2 pages)
10.	West Ocean City Association, Inc.	June 17, 1997	(1 page)
11.	Worcester Environmental Trust	July 11, 1997	(2 pages)
12.	C.R.A.S.H.	July 24, 1997	(8 pages)
13.	Assategue Coastal Trust	July 30, 1997	(1 page)
14.	C.R.A.S.H.	December 9, 1997	(2 pages)

Copies of these letters, and responses as appropriate, are presented on the following pages.

MDOT urges actions to expedite the dualization of Rt 113 in Worcester County

WORCESTER COUNTY COMMISSION FOR WOMEN

POST OFFICE BOX 59
BISHOPVILLE, MD 21813

32494

April 3, 1997

RECEIVED
APR 8 1997
6196
SECRETARY DEPARTMENT OF TRANSPORTATION

Chairperson: Judy Boggs
Vice Chairperson:
Barbara Beaubien
Recording Secretary:
Marie Velong
Corresponding Secretary:
Diana Parnell
Treasurer:
Teresa Hammerbacher
Historian:
Betsy Fears

Committee Chairpersons
Legislation & Advocacy:
Teresa Hammerbacher
Economics:
Barbara Trader
Community Service:
Judy Boggs
Public Information:
Jo Campbell
Education:
Teresa Hammerbacher
Health:
Barbara Beaubien

Other Commissioners:
Helen Fisher
Bill Gray
Helena Henson
Karen Holck
Pamela McCabe
Ellen Pilchard
Sandy Wilkinson

The Hon. Parris Glendenning
Governor of Maryland
State House
Annapolis, MD 21401

Dear Governor Glendenning:

The Worcester County Commission for Women urges you to prioritize funding and expedite the dualization of Route 113 in Worcester County.

Seventy people have lost their lives in automobile accidents on this road since 1977, twenty-two of whom have been killed within the last six years.

We strongly support dualization to make this major highway safe for the citizens of Worcester County, and indeed for all those who travel to the Eastern Shore to enjoy the beach and our many recreational activities.

Sincerely,

Judith O. Boggs

Judith O. Boggs
Chairperson

RECEIVED
APR 9 1997
GOVERNOR'S OFFICE

V DO-1

Phone: (voice mail) 219-1895 Fax: (410) 250-4967 E-mail: jocse@ecotopics.com

963

Maryland Department of Transportation
The Secretary's Office

Parris N. Glendening
Governor

David L. Winstead
Secretary

John D. Porcari
Deputy Secretary

April 24, 1997

Ms. Judith O. Boggs
Chairperson
Worcester County Commission for Women
P.O. Box 59
Bishopville MD 21813

Dear Ms. Boggs:

Thank you for your letter to Governor Glendening regarding your request to prioritize funding and to expedite the dualization of US 113 in Worcester County. The Governor asked me to respond on his behalf.

The number of fatalities occurring along this stretch of US 113 is of great importance to us. The State Highway Administration (SHA) has identified the US 113 project as one of the top priorities and has placed it on an expedited schedule. Coordination with the various Federal and State agencies is underway in order to meet the project schedule. The Location/Design Public Hearing is scheduled for mid-June. The SHA is also looking at interim improvements to make this a safer road.

Again, thank you for your letter. The Governor appreciates hearing from you and, on his behalf, I also thank you for the interest which prompted you to write. If you need additional information regarding this matter, please do not hesitate to contact Mr. Parker F. Williams, State Highway Administrator, at (410) 545-0400 or his Director of Planning and Preliminary Engineering, Mr. Neil Pedersen, who may be reached at (410) 545-0411.

Sincerely,

David L. Winstead
Secretary

cc: Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration
Mr. Parker F. Williams, Administrator, State Highway Administration

My telephone number is (410) 865-1000
TTY For the Deaf: (410) 865-1342
Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

MARYLAND ENVIRONMENTAL TRUST

April 29, 1997

Ms. R. Suseela Rajan
State Highway Administration
Project Planning Division
P.O. Box 717
Baltimore, Maryland 21203-0717

Dear Ms. Rajan:

In reference to Department's proposed improvements to US 113 in Worcester County from South of Snow Hill to the Delaware Line, the Maryland Environmental Trust and the Lower Shore Land Trust jointly hold a perpetual conservation easement over a property owned by Audrey E. and Paul E. Pennington.

The conservation features and the location of the Pennington's farm are described in detail on the attached memorandum.

Please keep us informed as this study progresses.

Sincerely,

John Hutson
Natural Resources Planner

MARYLAND ENVIRONMENTAL TRUST

MEMORANDUM

TO: MET Easement Committee

FROM: John Munder

VIA: Thomas D. Saunders TDS

DATE: September 27, 1996

SUBJECT: Proposed Donation of a Perpetual Conservation Easement by Paul E. and Audrey E. Pennington and Michael P. and Angela K. Pennington, Worcester County

County, Location:	Worcester County, north of Berlin
Size:	45.8 acres
Existing Residences:	Two principal residences
Reserved Residences:	None
Subdivision Terms:	Division beyond the two existing parcels is prohibited
Issues:	(1) An exception for one existing commercial sign (2) Possible modification of existing buffer strip language to reflect an existing public drainage ditch (3) Timbering restricted to dead, dying or down trees and maintenance of accesses and residences
Staff Recommendation:	Approval

Background

Paul E. and Audrey E. Pennington and Michael P. and Angela K. Pennington have offered a perpetual conservation easement to the Maryland Environmental Trust and the Lower Shore Land Trust on their 45.8-acre property in Worcester County.

Location of Property

Worcester County, State Property Map 20, Parcels 103 and 341, north of Berlin and U.S. Route 50 on the east side of MD Route 113. (See attached map detail.)

Approximately 45 acres: Two acres in homesites, 25 acres in woods (mostly non-tidal wetlands) and 13 acres in tillable land. There are two principal residences on the property and a cluster of small, dilapidated agricultural buildings. (John LSLT/MET site visit 8/14/96)

Conservation Values

(1) Furthers goals of county comprehensive Plan and Critical Areas Program

(2) Protection of agricultural land

(3) Protection of woodland and wetland habitat

(4) Protection of rare, threatened or endangered species habitat

Property Owner: Paul E. and Audrey E. Pennington and Angela K. Pennington

A PDA (Public Drainage Association) ditch bisects the property - the PDA is responsible for maintaining the ditch, not the property owners. Some PDA's are currently under a spraying program to control woody brush growth. The existing buffer strip language may nee to be modified to reflect the requirement of the local PDA. The deed language also makes an exception for one commercial sign along MD Route 113 which is approximately 30 years old (see photo) and has been on the property for a long time.

Legal Form and Sufficiency

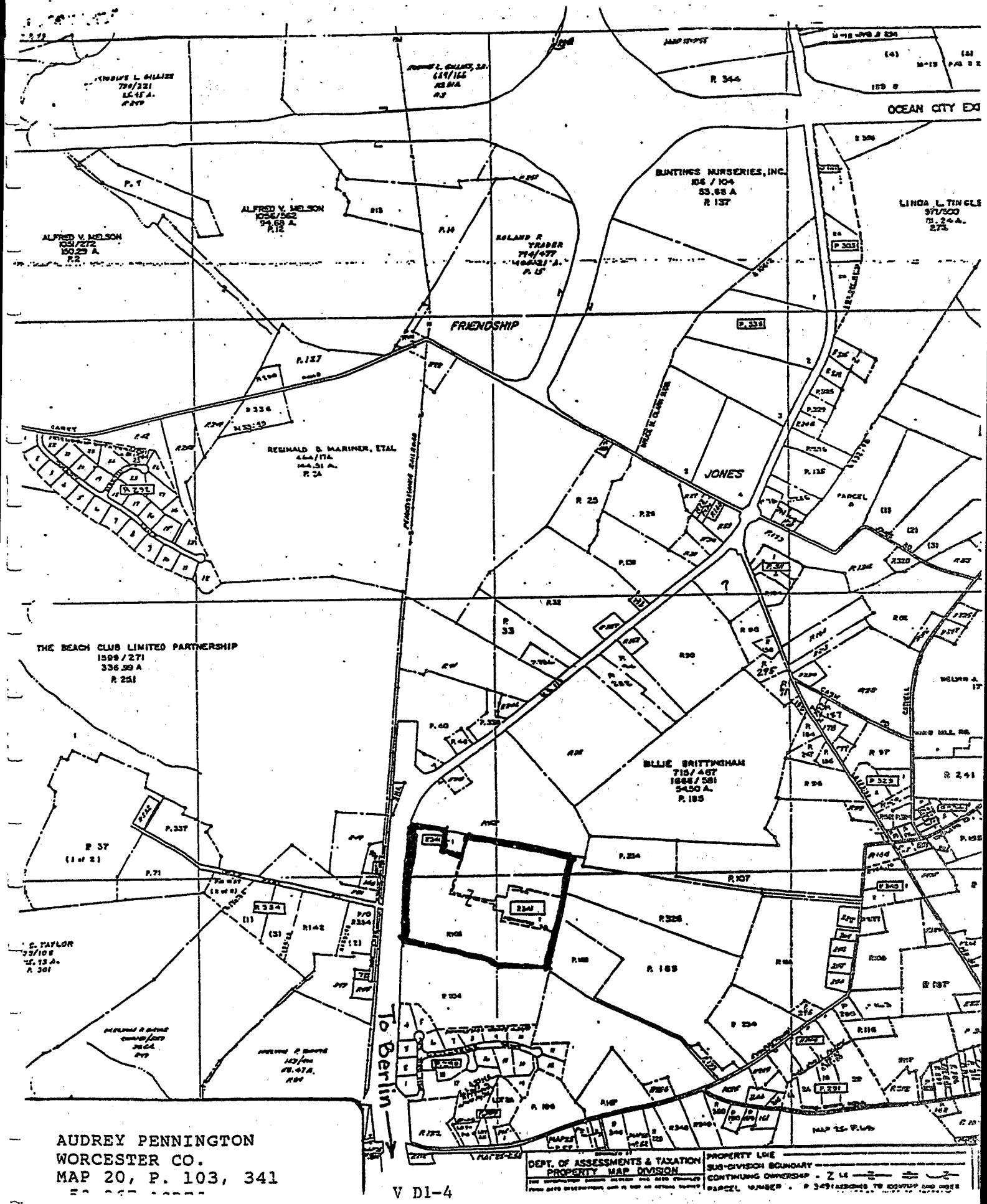
The Assistant Attorney General will review the deed for legal form and sufficiency.

Staff Analysis

Staff recommends that the Board of Trustees accept this easement donation offer.

Attachment

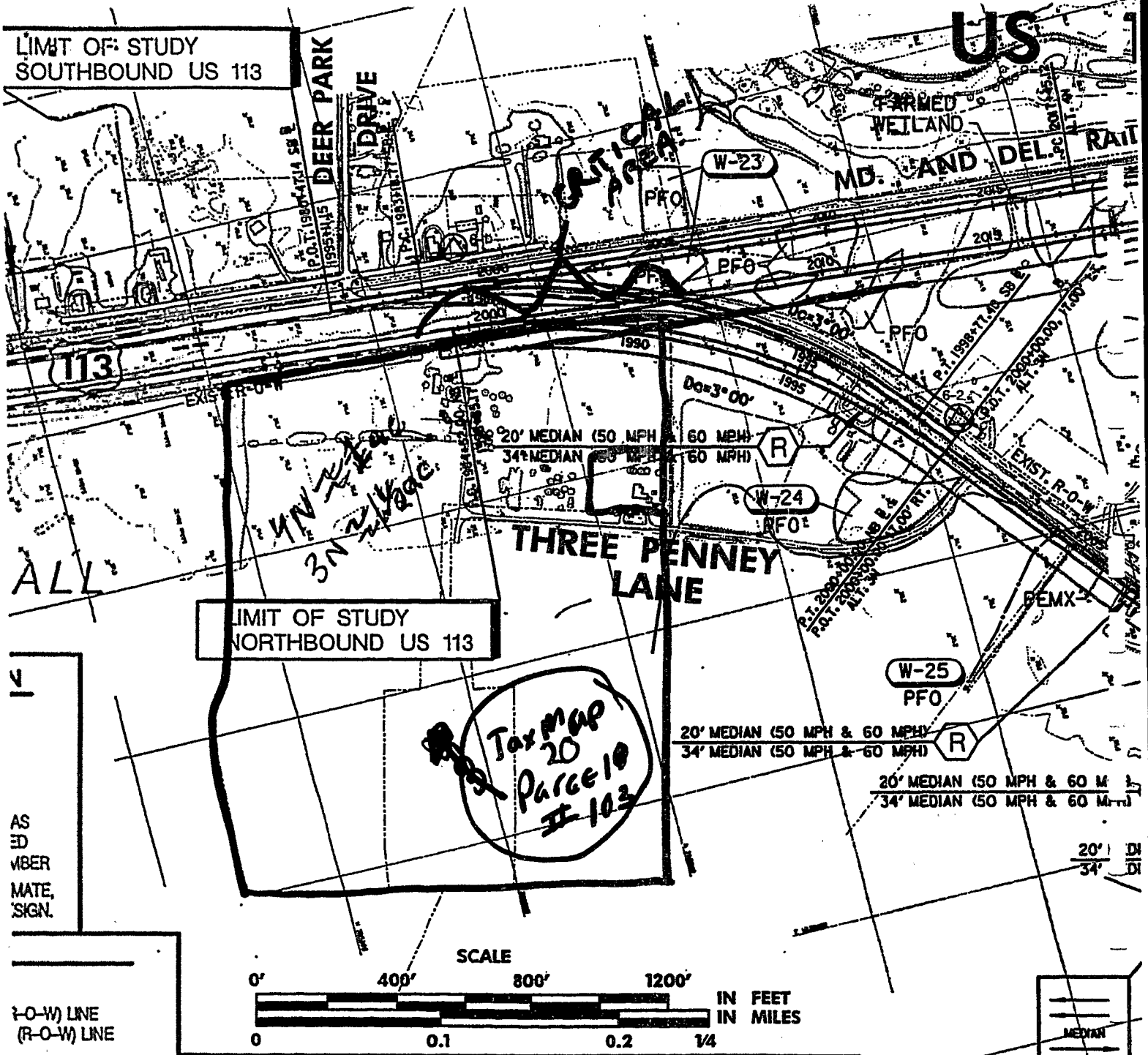
CONSTANCE LIEDER, Chair | AJAX EASTMAN, Vice Chair | JOHN MURPHY, Secretary | ELLEN H. KELLY, Treasurer | THOMAS D. SAUNDERS, Director
100 COMMUNITY PLACE 1ST FLOOR CROWNSVILLE, MD 21032-2023 (410) 514-7900 FAX (410) 514-7919



AUDREY PENNINGTON
WORCESTER CO.
MAP 20, P. 103, 341

DEPT. OF ASSESSMENTS & TAXATION
PROPERTY MAP DIVISION

PROPERTY LINE
SUB-DIVISION BOUNDARY
CONTINUING OWNERSHIP
PARCEL NUMBER



US 113 (Worcester Highway) PLANNING STUDY
From MD 394 (Market Street) Split to the Delaware State Line
Contract No. WO 720 – 101 – 170 – P

DUALIZE ALTERNATIVES
3N & 4N MODIFIED

From North of MD 818 (Main Street) – Georgetown Road
To North of MD 90 (Ocean Expressway)

State Highway Administration	April, 1997	Figure No. 15

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

June 24, 1997

Re: Project No. WO720B11
US 113 from Snow Hill to the
Delaware State Line

John Hutson
Natural Resources Planner
Maryland Environmental Trust
100 Community Place, 1st Floor
Crownsville MD 21032-2023

Dear Mr. Hutson:

Thank you for providing us with information regarding the perpetual conservation easement on the property owned by Audrey E. and Paul E. Pennington. (Worcester County State Property Map 20, Parcels 103 and 341). The current design for one of the alternatives under consideration, Alternative 3N, requires 1.14 acres of strip right-of-way from parcel 103 adjacent to the existing US 113 roadway. Approximately 0.3 acre would be paved as part of the proposed northbound lanes, while the remaining acreage would be required for safety grading and drainage. A brochure describing all alternatives under consideration is enclosed along with a map showing the proposed right-of-way at the property.

The project is currently in the planning phase and the Location/Design Public Hearing was held on June 17. A selected alternative is expected to be chosen later this year.

Should Alternative 3N be selected, we would investigate possible design modifications in an effort to avoid or minimize impacts to this property. We will continue to coordinate with your agency throughout development of this project. If you have any additional comments or questions, please contact the project manager, Mrs. Suseela Rajan at (410) 545-8514 or toll-free at 1-800-548-5026.

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

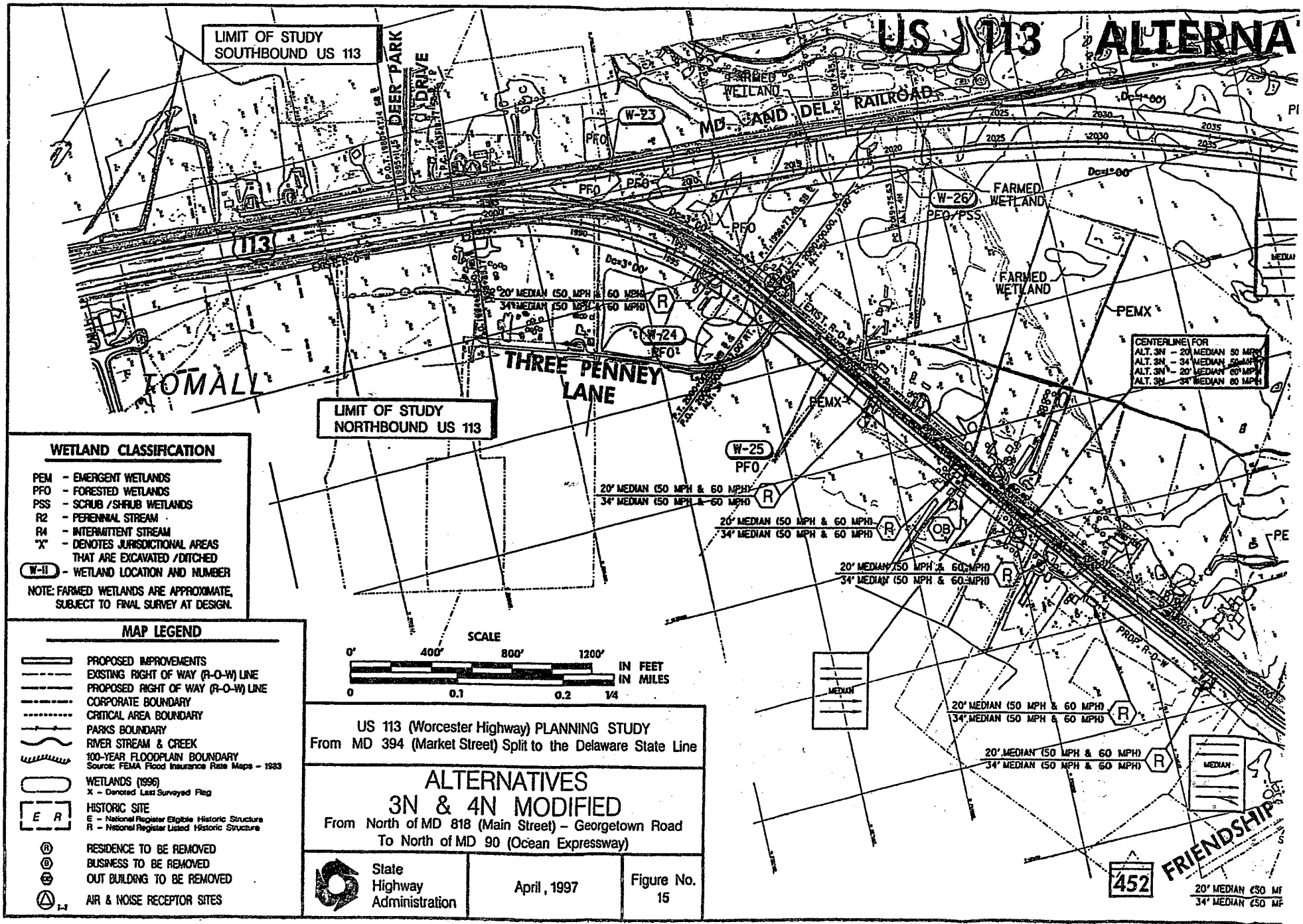
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

by: Joseph R. Kresslein
Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Enclosures (2)
cc: Mr. Bruce M. Grey
Mr. Joseph Kresslein
Mrs. R. Suseela Rajan
Ms. Cynthia Simpson
Ms. Lorraine Strow
Mr. Jim Wynn


US 113 ALTERNA
LIMIT OF STUDY
SOUTHBOUND US 113
DEER PARK DRIVE
FARMED WETLAND
MD. AND DEL. RAILROAD
W-23
PFO
W-26
PFO/PSS
FARMED WETLAND
FARMED WETLAND
PEMX
113
TOMALL
THREE PENNEY LANE
20' MEDIAN (50 MPH & 60 MPH)
34' MEDIAN (50 MPH & 60 MPH)
W-24
PFO
LIMIT OF STUDY
NORTHBOUND US 113
W-25
PFO
CENTERLINE FOR
ALT. 3N - 20' MEDIAN 50 MPH
ALT. 3N - 34' MEDIAN 50 MPH
ALT. 3N - 20' MEDIAN 60 MPH
ALT. 3N - 34' MEDIAN 60 MPH
MEDIAN
PROP. R-O-W
452
FRIENDSHIP
WETLAND CLASSIFICATION
PEM - EMERGENT WETLANDS
PFO - FORESTED WETLANDS
PSS - SCRUB /SHRUB WETLANDS
R2 - PERENNIAL STREAM
R4 - INTERMITTENT STREAM
"X" - DENOTES JURISDICTIONAL AREAS THAT ARE EXCAVATED /DITCHED
W-11 - WETLAND LOCATION AND NUMBER
NOTE: FARMED WETLANDS ARE APPROXIMATE, SUBJECT TO FINAL SURVEY AT DESIGN.
MAP LEGEND
PROPOSED IMPROVEMENTS
EXISTING RIGHT OF WAY (R-O-W) LINE
PROPOSED RIGHT OF WAY (R-O-W) LINE
CORPORATE BOUNDARY
CRITICAL AREA BOUNDARY
PARKS BOUNDARY
RIVER STREAM & CREEK
100-YEAR FLOODPLAIN BOUNDARY
Source: FEMA Flood Insurance Rate Maps - 1983
WETLANDS (1996)
X - Denoted Last Surveyed Flag
HISTORIC SITE
E - National Register Eligible Historic Structure
R - National Register Listed Historic Structure
RESIDENCE TO BE REMOVED
BUSINESS TO BE REMOVED
OUT BUILDING TO BE REMOVED
AIR & NOISE RECEPTOR SITES
SCALE
0' 400' 800' 1200' IN FEET
0 0.1 0.2 1/4 IN MILES
US 113 (Worcester Highway) PLANNING STUDY
From MD 394 (Market Street) Split to the Delaware State Line
ALTERNATIVES
3N & 4N MODIFIED
From North of MD 818 (Main Street) - Georgetown Road
To North of MD 90 (Ocean Expressway)
State Highway Administration
April, 1997
Figure No. 15

MSDT Supports the dualization of US 113 in Worcester County (17 signatures)

Showell Elementary School
11316 SHOWELL SCHOOL ROAD
BERLIN, MARYLAND 21811
(410) 641-5460

LENORE P. HUFFER
PRINCIPAL

34493

April 30, 1997

RECEIVED
MAY 1997
PAULA JONES
GOVERNOR'S OFFI

Governor Parris N. Glendening
State House
Annapolis, MD. 21401

Dear Governor Glendening:

As you well know, over 70 people have died in the last twenty years on U.S. Route 113 in Worcester County. A movement has been underway for twenty years to have the entire Route dualized.

As members of SIAC (School Improvement Advisory Committee) for Showell Elementary School in Berlin, Maryland, we are writing as concerned citizens and parents encouraging you to put your full support behind the dualization of U.S. Route 113. We are certain that this will cause a reduction of serious and fatal accidents on this dangerous highway on which many of our children and staff travel every day.

Thank you for your time and consideration to this important matter.

Sincerely,

SIAC Members for Showell School
Mrs. Meg Mueller
Mr. Ernest Armstrong
Mrs. Susan Lane
Mrs. Tina Kolarik
Mr. Jim Parsons
Mr. Gerard Gaudette
Mrs. Mary Parker
Mr. Henry Reister
Mrs. Virginia Borodulia
Mr. Derek Jarmon
Mrs. Cindy Cathell
Mr. Robert Hulburd
Mrs. Angela Dennis
Mrs. Carol Johnson
Mrs. Kathleen Simpson
Mrs. Wynnette Morris

Maryland Department of Transportation
The Secretary's Office

Parris N. Glendening
Governor

David L. Winstead
Secretary

John D. Porcari
Deputy Secretary

May 22, 1997

School Improvement Advisory Committee (SIAC) Members
Showell Elementary School
11318 Showell School Road
Berlin MD 21811

Dear SIAC Members:

Thank you for your letter to Governor Glendening expressing your support for the dualization of US 113 in Worcester County. The Governor asked me to respond on his behalf.

The number of fatalities occurring along this stretch of US 113 is of great concern to us also. The State Highway Administration (SHA) has identified the US 113 project as one of its top priorities and has placed it on an expedited schedule. Coordination with the various Federal and State agencies is underway in order to meet the project schedule. The Location/Design Public Hearing is scheduled to be held at Stephen Decatur High School on June 17. Meeting notification and a brochure containing project information will be mailed in the near future. The SHA is also looking at interim improvements that can be implemented more quickly to make this a safer highway.

Again, thank you for your letter. The Governor appreciates hearing from you and, on his behalf, I also thank you for the interest which prompted you to write. If you need additional information regarding this matter, please do not hesitate to contact SHA's Director of Planning and Preliminary Engineering, Mr. Neil Pedersen, who can be reached at (410) 545-0411.

Sincerely,

David L. Winstead
Secretary

cc: Mr. Neil J. Pedersen, Director, State Highway Administration

My telephone number is (410) 865-1000
TTY For the Deaf: (410) 865-1342
Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

The Board of Education of Worcester County
6270 WORCESTER HIGHWAY
Newark, Maryland
21841-9746
TELEPHONE
(410) 632-2582

DR. JON M. ANDES
Superintendent of Schools
EDWARD BARBER
Assistant Superintendent for Administration
DR. RICHARD T. WALKER
Assistant Superintendent for Instruction

Board Members
G. RAY NORDSTROM
President
ERNESTINE J. BAILEY
Vice-President
MARION L. BUTLER, JR.
CAROLYN C. DORMAN
RICHARD L. ROPP
SARA D. THOMPSON
SUSAN P. WENZLAFF

Please Prepare Response for Secretary's Signature

May 28, 1997

RECEIVED
JUN 2 1997
7902
SECRETARY DEPARTMENT OF TRANSPORTATION

David L. Winstead
Secretary of Transportation
P.O. Box 8755
BWI Airport, MD 21240-0755

Dear Secretary Winstead:

At the May 20, 1997 meeting of the Board of Education of Worcester County, the Board of Education unanimously adopted a resolution to support the dualization of Route 113. As the only highway running north to south, we have students and staff who must use this highway. With the increased economic activity of the Delmarva Region, we have noted a greater volume of traffic especially large truck traffic. During this school year, an elementary age student and his mother and a teacher were killed in separate car accidents.

On a daily basis, 49 school buses use this highway to transport students to and from school or to and from our Career and Technical Center. As of this time, we have 42 bus stops located along the two lane section of the highway. For the sake of our children, it is imperative that the safety of Route 113 be increased.

The Board of Education believes that the only safe solution to this problem is the dualization of the highway to create a four-lane divided highway. We urge the State Highway Administration to move forward with this project.

Sincerely yours,

Jon M. Andes
Superintendent of Schools

JMA/dpb

pc: Members of the Board of Education
Dr. Dick Walker
Mr. Ed Barber
Mr. Tony McNabb
Mr. Robert Hulburd

7902

Maryland Department of Transportation
The Secretary's Office

Parris N. Glendening
Governor
David L. Winstead
Secretary
John D. Porcari
Deputy Secretary

463

June 12, 1997

Dr. Jon M. Andes
Superintendent of Schools
The Board of Education of Worcester County
6270 Worcester Highway
Newark MD 21841-9746

Dear Dr. Andes:

Thank you for your recent letter supporting the dualization of US 113 in Worcester County. The State Highway Administration (SHA) has identified the US 113 project as a top priority and has placed it on an expedited schedule. After the Location/Design Public Hearing is held on June 17, at the Stephen Decatur High School at 6 p.m. and all comments received from the public, agencies and elected officials have been evaluated, an alternative will be selected. We anticipate the Federal Highway Administration will grant location approval late this Winter.

A copy of your letter is being forwarded to the SHA so your name can be added to the projected mailing list. A brochure containing project information will be mailed to everyone on the mailing list this month. Your letter is also being made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mr. Neil Pedersen, SHA's Director of Planning and Preliminary Engineering at (410) 545-0411 or Mrs. Sue Rajan, Project Manager, who may be reached at (410) 545-5514 or 1-800-548-5026.

Sincerely,

David L. Winstead

David L. Winstead
Secretary

cc: Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration
Mr. Parker F. Williams, Administrator, State Highway Administration

My telephone number is 410-865-1000
TTY For the Deaf: (410) 865-1342
Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

TEL: (410) 632-3110
FAX: (410) 632-3158

DEPARTMENT OF
ECONOMIC DEVELOPMENT

Worcester County

105 PEARL STREET
SNOW HILL, MARYLAND
21863

WARREN S. ROSENTHAL
DIRECTOR

LISA CHALLENGER
TOURISM COORDINATOR

May 29, 1997

David L. Winstead
Secretary of Transportation
P.O. Box 8755
BWI Airport, MD 21240-0755

Dear Secretary Winstead:

As a resident and the Economic Development Director of Worcester County, I urge the State Highway Administration approve plans for full dualization of U.S. Rt. 113 as rapidly as possible.

As you know, 71 people have lost their lives in the past 20 years on the undivided sections of U.S. Rt. 113. The local population is growing at a rapid pace, particularly in the northern end of the county. This has greatly increased daily traffic on the so-called "killer highway", which is the only north-south route through the county. Added to this is the tremendous growth in commercial traffic, particularly tractor trailers, making the journey through our county outright dangerous.

From an economic standpoint, most companies list access to interstate highways as one of the most important considerations in determining where a new facility will be located. Since we are approximately 100 miles away from the nearest interstate highway, the next best alternative is a dualized U.S. highway, preferably with controlled access. From a commercial transportation standpoint, it is clear that U.S. Rt. 113 is severely deficient. Those firms that are already located in the county may be discouraged from expanding, while companies outside the area may not even consider Worcester County as a possible location for their business.

The widening of U.S. Rt. 113 has been debated for two decades; meanwhile, vehicular deaths and injuries mount. I support the safest route possible and the four-lane divided highway is the only long-term remedy. I urge rapid approval of this project.

Sincerely,

Warren Rosenthal

Warren S. Rosenthal
Director

WSR:dk

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 14, 1997

Mr. Warren Rosenthal
Director
Worcester County Economic Development
105 Pearl Street
Snow Hill MD 21863

Dear Mr. Rosenthal:

Thank you for your letter to Secretary Winstead supporting the dualization of US 113 in Worcester County and urging rapid approval of this project. The Secretary asked me to respond on his behalf.

In your letter, you had emphasized the importance of having US 113 dualized preferably with controls of access. With all dualization alternatives, partial control of access is proposed. In areas where the roadway is on new location, access would be fully controlled. The State Highway Administration (SHA) is also considering limiting access for the existing roadway through an access management program.

Your concerns for safety along the undivided sections of US 113 has been noted. SHA considers the US 113 project to be a top priority and has put this project on a fast track. All comments received from the public, agencies and elected officials will be evaluated before making a decision on this project. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

V D4-3

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mr. Neil J. Pedersen, our Director of Planning and Preliminary Engineering at (410) 545- 04 11 or Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

SNOW HILL
300 years on the River
1686 - 1986

SNOW HILL POLICE DEPARTMENT

June 2, 1997

David L. Winstead
Secretary of Transportation
P.O. Box 8755
BWI Airport, Maryland 21240-0755

Dear Secretary Winstead:

As Chief of Police in the Town of Snow Hill, I urge that the State Highway Administration approve plans for full dualization of Rte. 113 as rapidly as possible.

As you know, 71 people have lost their lives in the past 20 years on the undivided sections of Rte. 113. Local population is growing at a rapid pace, particularly in the north end of the county. This has greatly increased daily traffic on so-called "killer highway", which is the only north-south route through the county. The evidence is clear that local population growth will continue. This fact alone brings increased traffic and increased risks. Added to this is tremendous growth in commercial traffic, particularly huge trucks, making the journey through our county outright dangerous.

The widening of Rte. 113 has been debated for two decades; meanwhile, vehicular deaths and injuries mount. I support the safest route possible and the four-lane divided highway is the only long-term remedy. We urge rapid approval of this project.

Sincerely,

Orlando A. Blake
Chief of Police

P.S. I would like to receive information on future developments on Rte. 113. Please add the Town of Snow Hill to the mailing list.

Municipal Building • P.O. Box 348 • Snow Hill, Maryland 21863
Telephone: 410-632-2444 • Fax: 410-632-2858

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 18, 1997

Mr. Orlando A. Blake
Chief of Police
Snow Hill Police Department
Municipal Building
P. O. Box 348
Snow Hill MD 21863

Dear Mr. Blake:

Thank you for your letter to Secretary Winstead supporting the dualization of US 113 in Worcester County and urging rapid approval of this project. The Secretary asked me to respond on his behalf.

Your concerns for safety along the undivided sections of US 113 has been noted. The State Highway Administration considers the US 113 project to be a top priority and has put this project on a fast track. All comments received from the public, agencies and elected officials will be evaluated before making a decision on this project. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: Mrs. R. Suseela Rajan, Project Manager, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V D5-2

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

OPCA

OCEAN PINES CIVIC ASSOCIATION
570 OCEAN PINES, BERLIN, MD. 21811

9 June 1997

David L. Winstead
Secretary of Transportation
c/o CRASH
P.O. Box 1001
Berlin, MD 21811

Dear Secretary Winstead:

The Ocean Pines Civic Association, a community group with 500 current member households, is vitally interested in Route 113 dualization and urges its approval at the earliest possible time.

In Ocean Pines alone the full-time population has reached 8,000 and contiues to grow, having doubled in seven years. We note that large truck traffic on Rte. 113 increases daily. Speeds seem to increase as well, particularly at night when the two-way sections of the road are especially treacherous.

As regular users of Rte 113 ourselves and residents of a community which receives many seasonal visitors, we are reminded almost daily of the perils of the two-way road as it exists. Very recently one of our own residents nearly lost her life on a two-way section south of Berlin; and the statistics show a frightening increase in accidents as traffic increases.

The Ocean Pines Civic Association strongly supports the dualization of Route 113 and urges the fastest possible approval and implementation of this project.

Very truly yours,

Nancy R. McElgunn

Nancy R. McElgunn
Vice President and Secretary

cc: Representative Wayne Gilchrest
Senator J. Lowell Stoltzfus
Delegate Bennett Bozman
Commissioner Jeanne Lynch
Sue Rajan, Project Planning Div.

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 19, 1997

Ms. Nancy McElgunn
Vice President and Secretary
Ocean Pines Civic Association
570 Ocean Pines
Berlin MD 21811

Dear Ms. McElgunn:

Thank you for your recent letter to Secretary Winstead expressing a strong support from the Ocean Pines Civic Association for the dualizaion of US 113 in Worcester County and urging the fastest approval of these improvement plans. The Secretary asked me to respond on his behalf.

The State Highway Administration (SHA) considers the US 113 project to be a top priority and has put this project on a fast track. We anticipate the Federal Highway Administration will grant location approval this Winter.

All comments received from the public, agencies and elected officials as a result of the June Location/Design Public Hearing, will be considered in the decision making for this project. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: The Honorable Bennett Bozman, Member, House of delegates
The Honorable Wayne Gilchrist, United States Congress
The Honorable Jeanne Lynch, Commissioner, Worcester County
The Honorable J. Lowell Stoltzfus, Member, Senate of Maryland
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V D6-2

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

STATE OF MARYLAND
MARYLAND STATE POLICE

PARRIS N. GLENDENING
GOVERNOR

KATHLEEN KENNEDY TOWNSEND
LT. GOVERNOR

COLONEL DAVID B. MITCHELL
SUPERINTENDENT

(410) 641-3101

Barrack "V"-Eastern Region
Berlin, Maryland 21811
June 10, 1997

Maryland Department of Transportation
State Highway Administration
Project Development Division
P. O. Box 717
Baltimore, Maryland 21203

To Whom It May Concern:

I have recently received the proposal from the State Highway Administration regarding a Combined Location/Design Public Hearing for the U.S. Route 113 Roadway Improvements for Worcester County. This report is comprehensive in nature.

The Maryland State Police has been committed to highway safety for over 60 years. As a result of reviewing the proposals for the improvements on U.S. Route 113, the Maryland State Police at Berlin Barrack is supportive of any improvements which can be made to make this highway safer for the motoring public.

Thank you for sending this report to us for review and for keeping us apprised of matters involving highway improvements for Worcester County. Should you have any relative questions/comments concerning this issue, please feel free to call me at (410) 641-3101.

Sincerely,

A. R. Walker - Lieutenant
Commanding - Barrack "V", Berlin
Department of State Police

ARW/lge

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 18, 1997

Lieutenant A. R. Walker
Commanding
Barrack "V" Eastern Region
Department of State Police
Berlin MD 21811

Dear Lieutenant Walker:

Thank you for your letter expressing support from the Maryland State Police for any improvements that would make US 113 a safer road.

The State Highway Administration (SHA) considers the US 113 project to be a top priority and has put this project on a fast track. We have just held the required location/design public hearing and anticipate the Federal Highway Administration will grant location approval this Winter. All comments received from the public, agencies and elected officials will be evaluated before an alternative is selected. Your letter will be made part of the public hearing record and your comments will receive consideration during the decision making for this project. Your name has been included in the mailing list to receive future information on the project.

Thank you again for your input in this project. If you need additional information regarding this matter, please do not hesitate to contact Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Very truly yours,

Louis H. Ege, Jr., Deputy Director
Office of Planning and
Preliminary Engineering

By: R Suseela Rajan
R. Suseela Rajan, Project Manager
Project Planning Division

cc: Mr. Donnie Drewer, District Engineer, State Highway Administration (w/incoming)

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V D7-2

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

OCEAN PINES ASSOCIATION, INC.

239 Ocean Parkway • 2700 Ocean Pines • Berlin, Maryland 21811 • (410) 641-7717

June 13, 1997

RECEIVED 8219

JUN 17 1997

SECRETARY DEPARTMENT OF TRANSPORTATION

David L. Winstead
Maryland Department of Transportation
P.O. Box 8755
Baltimore/Washington
International Airport MD 21240-0755

Dear Mr. Winstead:

Thank you for your response to my letter regarding the dualization of US 113. The Governors consideration of the US 113 project, as a top priority of the State Highway Administration, is very encouraging to the Ocean Pines community.

The high number of deaths that have occurred in the past 20 years is alarming; what is more alarming is the prediction that it may double, if something isn't done. We must do everything we can to prevent this carnage.

We represent 8,000 persons in this community alone, many of us travel the north-south route to Snow Hill every day. This is the main route for our school children. Route 113 has become a major route for trucks as well.

We urge the expeditious and favorable consideration of a safe and sane Route 113.

Our residents are looking forward to the June 17th meeting at Stephen Decatur High School.

Sincerely,

Richard P. Brady
President

RPB/pce

copies to:
Governor Paris Glendening
Neil Pedersen
Parker Williams

No response needed

OUR MISSION

The Daily Times strives to be a vital daily reflection of communities on the lower Delmarva Peninsula. By providing timely, accurate information *The Daily Times* brings readers together to live better lives and build stronger communities. *The Daily Times* provides a forum for diverse viewpoints which lead our communities to solve problems.

OUR OPINION

Let no more die waiting

The words were coming hard. Her voice trembled. She was crying and trying to say something into the microphone.

Another lady rose from the audience to stand by her side and steady her and help with the pieces of paper she had brought to help her say what she had to say.

Memories had taken the speaker back and love and pain were drowning her words with tears.

People in the dim auditorium looked at the floor. Their eyes, too, were sad and wet.

Linda Figgs' son, you see, had been killed on Route 113 and had left behind a little boy, who was then 4 and now 7. The little boy had been waiting for his daddy to come home that day and now was still missing his daddy.

It was the road that had taken the little boy's father. It was the road, don't you see. Someone called it the highway of tears.

Yes, the hearing had started with flat, factual information. The people from the state followed one another to the microphone. This is how we plan a highway. This is how we protect the wildlife. This is how we relocate people. This is how we make sure it's fair. This program. These funds. Title this. Title that. Sit.

The state people did their jobs well.

Then the mothers and husbands and brother and drivers stood to tell their tales of life and death, fear and injury and delay along Route 113 in Worcester County, Maryland, where 71 people have perished in 20 years on a two-lane highway.

We have no idea how their stories will look flattened into hearing transcript bounded by stiff cardboard and (we fear) unread through eternity. The words may be dry and complete and follow one after another. They may not rise and fall in anger and sadness and halt for tears and stop for anguish.

IN SUMMATION

The people have spoken. Now is the time to dualize Route 113 in Worcester County. Too many people have died waiting for Maryland to decide to act.

In the auditorium at Stephen Decatur High School Tuesday night, a good measure of the power, eloquence and dignity of the words came from how they were spoken.

"Please excuse the tears," said the mother, as she ended.

No need. The truth of Route 113 through Worcester County is more than engineering and finance and traffic count. The truth about Route 113 is a feeling, a sense that those who travel it and those who have been hurt by it have suffered long and patiently the delays, the patches and dismissals that come from calculators.

Some have died waiting for Maryland to decide it's time to dualize Route 113 and put a median strip in the center of the four lanes of traffic. Then cars will no longer cross over, pass dangerously, spin into traffic and kill people, leaving little boys without fathers, mothers without sons.

No more.

The farmer who has to move slow and cumbersome equipment said now is the time.

The sheriff who has to deal with the accidents and notify the survivors said now is the time.

The educator who buses precious children up and down that highway said now is the time.

The man who came armed with statistics to argue against dualizing the road stood at the podium and tore up his speech and said now is the time.

Now, said the people. Now.

6582

Maryland Department of Transportation
The Secretary's Office

Parris N. Glendening
Governor

David L. Winstead
Secretary

John D. Porcari
Deputy Secretary

July 24, 1997

Mr. Richard P. Brady
President
Ocean Pines Association, Inc.
239 Ocean Parkway
2700 Ocean Pines
Berlin MD 21811

Dear Mr. Brady:

Thank you for your recent letter to Governor Glendening providing an update on the June 17 public hearing for the US 113 project, along with the newspaper clipping on the subject. The Governor reviewed your letter and asked me to respond on his behalf.

The State Highway Administration (SHA) recognizes the urgency and need for improving US 113 and we are doing everything we can to expedite this project. Presently we are evaluating all the comments received as a result of the public hearing and preparing for the alternate selection. We are continuing close coordination with the environmental resource agencies to meet the project schedule. Location Approval from the Federal Highway Administration is anticipated this Winter.

Design activities for the northern portion from US 50 to the Delaware State Line are scheduled to begin this Fall, since funding is available for this phase. Right-of-way acquisition is partially funded and it could start in mid 1998. I also want to assure you the Governor considers the US 113 project a high priority for construction funding.

Again, thank you for your letter. The Governor appreciates hearing from you, and on his behalf, I also thank you for the interest which prompted you to write. If you need additional information regarding this matter, please do not hesitate to call Mr. Neil Pedersen, SHA's Director of Planning and Preliminary Engineering, who may be reached at 410-545-0411 or Mrs. Sue Rajan, Project Manager who can be reached at 1-800-548-5026.

Sincerely,

David L. Winstead
Secretary

cc: Mr. Neil J. Pedersen, Director, State Highway Administration
Mrs. Suseela Rajan, Project Manager, State Highway Administration

My telephone number is 410-865-1000
TTY For the Deaf: (410) 865-1342
Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

TEL.: (410) 632-3110
FAX: (410) 632-3158

RECEIVED
JUN 30 '97
8:53
SECRETARY DEPARTMENT
OF TRANSPORTATION

DEPARTMENT OF
ECONOMIC DEVELOPMENT

Worcester County

125 PEAL STREET
SNOW HILL, MARYLAND
21863

WARREN S. ROSENTHAL
DIRECTOR

LISA CHALLENGER
TOURISM COORDINATOR

June 17, 1997

Parker Nms
PLEASE PREPARE RESPONSE
FOR SECRETARY'S SIGNATURE.

David L. Winstead
Secretary of Transportation
P.O. Box 1755
BWI Airport, MD 21240-0755

Dear Secretary Winstead:

During our regular June meeting held this afternoon, the Worcester County Economic Development Advisory Board unanimously agreed to submit the following statement:

The Board extends its sincere sympathy to the families and friends of those individuals who have suffered from accidents or lost their lives on U.S. Rt. 113, and we wholeheartedly support the efforts of CRASH to stop the slaughter by dualizing U.S. Rt. 113.

We believe that U.S. Rt. 113, our only transportation link to the markets and suppliers to the north and south, is a major factor in Worcester County having the highest year-round unemployment rate and the lowest wages in the State of Maryland.

U.S. Rt. 113 is different than other highways and cannot be evaluated by the normal traffic count measures. What makes it different from other highways in the state is as follows:

1. U.S. Rt. 113 serves Maryland's second largest city in season and provides two of the three supply routes that serve that resort.

2. All the schools in Worcester County, except Ocean City Elementary, are located in close proximity to U.S. Rt. 113 and utilize the highway extensively for pupil transportation, students, parents and staff driving to school, food service trucks, maintenance services and support staff services.

3. Agriculture produces heavy traffic for chickens, farm products, feed, fertilizer, chemicals, timber and large mechanized farm machinery. Many of these vehicles, especially farm based, do not move at normal speeds and exceed normal width regulations.

4. Tour buses, worker transport buses, Worcester County Ride buses, coupled with the school system's regular, kindergarten, field trip, sports team, band and Technology center buses complicate the problem.

5. Solid waste from the four municipalities, private carriers and industries travel U.S. Rt. 113 to the Newark Landfill.

6. Tourists spilling out of Ocean City, campers from the national and state park systems, golfers and sightseers just traveling through the area add another dimension since these folks are unfamiliar with the territory and will tend to make more driving errors.

Is there any other highway in Maryland, which is the lifeline of a whole county, that serves such a diversity of heavy users?

Maryland and Worcester County are noted for having the very best highways, and we are proud of that distinction. However, we are very embarrassed that Maryland won't address this problem until long after Delaware has corrected it.

We urge you to take immediate action.

Sincerely,

Don Hastings, Chair and Members of the Worcester County Economic Development Advisory Board

Leonard Brown

Robert Fisher

Billie Laws

Gabriel Purnell

Jerry Redden

John Rogers

Colleen Smith

Anne Taylor

8353

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

Maryland Department of Transportation
State Highway Administration

July 11, 1997

Mr. Don Hastings
Chair
Worcester County
Economic Development Advisory Board
105 Pearl Street
Snow Hill MD 21833

Dear Mr. Hastings:

Thank you for your recent letter to Secretary Winstead supporting the dualization of US 113 in Worcester County and urging to expedite the project. The Secretary asked me to respond on his behalf.

In your letter, you had also emphasized how important US 113 is to the economic growth of Worcester County and had listed the various reasons for evaluating this highway differently than based on traffic counts for other highways. I agree with you this roadway carries a mix of traffic including tourist buses, school buses, trucks and farm machinery mixed with cars, serving both local and out-of-town travelers, and all these factors will be taken into consideration in the evaluation.

The State Highway Administration (SHA) considers the US 113 project to be a top priority and has put this project on a fast track. We have just held the required location/design public hearing and anticipate the Federal Highway Administration will grant location approval this Winter. All comments received from the public, agencies and elected officials will be evaluated before an alternative is selected. Your name has been added to our mailing list, and your letter will be made part of the public hearing record.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mr. Neil J. Pedersen, our Director of Planning and Preliminary Engineering at (410) 545- 0411 or Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

V D9-3

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

cc: The Honorable David L. Winstead, Secretary, Maryland Department of Transportation
Mr. Leonard Brown, Worcester County Economic Development Advisory Board
Mr. Robert Fisher, Worcester County Economic Development Advisory Board
Mr. Billy Laws, Worcester County Economic Development Advisory Board
Mr. Gabriel Purnell, Worcester County Economic Development Advisory Board
Mr. Jerry Redden, Worcester County Economic Development Advisory Board
Mr. John Rogers, Worcester County Economic Development Advisory Board
Ms. Colleen Smith, Worcester County Economic Development Advisory Board
Ms. Anne Taylor, Worcester County Economic Development Advisory Board
Mr. Neil J. Pedersen, Director of Planning and Preliminary Engineering, State Highway Administration
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

West Ocean City Assoc., Inc.

June 17, 1997

Neil J. Pedersen
State Highway Administration Office of Planning
Box 717
Baltimore, MD 21203

Dear Mr. Pedersen

The West Ocean City Association supports the efforts of CRASH and implores your office to "fast track" the upgrading of the single lane portions of Route 113. The State has taken too long to act on improving this dangerous highway. The piecemeal "improvements" have not stopped the carnage.

Your plan refers to "phases" for this project lasting until 2003. Perhaps since many of us remember being promised dualization both 40 and 20 years ago, you can understand our skepticism when we see "until 2003". Something must be done now and frankly most of the County does not care which dualization plan or route you chose just as long as one is decided upon immediately and construction started yesterday!

Sincerely,

Carolyn Cummins
President

P.O. BOX 704 • OCEAN CITY, MARYLAND 21842

1174

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 1, 1997

Ms. Carolyn Cummins
President
West Ocean City Association, Inc.
P.O. Box 704
Ocean City MD 21842

Dear Ms. Cummins:

Thank you for your recent letter supporting the efforts of CRASH and urging us to expedite the upgrading of the two-lane portions of US 113 in Worcester County. Your comments will be made part of the public hearing record and will be considered in making a decision for this project.

The State Highway Administration (SHA) has identified US 113 as a top priority and has put it on a fast track. All comments received from the public, agencies and elected officials will be considered in making a decision. I understand that most of the area citizens support the dualization plan. We also need to get concurrence from the environmental agencies on a selected alternative prior to receiving location approval from the Federal Highway Administration. Location approval is anticipated this Winter.

The highway development process consists of four phases namely project planning, final design, right-of-way acquisition and construction. This project is currently in the project planning phase. We are planning to begin final design activities this Fall for the northern portion from US 50 to the Delaware State Line, since funding is available for this phase. During this phase construction plans and right-of-way plats will be prepared. We expect the plats to be ready by mid 1998 to begin right-of-way acquisition, which is funded in our current Transportation Program. If funding becomes available, the earliest date construction could begin will be in 1999. In the meanwhile, SHA is also looking at interim safety solutions along US 113.

My telephone number is (410) 545-0411

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Thank you again for your letter. Your name has been added to our mailing list to receive future information on this project. If you need additional information regarding this matter, please do not hesitate to contact Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Very truly yours,

Gloria M. Shepherd for

Neil J. Pedersen, Director
Office of Planning and
Preliminary Engineering

cc: Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

Worcester Environmental Trust

A COUNTY COMMITTEE OF THE MARYLAND ENVIRONMENTAL TRUST

POST OFFICE BOX 38
SNOW HILL, MARYLAND 21863
632-2640

July 11, 1997

Mrs. Sue Rajan
Project Manager
Mail Stop C-301
Project Planning Division
Maryland State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Re: Location/Design, US 113 from South of Snow Hill
to the Delaware State Line

Dear Mrs. Rajan:

The Rt. 113 corridor from Snow Hill north is stressed and needs to be made safer. However, it is important that plans for construction of the road take into consideration the valuable ecosystems it transects. (1)

With the exception of the area around Snow Hill, which drains into the Pocomoke River, most of the runoff from construction and use of the completed highway will impact the Ocean Coastal Basin which is presently under study by local, state and federal agencies, as part of the National Estuary Program.

An immediate interim solution to the safety problem should be a greater police presence to stop aggressive driving, tailgating and speeding. We also recommend installation of a weigh station north of Snow Hill to check trucks for overloading, brakes, and other safety features. (2)

To help alleviate future problems, provisions for limiting access should be carefully considered. Every driveway can be potentially lethal. Limited access would also improve the aesthetics of the highway. (3)

Consideration should also be given to safety for bicyclists and runners who are increasingly using local roads. (4)

Careful consideration must be given to minimize impacts on sensitive areas, i.e., slopes, woods, streams and wetlands. (5)

There should be generous mitigation (after avoidance) to compensate for the damage to wetlands and woodlands. The State Highway Administration should comply with Nontidal Wetland Regulations as well as with the Forest Conservation Act. Mitigation should be close to the area impacted or at least in the same watershed. (6)

Environment, the Trust - Man, the Trustee

We trust that you will check with the State Heritage Program to insure that rare and endangered plants will not be adversely affected by the project. We support the avoidance/minimization alternatives set forth in Chapter IV, pages 57-61, in the EIS, particularly in regard to reducing the footprint of the dualized road. We understand that it may be necessary for additional road construction to avoid wetlands. The use of bridges should be considered where feasible. Some of the wetlands (such as your identification W-8) are parts of active floodplains. Bridging may prevent damage to the roadway in addition to having less impact on the resource. (7)

There are certain areas along the proposed route between Snow Hill and Berlin which are particularly rich. One such area is a short distance south of the northernmost entrance to Newark (your identification W-12) where Massey Branch flows under the road. At this point, on a recent inspection, we heard a wood thrush, typical of forest interior dwelling birds which are declining in number. We have also observed spring flowering plants in this area which may not have been visible at the time of your inspection - trout lily, bloodroot, spring beauties, and skunk cabbage. Some of these species are rare on the Eastern Shore. We suggest that the footprint of the dualized road in this area be narrowed by keeping the width of the median strip to a minimum, not the maximum 34' mentioned in the study (8)

On the area identified as W-13 a local botanist in our group has observed false hellebore (veratrum viride), rare on the Shore. (9)

We also want to comment on the area identified as W-8, the Purnell/Patty's Branch watershed. This rich cypress forest and floodplain was heavily impacted, without mitigation, when the Snow Hill By-Pass was built. It helps filter farm and road runoff to these tributaries before the water reaches the river. The Pocomoke is presently under intense scientific and political scrutiny due to the incidence of fish lesions. Additional road associated impacts on this area, particularly to the east, should be avoided. The median in this area should also be kept to a minimum. (10)

Construction related impacts can be avoided by not allowing heavy equipment in the stream channels, by using coffer dams, by ensuring easy fish passage by way of proper structures, and not allowing fueling or service staging areas where contamination can affect living resources. (11)

Adequate sediment control, check dams, reseeding, etc., should be constantly maintained to prevent sediments and nutrients from entering stream channels.

We appreciate the opportunity to comment on this project.

Sincerely yours,

Ilia J. Fehrer

Ilia J. Fehrer
Chairman

cc: Alan Kampmeyer, MDE
cc: Coastal Zone Unit, MDE
cc: Michele Gomez, US Army CofE

Response to Worcester Environmental Trust letter dated July 11, 1997

1. Through the strict adherence to erosion and Sediment control and stormwater management practices and the implementation of other mitigation measures, the dualization of US 113 is expected to have minimal adverse impacts to water quality in the coastal bays as stated in Section IV.G of the Final EIS. Potential impacts to the coastal bays by the US 113 project and other development has been addressed as part of the cumulative effects analysis in Section IV.Q of the Final EIS.

2. As a result of the Combined Location/Design Public Hearing held June 17, 1997, Maryland SHA, Maryland State Police, and Worcester County representatives have stepped up enforcement activities along US 113. In addition, the State Police have stepped up their random truck checks/truck weighing program along US 113. Construction of a weigh station north of Snow Hill, Maryland, however, is not appropriate given the numerous bypass routes that trucks could utilize when the facility is in operation. Therefore, the State Police prefer the increased flexibility afforded through their increased use of mobile truck weigh stations.

3. Working in conjunction with representatives of Worcester County, Maryland SHA is developing an access management program for the northern and southern study areas. This program is primarily focused on parcels which are redeveloped and the need to limit access from redeveloped parcels to public road intersections.

4. As shown on the typical sections in Section II.E of this document, the Preferred Alternatives include 10-foot paved outside shoulders. While these shoulders are available for use by bicyclists and runners, it seems inappropriate to encourage their use on this primary highway system link. Preferably, bicyclists and runners will be attracted to lower speed local roads.

5. As addressed throughout Section IV of this document, careful consideration has been given to minimizing impacts on sensitive areas, especially streams and wetlands.

6. The State Highway Administration will comply with the Nontidal Wetland Regulations and the Reforestation and Forest Conservation Acts. Mitigation for unavoidable wetland impacts will be conducted in accordance with the sequencing guidelines developed by a Federal/State interagency task force. Potential wetland mitigation sites have been identified that are suitable for "in-kind" replacement of wetlands, and are either near the proposed impact areas or within the same watershed. Landowners of three candidate mitigation sites have indicated that they are interested in creating wetlands on their property. These three sites could provide in excess of 45 acres for wetland creation, which is greater than a 2:1 replacement ratio for wetlands impacted by the preferred alternative. Forested areas impacted by this project will be replaced at a 1:1 ratio within SHA right-of-way or in nearby state land.

7. Coordination with the state Heritage Program and the US Fish and Wildlife Service was conducted to identify the potential for impacts to threatened and endangered species. The results of this coordination and the subsequent investigations are addressed in Sections III.I and IV. J of the Final EIS.

   During final design, full consideration will be given to culvert modifications and bridging options. Until detailed hydrologic and hydraulic data becomes available during final design, it is impossible to make commitments regarding these structures.

8. As outlined throughout Chapter IV, numerous steps will be taken during the design and construction of US 113 to minimize adverse environmental effects. Were feasible, the proposed median width has been reduced to protect sensitive habitats.

9. This species is not listed as threatened or endangered in the state. Impacts to wetland W-13 have been reduced by approximately 60% with the Preferred Alternative.

10. Through the use of various impact minimization strategies outlined in Section IV.I of the Final EIS, the impacts to this wetland have been reduced to 0.32 acres for the Preferred Alternative.

11. In addition to addressing construction impacts throughout Section IV of this document, Section IV.P addresses construction techniques in wetlands, Waters of the US, and floodplains.

Bill

39854

C. R. A. S. H.
County Residents Action for Safer Highways
10776 Gray's Corner Road, #4
P. O. Box 1001
Berlin, MD 21811

Robert G. Hulburd, President
Rhonda Dykes, Treasurer

Joel Todd, Vice President
June Clendening, Secretary

410-641-3939 Fax 410-641-9555

July 24, 1997

RECEIVED
AUG 11 1997
SECRETARY DEPARTMENT OF TRANSPORTATION

RECEIVED
AUG 04 1997
GOVERNOR'S OFFICE

Honorable Parris Glendening
Governor
State House, State Circle
Annapolis, MD 21401-1991

Dear Governor Glendening:

Enclosed are articles from Tuesday's *Daily Times* about another victim that Route 113 has claimed and an editorial from the *Maryland Times Press*. The latest tragedy occurred in the southern part of this dangerous, undivided highway.

This is the 72nd death on Route 113 in 20 years. Mr. Gross, who died, was a Vietnam veteran, the father of three children, three stepchildren, three grandchildren and a large extended family. His death alters forever the lives of many.

Also enclosed is an article from today's *Daily Times* about the 71st victim's survivors and an editorial. Needless to say, we are deeply concerned. The number of cars using the highway increases daily and the accident rate mounts. CRASH volunteers and Worcester County citizens believe the evidence is abundantly clear for dualization of this entire span to move forward rapidly. As you may know, over 700 residents filled to overflowing Stephen Decatur High School auditorium when the State Highway Department held a hearing on this project in June.

Please give this matter which affects so many of your constituents priority consideration.

With kind regards, I am

Gov. Glendening -
Just wanted to keep you posted.
I know you are aware of our problem, and I
greatly appreciate all that you have done to help
with the Rt 113 project. I know that without you
we would not be where we are today. We've come a long
way but we are not there yet. We recently had almost 800
people show up and support this project. The people of Worcester County
[illegible] Please help us bring this project to a reality

Sincerely,

Bob Hulburd

Bob Hulburd, president

Enclosures

V D12-1

cc: Mr. Parker F. Williams, Administrator, State Highway Administration
Mr. Neil J. Pedersen, Director, State Highway Administration

DEATH ON ROUTE 113

Road claims Pittsville man

Reinforces calls for dualization

By DOUGLAS HANKS
Daily Times Staff Writer

SNOW HILL — A Pittsville man driving on Route 113 Monday evening was killed when a Ford Explorer broadsided and then plowed through his car, shoving him out the passenger side door.

Darrell Glen Gross, 44, was pronounced dead at the scene. The 27-year-old driver of the Explorer, Melissa Beth Egloff, of Suffolk, Va., was in stable condition at Peninsula Regional Medical Center Monday night after being flown to the Salisbury hospital by helicopter.

Police said Egloff appeared to be six months pregnant, and a hospital official said the fetus seemed healthy Monday night. Egloff's young daughter, her lone passenger, was not injured in the crash.

Gross' death was the 72nd fatality in 20 years on the dual-lane highway, which has been the focus of an intense, emotional campaign by Worcester County residents to have it widened and divided to prevent cross-lane accidents like this one.

Monday's crash, near Public Landing Road, left some of the most horrible wreckage police said they had ever seen.

It looked as if the Explorer had been dropped from above onto Gross' Chevrolet Monte Carlo, so completely destroyed was the car's passenger cabin. With the crushed Monte Carlo serving as a fulcrum, the Explorer's rear wheels lifted one foot above the road.

Police said the Explorer was heading south on the highway about 5 p.m. when it suddenly veered into the northbound lane, colliding with the Monte Carlo. The Explorer struck the driver's side, then barreled its way through the car until its front end smashed through the passenger door.

Gross, driving alone, was ejected 20 feet or more from his car.

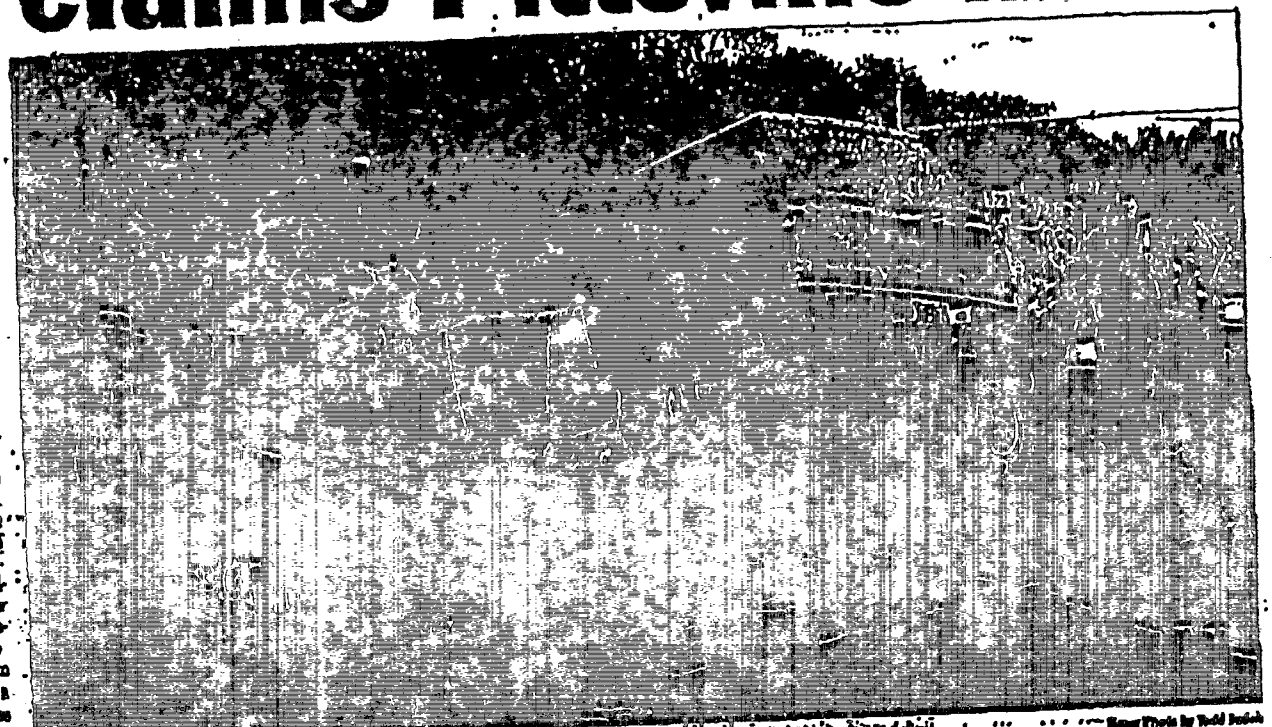
"It's the worst collision I've ever seen," said Worcester County Commissioners President Jim Barrett, eyeing the wreckage about an hour after the accident.

He said the collision proves the point — again — that a divided, four-lane Route 113 would save lives.

"It's about time we got moving," he said. "It's a bad road."

About 700 people attended a June meeting to press Maryland officials on the project, which is currently awaiting state transportation dollars.

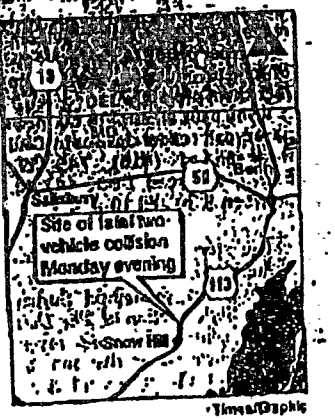
Transportation officials are considering what steps to take in the effort to improve safety of Route 113, which runs from Pocomoke City to Dover. Gov. Parris Glendening has allocated $4.5 million for the project, but a four-lane highway with a median might cost as much as $140 million, officials said.



Staff Photo by Todd Dodsch

Maryland State Police troopers, from left, Renee Gilkum, Mitch Frey, Scott Cook and Mark Darby investigate a fatal accident in which a 44-year-old Pittsville man was killed on Route 113 near Snow Hill Monday evening.

"It's the worst collision I've ever seen."
Jim Barrett,
President, Worcester County Commissioners



Times Graphic

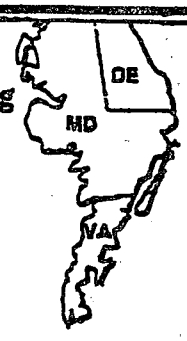
THE DAILY TIMES

Keith Blevins, Chief Executive Officer
Gary D. Grossman, Executive Editor

Page 6 Salisbury, Maryland Thursday, June 19, 1997

OUR MISSION

The Daily Times **strives to be a vital daily reflection of communities on the lower Delmarva Peninsula. By providing timely, accurate information *The Daily Times* brings readers together to live better lives and build stronger communities. *The Daily Times* provides a forum for diverse viewpoints which lead our communities to solve problems.**



OUR OPINION

Let no more die waiting

IN SUMMATION

The people have spoken. Now is the time to dualize Route 113 in Worcester County. Too many people have died waiting for Maryland to decide to act.

The words were coming hard. Her voice trembled. She was crying and trying to say something into the microphone.

Another lady rose from the audience to stand by her side and steady her and help with the piece of paper she had brought to help her say what she had to say.

Memories had taken the speaker back and love and pain were drowning her words with tears.

People in the dim auditorium looked at the floor. Their eyes, too, were sad and wet.

Linda Figgs' son, you see, had been killed on Route 113 and had left behind a little boy, who was then 4 and now 7. The little boy had been waiting for his daddy to come home that day and now was still missing his daddy.

It was the road that had taken the little boy's father. It was the road, don't you see. Someone called it the highway of tears.

Yes, the hearing had started with flat, factual information. The people from the state followed one another to the microphone. This is how we plan a highway. This is how we protect the wildlife. This is how we relocate people. This is how we make sure it's fair. This program. These funds. Title this. Title that. Sit.

The state people did their jobs well.

Then the mothers and husbands and brother and drivers stood to tell their tales of life and death, fear and injury and delay along Route 113 in Worcester County, Maryland, where 71 people have perished in 20 years on a two-lane highway.

We have no idea how their stories will look flattened into hearing transcript bounded by stiff cardboard and (we fear) unread through eternity. The words may be dry and complete not rise and fall in anger and sadness and halt for tears and stop for anguish.

In the auditorium at Stephen Decatur High School Tuesday night, a good measure of the power, eloquence and dignity of the words came from how they were spoken.

"Please excuse the tears," said the mother, as she ended.

No need. The truth of Route 113 through Worcester County is more than engineering and finance and traffic count. The truth about Route 113 is a feeling, a sense that those who travel it and those who have been hurt by it have suffered long and patiently the delays, the patches and dismissals that come from calculators.

Some have died waiting for Maryland to decide it's time to dualize Route 113 and put a median strip in the center of the four lanes of traffic. Then cars will no longer cross over, pass dangerously, spin into traffic and kill people, leaving little boys without fathers, mothers without sons.

No more.

The farmer who has to move slow and cumbersome equipment said now is the time.

The sheriff who has to deal with the accidents and notify the survivors said now is the time.

The educator who buses precious children up and down that highway said now is the time.

The man who came armed with statistics to argue against dualizing the road stood at the podium and tore up his speech and said now is the time.

THE DAILY TIMES

Keith Blevins, Chief Executive Officer
Gary D. Gaissman, Executive Editor

Page 6 Salisbury, Maryland Wednesday, July 23, 1997

OUR MISSION

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OUR OPINION

Route 113 toll continues

IN SUMMATION

There's been another fatality on Route 113 in Worcester County. Driver errors notwithstanding, dualization could have already prevented many deaths. When will the slaughter end?

"We owe it to the innocent drivers to make the road as safe as we can and then the margin for error is improved."

So said Bob Hulburd, chairman of County Residents Action for Safer Highways, at last month's public hearing on Route 113 in Worcester County.

One of those "innocent drivers," Darrell Glen Gross, a 44-year-old Pittsville man, lost his life Monday afternoon in a ghastly collision near Public Landing Road on Route 113.

Gross died instantly when his vehicle was broadsided by a Ford Explorer driven by a 23-year-old pregnant woman whose young daughter was a passenger in the back seat. The young mother and daughter appear not to be seriously injured and fortunately, this tragedy was not compounded by the death of the mother's unborn child.

Gross' death is the 72nd on Route 113 in the last 20 years.

Three other fatalities have occurred within a quarter-mile of that site in the last 20 years: in 1979, 1991 and 1994.

Even a cursory glance at the dates should startle any reader.

The rate at which accidents are occurring at that intersection — and on Route 113 as a whole — is accelerating, as is the number of fatalities.

There are any number of reasons for this: increased numbers of vehicles (especially truck traffic), greater speed, more distractions, driver error.

Most importantly, the road is unsafe — it has become — unsafe.

Route 113 may not have been born a killer highway, to use nature vs. nurture jargon, but it has grown to become one.

Seven hundred people turned out at the hearing last month in Worcester County to tell state highway officials about the need to do something — and quickly — to stop the slaughter by this mindless murderer of innocents.

CRASH, and many others, believe the best solution is a dualized highway with a median barrier. We agree: it's hard to argue for any other alternative.

Money has been appropriated by the state for engineering studies, as well as for the purchase of right-of-way, once a final site for a new Route 113 is chosen.

Gov. Parris N. Glendening, when he visited *The Daily Times* recently, promised he will see the project through.

Congressman Wayne Gilchrest, R-Md., is working to get federal money to help the effort. And work has already begun at another deadly intersection, Jarvis Road and Route 113, to make it safer until a final solution can be reached. Construction on a dualized highway would likely not begin until 1999 at the earliest.

Time is running out.

The margin for error gets slimmer as each year, each day, each moment passes — like Darrell Gross — into eternity.

8-AUG-'11 '97 12:19PM SHA ADMINISTRATOR 410 333 1586 V DIZ-6 410BP.7/10:# 7/ 9

WEDNESDAY
July 23, 1997

THE DAILY TIMES

Weather: Mostly cloudy, rain likely. High near 80. Low in the 70s. See Page 2

Salisbury, Md. 50 cents

Crash underscores need for dualization

Community rallies to help Batson's newborn daughter

By NICOLE KRAEMER
Daily Times Staff Writer

POCOMOKE CITY — Everywhere she goes, Maya Nicole Batson turns heads. Her relatives are recognized at the mall. The Salisbury Community Band dedicated a song to her at the City Park.

Hundreds of musicians, students and Lower Shore residents remember the 2-weeks-old's father, Robert Batson Jr., who was killed in a Route 113 car crash shortly before she was born. For eight years, the award-winning teacher was the band director at Pocomoke High School.

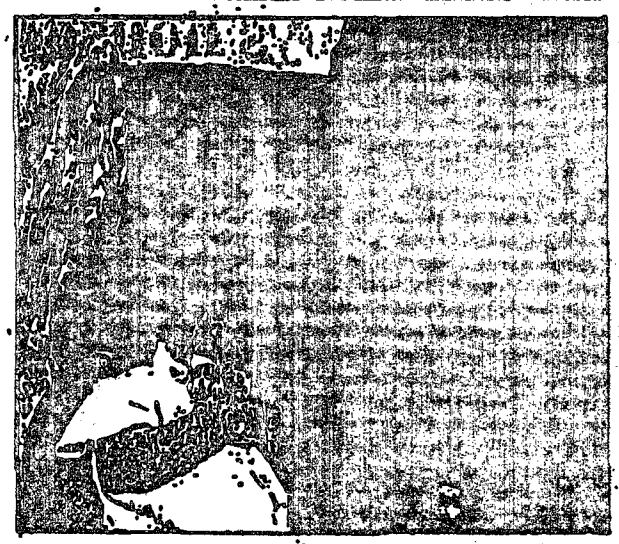
Her mother, Terri Batson, has been overwhelmed by the community's support. Nearly 1,000 mourners attended her husband's memorial service. To help secure Maya Nicole's future, Peninsula Bank set up a trust fund. Local branches have collected $4,700 so far.

About 30 family members attended an outdoor concert in

See BATSON, Page 8

HOW TO HELP

All branches of Peninsula Bank continue to accept contributions to the Robert Batson Jr. Memorial Fund. Money collected will be put into a trust fund for his daughter.



Times Photo by Tony Cardosa

Terri Batson holds her 2-week-old daughter, Maya Nicole, Tuesday in her Pocomoke City town house.

By NICOLE KRAEMER
Daily Times Staff Writer

SNOW HILL — Darrell Glen Gross of Pittsville was driving on Route 113 Monday afternoon. He saw a car drift into his lane. Seconds later, he was dead.

And there was nothing he could have done.

That's why community activists and police say the two-lane highway where 72 people have died in 20 years has to be widened and divided. The sooner the better.

Residents have been pushing for improvements to the road for more than 30 years, finding only recent success as state officials have said planning is on the fast track.

But there are other battles ahead, including a crucial congressional vote in the fall. Lawmakers then will consider a transportation budget including $24 million for Route 113.

● Editorial Page 6

Activists have also suggested recently they could do more to ensure construction starts on time, including joining forces with community groups in other parts of the state.

Construction could begin as early as the summer of 1999. But only if the money is there. Robert Hulburd, chairman of County Residents Action for Safer Highways, estimated a four-lane highway with a median would cost between $120 million and $150 million.

"Projects can sit there and languish in the doldrums for a long time waiting for the construction money to come in," he said.

Hulburd pointed to Monday's crash north of Public Landing Road near Snow Hill — where three other fatal accidents fiard occurred — as a clear example of

See CRASH, Page 8

CRASH: Route 113 death underscores need for project

CRASH, from Page 1

the need for improvements to Route 113.

That stretch of road is straight. But it gets heavy traffic and affords little room for error.

Up to 18,500 vehicles a day travel the rural highway, passing closely along the 24 miles of two-lane road. Shoulders are only 10 feet wide.

Hulburd plans to join forces with rural counties across the state to get their highway projects more attention in return for help on Route 113.

He wants to meet Gov. Parris Glendening face to face to tell him how much the Eastern Shore needs four lanes on a highway traveled by an increasing number of tractor-trailers.

In the Gross case, the driver of a Ford Explorer crossed over a solid yellow line into his lane of traffic. He saw Melissa Egloff's Explorer and swerved onto the right shoulder to avoid her, but there was no place to escape.

The Explorer barreled into the driver's side of Gross's vehicle. The 44-year-old — a father of three children, three stepchildren and three grandchildren — was killed instantly.

Family members could not be reached for comment Tuesday.

Police and Hulburd said with a barrier, the accident would have been much less severe.

Then, "the worst thing (a person) is going to do is bang themself up, not hit an innocent person coming on the other side," Hulburd said.

Egloff, 23, was traveling with her young daughter at the time of the accident. Trooper Scott Cook of the Maryland State Police said Egloff apparently fell asleep or became distracted while driving. She has not been charged. Police found no evidence of gross negligence such as speeding or drunken driving.

The investigation will continue as police reconstruct the accident, measuring skid marks and studying the points of impact.

Egloff, about six months pregnant, was in satisfactory condition at Peninsula Regional Medical Center Tuesday night. She had gone into labor at the accident scene, but doctors administered drugs to stop the contractions.

Work on the dualization project continues this summer as state highway officials try to get state and federal environmental agencies to agree on a preferred alternate route for construction.

The deadline for public comment was July 18. Environmental agencies must submit their comments by Friday.

State highway officials will meet throughout August to hammer out final road plans which have to be approved by the Federal Highway Administration.

"This most recent accident) is just all too typical. It's just all too familiar," Hulburd said.

"It just underscores the need to get going on it."

OBITUARIES

Darrell Glen Gross

PITTSVILLE — Darrell Glen Gross, 44, of here died Monday July 21, 1997, in an automobile accident near Snow Hill.

Born in Salisbury, he was a son of the late Charles Lynn and Mary Ellen Griffith Vance.

Gross was an Air Force veteran who served in Vietnam. He was employed for the past six years for H & H Consolidated in Wallops Island. He played softball for several years, most recently in the Old Timers League.

He is survived by his wife, Barbara J. Gross; two daughters, Bobbi Jean Ingraham, of Parsonsburg and Saundra Lynn Gross of Parsonsburg; a son, Darrell G. Gross Jr. of Parsonsburg; three stepchildren, Wayne Martin, Kevin Martin and Bobby Martin, all of Richlands, Va.; three grandchildren; a sister, Carol Ann Brown of Richlands; three brothers, Clarence Wayne Vance of Salisbury, Charles Edward Gross of Salisbury and Perry Vance of Salisbury; and a stepsister, Debbie Cooper of Salisbury.

A sister, Betty Vance, died in 1995 and a brother, Larry Estil Gross died in 1950.

A funeral service will be held Saturday at 11 a.m. at Bounds Funeral Home on East Main Street in Salisbury. The Rev. Sam McWilliams will officiate. Friends may call Friday from 7 to 8 p.m. at the funeral home. Interment will be in Springhill Memory Gardens in Hebron.

T·I·M·E·S P·R·E·S·S

OPINION

July 23, 1997

The scorecard of pain for 113 gets another check mark

There has been yet another addition to the scorecard being kept for U.S. Highway 113.

This latest statistic goes into the "deaths" category, one that grows each year. It's a category that is kept on a computer, and when it is called up, it bears the names of 32 people who have died travelling on 113.

The latest addition is 44-year-old Darrell C. Cross, who died Monday evening in a heap of twisted cars piled up on the roadside near Public Landing Road.

Upon surveying the three-car pileup, County Commissioner Jim Barrett called it the worst wreck he'd ever seen. His observations, however, will not fit into the computer, nor will the agony of Mr. Cross' family.

The information contained in the computer is rather sanitary; just the facts.

It has the names of those who died — men, women and children, African-American, white and otherwise — their address and some particulars about the incidents.

> Upon surveying the three-car pileup, County Commissioner Jim Barrett called it the worst wreck he'd ever seen. His observation, however, will not fit into the computer —

This kind of information is what the decision makers see. They see aggregate data boiled down into computer printouts.

Unfortunately, the data and printouts don't have categories for the ancillary effects of these wrecks — the suffering, shattered families, lingering injuries or life-long feelings of loss.

If so, maybe this would be a priority project. Certainly, there is some movement in the right direction. The widening of 113 is being studied and construction plans are being drafted. Moreover, there have even been some temporary safety improvements made here and there, and more are on the way.

But with a price tag of $140 million, we're fooling ourselves if we think work is

V D12-8

RECEIVED
AUG 4 1997
8766
SECRETARY DEPARTMENT
OF TRANSPORTATION

C. R. A. S. H.
County Residents Action for Safer Highways
10776 Gray's Corner Road, #4
P. O. Box 1001
Berlin, MD 21811

Robert G. Hulburd, President
Rhonda Dykes, Treasurer

Joel Todd, Vice President
June Clendening, Secretary

410-641-3939 Fax 410-641-9555

Parker
PLEASE PREPARE RESPONSE
FOR SECRETARY'S SIGNATURE

July 24, 1997

David L. Winstead
Secretary of Transportation
P. O. Box 8755
Baltimore/Wash. International Airport
Baltimore, MD 21240

Dear Mr. Winstead:

Although you may have seen them, I'm enclosing articles from Tuesday's *Daily Times* about another victim that Route 113 has claimed and an editorial from the *Maryland Times Press*. The latest tragedy occurred in the southern part of this dangerous, undivided highway.

This is the 72nd death on Route 113 in 20 years. Mr. Gross, who died, was a Vietnam veteran, the father of three children, three stepchildren, three grandchildren and a large extended family. His death alters forever the lives of many.

Also enclosed is an editorial and an article from today's *Daily Times* about the 71st victim's survivors. Needless to say, our volunteer group and Worcester County citizens are deeply concerned. The number of cars using the highway increases daily and the accident rate mounts. We believe the evidence is clear and abundant for dualization of this entire span to move forward rapidly and we ask that you continue to do everything in your power to see that it does.

With thanks for your consideration and kind personal regards, I am

Sincerely,

Bob Hulburd, President

Enclosures

1016

Maryland Department of Transportation
The Secretary's Office

Parris N. Glendening
Governor

David L. Winstead
Secretary

John D. Porcari
Deputy Secretary

August 26, 1997

Mr. Robert G. Hulburd
President
C.R.A.S.H.
10776 Grays Corner Road #4
P.O. Box 1001
Berlin MD 21811

Dear Mr. Hulburd:

Thank you for your letters and newsclips regarding the latest fatal accident that occurred on the two-lane section of US 113 within the southern study area. The Governor's and my deepest sympathies are with Mr. Gross's family.

As evidenced by the well attended June location/design public hearing for US 113, there is overwhelming public support for this project. The State Highway Administration (SHA) has placed this project on an expedited schedule and we are trying to get location approval from the Federal Highway Administration this Winter. Prior to that the SHA needs to get concurrence from the environmental agencies on the selected alternative. As I understand, SHA is continuing extensive coordination with the agencies.

You deserve recognition for your tireless efforts in leading CRASH to increase the public awareness of this project. I want to thank you for gathering the letters from a large number of people including school children, business owners, farm owners, residents, and several from families of accident victims. Many of the letters were very touching and will all be included in the public hearing record.

Again, thank you for your letter and all your efforts on behalf of the local communities. We look forward to your continued involvement in this project. If you have any questions or if you need any additional information on the US 113 project, please do not hesitate to contact Mr. Neil Pedersen, SHA's Director of Planning and Preliminary Engineering, who may be reached at 410-545-0411.

Sincerely,

David L. Winstead
Secretary

cc: Mr. Parker F. Williams, Administrator, State Highway Administration
Mr. Neil J. Pedersen, Director, State Highway Administration

My telephone number is 410-865-1000
TTY For the Deaf: (410) 865-1342
Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

C. R. A. S. H.
County Residents Action for Safer Highways
10776 Gray's Corner Road, #4
P. O. Box 1001
Berlin, MD 21811

Robert G. Hulburd, President
Rhonda Dykes, Treasurer

Joel Todd, Vice President
June Clendening, Secretary

410-641-3939 Fax 410-641-9555

July 24, 1997

Mr. Parker F. Williams
State Highway Administrator
P. O. Box 8755
Baltimore/Wash. International Airport
Baltimore, MD 21240

Dear Mr. Williams:

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With thanks for your consideration and kind personal regards, I am

Sincerely,

Bob Hulburd, President

Keep up the good work!

Bob

Enclosures

9784

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 20, 1997

Mr. Robert G. Hulburd
President
C.R.A.S.H.
10776 Grays Corner Road #4
P.O. Box 1001
Berlin MD 21811

Dear Mr. Hulburd:

Thank you for your letter to Secretary Winstead informing him that the officers of CRASH support a four-lane divided roadway with a 34-foot median with guardrail in the center of US 113 from the Delaware line to south of Snow Hill. The Secretary asked me to respond on his behalf.

The efforts by CRASH to increase the public's awareness of this project, thereby making it possible for us to receive maximum public input, are greatly appreciated. Your letter will be made part of the public hearing record. All comments received from the June Public Hearing will be considered in making a decision on this project.

The State Highway Administration (SHA) considers the US 113 project to be a top priority and has put this project on a fast track. We anticipate location approval from the Federal Highway Administration this Winter. We will continue to keep you informed as we proceed.

Again, thank you for your letter. If you need additional information regarding this matter, please do not hesitate to contact Mrs. Sue Rajan, our Project Manager, who may be reached at 410-545-8514 or 1-800-548-5026.

Sincerely,

Parker F. Williams
Administrator

cc: Ms. June Clendening, Secretary, CRASH
Ms. Rhonda Dykes, Treasurer, CRASH
Mr. Joel Todd, Vice President, CRASH
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration
The Honorable David L. Winstead, Secretary, Maryland Department of Transportation

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

V D12-12

C. R. A. S. H.
County Residents Action for Safer Highways
10776 Gray's Corner Road, #4
P. O. Box 1001
Berlin, MD 21811

Robert G. Hulburd, President
Rhonda Dykes, Treasurer
Joel Todd, Vice President
June Clendening, Secretary

410-641-3939 Fax 410-641-9555

July 24, 1997

Mr. Neil Pederson, Director
Office of Planning
State Highway Administraiton
P. O. Box 717
Baltimore, MD 21203-0717

Dear Neil:

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With thanks for your consideration and kind personal regards, I am

Sincerely,

Bob Hulburd

Bob Hulburd, President

Enclosures

Neil -
Please do the right thing and push for the 4-lane dualized highway and no less will do!
Thanks for all your help -
Bob

V D12-13

1980
4784

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

August 20, 1997

Mr. Robert G. Hulburd
President
C.R.A.S.H.
10776 Grays Corner Road #4
Berlin MD 21811

Dear Mr. Hulburd:

Thank you for your letters to State Highway Administrator, Parker Williams, and me regarding the recent fatality claiming the life of Mr. Gross. We were also saddened by the news and would like to extend our sympathies to the Gross family.

The State Highway Administration (SHA) is making every effort to move this project forward on an expedited schedule. We are continuing agency coordination to resolve issues and concerns raised by the resource agencies so that we can keep the project on schedule. We are still trying to get location approval from the Federal Highway Administration this Winter.

We appreciate your efforts and continued interest in this project. If you need additional information regarding this matter, please do not hesitate to contact me or Mrs. Sue Rajan, our Project Manager, who may be reached at (410) 545-8514 or 1-800-548-5026.

Very truly yours,

Neil

Neil J. Pedersen, Director
Office of Planning and
Preliminary Engineering

cc: Mr. Donnie Drewer, District Engineer, State Highway Administration
Mr. Parker F. Williams, Administrator, State Highway Administration
Mrs. R. Suseela Rajan, Project Manager, State Highway Administration

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

V D12-14

July 30, 1997

Mr. Louis Ege
Project Planning Division
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Fax: 410 / 209-5004

RE: US 113 Roadway Improvements

Dear Mr. Ege,

The Assateague Coastal Trust is a group of more than 700 members whose main area of concern is the preservation of Assateague Island and the Delmarva Coastal Bays. It is without question, however, that the health of the coastal bays are a direct reflection of the activities which take place in the whole watershed. The US 113 Roadway Improvements could have a significant environmental impact on this area.

We appreciate the need for this project due to the significant increase in traffic on the existing roadway and the number of accidents that have occurred. Human safety is always of the utmost importance.

At the same time we feel it is of paramount importance to retain existing natural wetlands whenever possible. Maryland has already lost 73% of its original estimated wetland base. Wetlands perform a variety of ecological functions, such as maintenance of water quality, sediment trapping and erosion control, flood control and groundwater recharge. 1

Also of environmental importance to the coastal bay watershed is the bald cypress grove on Church Branch (a tributary to St. Martin's River) and rare plant communities of Sea Level Fen on several tributary streams of Newport Bay. We hope you take these significant areas into consideration.

We request, therefore, that the roadway improvements use the existing US 113 "footprint" and that intrusion into wetland and forested areas be kept to an absolute minimum.

We will be following the process of planning and public hearings. Please keep us informed of any new developments.

Sincerely,

Phyllis Koenings

Phyllis Koenings
Advocacy Chairman

ASSATEAGUE COASTAL TRUST
P.O. Box 731 • Berlin, MD 21811
(410) 629-1538 • Fax (410) 629-1059
E-mail: act@beachin.net

V D13-1

Response to Assateague Coastal Trust letter dated July 30, 1997

1. As outlined throughout Chapter IV, numerous steps will be taken during the design and construction of US 113 to minimize adverse environmental effects. Were feasible, the proposed median width has been reduced to protect sensitive habitats.

   Through the strict adherence to erosion and Sediment control and stormwater management practices and the implementation of other mitigation measures, the dualization of US 113 is expected to have minimal adverse impacts to water quality in the coastal bays as stated in Section IV.G of the Final EIS. Potential impacts to the coastal bays by the US 113 project and other development has been addressed as part of the cumulative effects analysis in Section IV.Q of the Final EIS.

   The preferred alternative follows the existing U.S. 113 right-of-way whenever possible. Where safety or other environmental issues require new alignment of the roadway, wetland impacts will be minimized to the greatest extent practicable by using alternative designs to reduce the footprint of the road.

   The bald cypress grove on Church Branch and the rare plant communities associated with the Sea Level Fens on tributary streams to Newport Bay are not within the project planning corridor and will not be impacted by the preferred alternative.

From: CRASH

To: County Commissioners

Date: Tuesday, December 9, 1997

RE: Supporting Access Management Plan for Route 113 Dualization

CRASH wants to be known for more than just helping to get Route 113 dualized. We have a moral obligation to see that the effects of our efforts remain as safe in the future as they are when dualization is first completed. **CRASH's** reason to exist is to promote Safer Highways and we all know the reason that the state has agreed to dualize Route 113 is because of safety concerns. **A threat to that safety may result from unmanaged growth along the corridor.** The most prudent course of action would be to actively pursue a managed access plan on this highway. Limiting the points of access on Route 113 is totally consistent with promoting safety--fewer driveways means a safer road.

What has happened to neighboring areas should be our wake up call. About 20 years ago, the State of Virginia made by-passes around all the towns on Route 13. When that new highway was completed there were no stop lights along Route 13. Now, 20 years later, there are way too many stoplights and far too many driveways to count. You can also see the effects of poor planning on Route 13 in Maryland. Adopting the policies of the State Highway Administration may not be sufficient. In theory that plan sounds good, but if it gets us something like Route 13 north of Salisbury, I don't think we want it! The folks in Wicomico County will soon be asking for a by-pass to relieve the accidents and congestion for Route 13. **We do not want our children and grandchildren having to lobby for a new by pass of Route 113 in the future because of traffic lights, congestion, and more accidents.**

Worcester county's population is going to continue to grow. If we really are serious about maintaining our rural character we must not allow rampant development along the Route 113 corridor. The quality of life in Worcester County is dependent on our ability to manage all aspects of our growth.

A letter from the State Highway Administration says, "Growth should be managed so as to configure this growth in a way that maximizes the efficiency of our existing public infrastructure." We feel that limiting the access on Route 113 is consistent with the "Smart Growth" initiatives promoted by Governor Glendening. It would also be consistent for the **County Commissioners to support the State Highway Administration's goal of ACCESS MANAGEMENT.**

Of immediate concern to **CRASH** is that the county needs to show its support of the State's access management plan. This show of support is imperative to send a message to the environmental agencies that the county is concerned about secondary development that could occur along the highway. These agencies want a show of support that proves that the county is not promoting dualization of Route 113 just for economic development. **We support the SHA's request that you send a response to them which shows that you support their access management plan.** A positive response to support their plan will show that you are committed to managed access on this road.

The current approvals we have from these agencies are **CONDITIONAL**. *We could* "drop the ball" and lose these difficult to achieve approvals if we do not address their concern. **CRASH would be very disappointed if we had to revisit those issues and struggle all over again to regain those lost conditional approvals.** Through your cooperation we can transform those conditional approvals to final approvals. We need those final signatures to get a permit to build 113. We understand that the letter from the SHA said, "approval for the US 113 project would be facilitated if SHA could assure the state and federal agencies that we will work with the county to implement and enforce an access management policy along US 113. **A letter of support form the county commissioners would be beneficial."**

A more long term solution is needed after we get approvals. To achieve acceptable answers **we suggest that a task force be established** to meet and discuss these issues. This group could be made up of yourselves, county planning department members, SHA officials, members of CRASH and other elected officials. This group could meet to investigate methods that could be implemented to assure the safe highway we all seek. This task force could bring forth a sensible approach to solve this sensitive issue. This group could also discuss means to monitor efforts to build within the preferred alignment of the road before actual right of way acquisition. We would be willing to help set up this meeting.

On page 42 of the Supplement to the Worcester County 1989 Comprehensive Plan it states that "the county should work to encourage the most expeditious planning, programming and construction of the upgrades necessary to remedy the existing inadequacies on US Route 113." It also says "The county should also initiate action to create a corridor overlay zone along projected US Route 113 right of way to protect this crucial enhancement." We don't know if that is the best solution or not, but that possibility could be examined by the task force. My understanding is that this corridor overlay plan could be similar to what is being done for Route 589.

We don't often get a chance to start form scratch with such foresight. We must do it here! We need to make sure our vision for dualization translates into a lasting legacy of a safer Route 113. We must continue to promote the dualization of the highway for the present and we must take the prudent steps necessary to preserve it for the future. This is the only responsible thing to do!

Please let me know if I can be of assistance in any way.

With kind regards,

Robert G. Hulburd, Chairman of **CRASH**

cc: Ed Ellis, President Worcester County Planning Committee
Ed Tudor, Worcester County Planning Department
Louis H. Ege, Jr. SHA
R. Suseela Rajan, SHA
Donnie Drewer, SHA
Congressman Wayne T. Gilchrest

E. Minutes from InterAgency Meetings

E. Minutes from InterAgency Meetings (excluding handouts)

1. Draft EIS/Section 4(f) Evaluation

Beginning in 1995, the US 113 Planning Study has been presented/discussed/reviewed by Federal and state environmental resource agencies at numerous InterAgency Meetings. These meetings were typically held monthly and addressed a wide variety of on-going projects. In addition to progress updates and status, responses to issues raised at previous meetings were also addressed.

Section VI of the Draft EIS/Section 4(f) Evaluation (dated May 1997) presented the following meeting minutes and correspondence from the InterAgency Meetings:

Item and Date	page reference Draft EIS/4(f) (May 1997)
Minutes from Agency Field Review held August 3 & 4, 1995	VI-146
February 27, 1997 Wetland Jurisdictional Review Minutes	VI-170
October 29 to 31, 1996 Wetland Jurisdictional Review Minutes	VI-173
December 11, 1996 Wetland Jurisdictional Review Minutes	VI-177
November 26 and 27, 1996 Wetland Jurisdictional Review Minutes	VI-179
January 22 and 23, 1997 Wetland Jurisdictional Review Minutes	VI-182
March 20, 27, 28, 1997 Wetland Jurisdictional Review Minutes	VI-188a
Fish and Wildlife Service listing of *natural habitats* dated April 26, 1995	VI-189
May 17, 1995 Interagency Review Meeting Minutes	VI-194
September 18, 1996 Interagency Review Meeting Minutes	VI-211
February 19, 1997 Interagency Review Meeting Minutes	VI-228
March 19, 1997 Interagency Review Meeting Minutes	VI-251
March 25, 1997 Interagency Review Meeting Minutes	VI-256

2. Final EIS

Following circulation of the Draft EIS/Section 4(f) Evaluation in May 1997 and the June 17, 1997 Combined Location/Design Public Hearing, the US 113 Planning Study has been presented/discussed/ reviewed by Federal and state environmental resource agencies at three InterAgency Meetings. Minutes from these three meetings are presented on the following pages.

1. **July 16, 1997 InterAgency Meeting**
   Transcript (pp. 26-94)

2. **August 20, 1997 InterAgency Meeting**
   Minutes (without handouts) and Addendum

3. **September 10, 1997 InterAgency Meeting**
   Minutes (without handouts) and Addendum

MARYLAND STATE

HIGHWAY ADMINISTRATION

INTERAGENCY REVIEW MEETING

July 16, 1997

State Highway Administration
211 E. Madison Street
Baltimore, Maryland 21202

MARYLAND STATE HIGHWAY ADMINISTRATION

July 16 1997

Mary Huie	FHWA	962-4342
Vance Hobbs	COE	962-6084
Wanda Brocato	SHA	545-8569
Aimee Cauthorn	SHA	545-8560
Joe Kresslein	SHA	545-8550
Denise Winslow	SHA	545-8567
Jim Wynn	SHA	545-8520
Elder Ghigiarelli	MDE	631-8093
Larry Hughes	DNR	974-2798
Fatimah Hasan	MDOT	865-1279
Steve Elinsky	USACE	962-4503
Craig Koppie	USFW	573-4534
Dave Sutherland	USFW	573-4534
Danielle Algazi	EPA	566-2722
Jill Utt	EPA	566-2781
Cynthia Simpson	SHA	545-8510
Christine Wells	MOP	767-4572
Patricia Greene	SHA	545-8528
Paul Maloney	SHA	545-8516
Cathy Rice	SHA	545-0413

Tom Case	SHA	545-2573
Mike Callahan	SHA	545-8616
Mark Radloff	SHA	545-8512
Bill Carver	SHA	545-8515
Lorraine Strow	SHA	545-8526
Sue Rajan	SHA	545-8314
Eric Mellor	RKK	728-2900
Ernie Disney	RKK	728-2900
Andy Parker	AD Marble	731-9588
Kim Williams	MHT	514-7637
Jack Hett	SHA	545-8617
Phil Hager	Worcester Planning	632-1200
Don Ostrander	MNCPCC	495-2184
Vanessa Braddy	SHA	545-8775
Barb Solberg	SHA	545-8830

site and miss the park and any other adjustments we can make. Basically the purpose of the field review is to make sure that everyone is aware of what all the issues are out in the field. Looking at the map is different from looking at the field.

QUESTION/COMMENT:

MR. MARK RADLOFF, SHA:

Offered to put a packet of information together.

RESPONSE:

MR. DAVE SUTHERLAND:

Refused it saying he didn't need more paper.

QUESTION/COMMENT:

MS. LORRAINE STROW, SHA:

I'll pass around a field review master sheet with a few dates on it for a field trip and if you have your schedule with you and you can check off one of these dates, fine. If not, my fax number is on here if you will get back to me by Wednesday.

QUESTION/COMMENT:

MS. RHONDA:

On the Piscataway Creek there is a floodplain.

There are, at the creek, four 117" wide x 79" high CMPA. FEMA studies show that MD 223 is over topped by the ten year storm. The design storm for MD 223 project is 100 year storm. We hae not yet completed our study.

RESPONSE:

MR. MARK RADLOFF, SHA:

We are looking once again at box culverts and/or possibly a structure for the 100 year floodplain activity.

QUESTION/COMMENT:

MR. JOE KRESSLEIN, SHA:

The next project is US 113, recommended alternate.

US 113 Preferred Alternate

MS. SUE RAJAN, SHA:

First of all I want to thank you all for your

cooperating in giving us comments in a timely manner which made it possible for us to go to the public hearing, meet the public hearing date.

The first item on the agenda, is to give you a brief summary of the public hearing and then we had a conference call on June 24th, we want to discuss the issues raised at that conference call and how we are going to address them and then we will present the preferred alternative the team has come up with and get your comments on that.

We also want to discuss secondary impacts and cumulative impacts. Then we will take questions and comments and discuss the schedule.

Now the public hearing, some of you attended the public hearing, we provided the tapes to a couple of others and we are trying to get the transcript out as soon as possible. We are waiting for the period to end and we want to include all the written comments in the transcript.

This was a large public hearing. Those who attended saw that normally we don't see such a large crowd. It was more than 700 people who attended the meeting. Almost all the elected officials were there except for one or two and most of them spoke at the meeting and about 33 citizens gave public testimony and 6 gave private testimony.

I am not going into detail on that. I gave you a handout, did everyone get a handout here? Okay.

Handout gives a little bit more detail, but we are still working on the written comments, but I have read all of the comments that have come so far.

All the elected officials and all the people who spoke at the meeting supported dualization of 113 all the way from Snow Hill to Delaware State Line. I will get to the private testimony where one person said he is supporting 3N. All the other organizations and the agencies including Bob Hulburd from CRASH, who even got a standing ovation and submitted 1,600 letters supporting dualization to us.

Friendship community also did testify and they mentioned supporting 4N or the combination alternative for the north and others who specified an alternative actually said 3S and 4N or a combination for the north with 34 foot median. We also received comments from Worcester County Environmental Trust, also Economic Development Worcester County Board of Education, Commission for Women, Worcester County Farm Bureau.

Some of the comments that came up at the hearing are listed here, additional comments. Many spoke of losing a family member, friend or neighbor, and safety was the major concern and many narrated the accident experiences they had. Growth and economic benefits, two people talked about that. One was economic development and the other I think was Commissioner Barrett who spoke about the growth in the area.

Most of the comments that we are getting are about the eastern shore being neglected and it is taking too

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1 long to complete the project. One person said save the
2 historical Showell Store and then there were comments
3 regarding mix of traffic on the road: tractors and farm
4 vehicles, and the....tourists and local traffic. This
5 is the major north/south route in this county.
6
7 Six individuals gave private testimony. All of
8 them actually supported the improvements and
9 dualization. One suggested we consider a Western
10 alignment through the wetlands, west of Racetrack Road.
11 This was an old alignment, he was talking about that was
12 considered in 1973. 4N modified was moved to the east
13 side to avoid this wetland. He said I am not opposed to
14 the improvements, but please consider that if we are
15 going to go with 3N or 4N Modified, please try to use
16 the existing road as much as possible.
17
18 All the others talked about why they are not
19 getting funding and they wanted the project to be
20 expedited and 4N Modified.
21
22 We received close to 2,000 letters. I put
23 approximately 1,800 that we have recently counted out
24 and letters that we received. All except 6 were in
25 support of dualization from Snow Hill all the way to
26 Delaware State Line. Seven hundred letters were from
27 school children supporting dualization, 700 letters from
28 citizens supporting dualization, these were....700 was
29 form letters. Four hundred letters were....and personal
30 letters.
31
32 We received comments from the following agencies:
33 US Fish and Wildlife Service supporting 2S TSM and

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1 Alternate 3N for the north. Also...providing new box
2 culverts.....also requested upgrading existing
3 corrugated pipes to box culverts. US Department of
4 Commerce Maryland Environmental Trust, preservation
5 easement, that we will get into when we are discussing
6 the alternatives. Federal Emergency Management Agency
7 gave comments.
8
9 Worcester County Environmental Trust also gave us a
10 detailed letter asking to minimize impacts on wetlands,
11 etc and also said as a solution, install a weigh station
12 north of Snow Hill....
13
14 Opposition to dualization, 6 comments that we
15 received in opposition to dualization, 3 from the same
16 family it served and 2 of those looked like the same
17 person wrote. Four supports no build and two, those two
18 people who said the same thing, supports 2S - 20'
19 median.
20
21 Other written comments, we received letters from
22 all type of people, school teachers, farmers, business
23 owners, nurses, mail carriers, fireman, policeman,
24 children. They all wrote about someone they knew died
25 on the road and also about they have observed so many
26 safety hazards, people driving on the shoulders and
27 trying to pass when it is unsafe etc.
28
29 We all got the feeling that this is a place where
30 the whole community feels like if a person dies on that
31 road, it is almost like a family member to them, so the
32 whole community got together and they were all
33 supporting the project.

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1 They all referred to US 113 as a "death trap" or
2 "killer highway" or "highway of tears" and we got
3 comments from the Board of Education telling us 49
4 school buses use this road daily and 42 bus stops along
5 the 2 lane section.
6
7 Then there were comments about truck traffic.
8 Perdue wrote they have 100 trucks using the road daily.
9 There were comments about not having a weigh station
10 along 113, that I will get to in a while. Other
11 comments were Safety improvements and headlight use are
12 not going to solve the problem, "project is long
13 overdue". These are comments several people repeated in
14 many of the letters that we are getting.
15
16 Next item on the agenda I want to get to is the
17 conference call. Following the public meeting we had a
18 conference call with some of the agencies and Federal
19 Highway and at that time some of the comments that we
20 received from the agencies are listed here, let me give
21 you copies of that.
22
23 I'm not going to get into detail of answering all
24 those now, but we want to tell you how we are going to
25 address these comments. One was affects of increased
26 truck speeds from 49 miles per hour to 55, it was said
27 that earlier there was a truck speed posted 40 miles per
28 hour. I did some investigation but we couldn't find
29 when it was actually posted 40 miles per hour and no one
30 even in the district office remembers when it had a
31 truck speed posted. It may be true, but I don't know
32 who gave that comment.
33

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1 Second comment was to address public comment
2 regarding the need for truck weigh station along US 113.
3 We looked into this also. There is a weigh station on
4 Route 13 and they use portable scales and we have roving
5 weigh station only along 113 now.
6
7 The next item is address affects of increased
8 truck.....
9
10 QUESTION/COMMENT:
11
12 MS. DANIELLE ALGAZI, EPA:
13
14 What was the answer to that?
15
16 QUESTION/COMMENT:
17
18 MS. SUE RAJAN, SHA:
19
20 They have a roving weigh station. What they do is
21 they have....they come with portable scales, set it up
22 and check randomly.
23
24 QUESTION/COMMENT:
25
26 MS. DANIELLE ALGAZI, EPA:
27
28 Asked is that a mandatory thing?
29
30 RESPONSE:
31
32 MS. SUE RAJAN, SHA:
33

It is not done on a daily basis or anything, but they do it at random.

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

The trucks can't avoid it because they don't know when it is going to be set up.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

The trucks try to avoid the scales.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

They probably know they do that rather than.....

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

So is there anything that is going to be done as far as putting a scale on 13?

RESPONSE:

MS. SUE RAJAN, SHA:

Right now there are no plans for a weigh station along US 113.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

Even though there were a lot of comments that said trucks use this route to avoid the weigh stations on US 13?

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

What she said is we use the roving scale. We are not planing on putting a weigh station in and we will continue using that roving scale.

QUESTION/COMMENT:

MS. MICHELLE GOMEZ, COE:

I'm sorry, where are you using the roving scale?

RESPONSE:

MS. CYNTHIA SIMPSON, SHA:

Wherever they decide to put it.

QUESTION/COMMENT:

MR. CRAIG KOPPIE:

Asked where on 113? There is no room for that anywhere.

RESPONSE:

MS. CYNTHIA SIMPSON, SHA:

It does pose a safety issue when they put it there, but they still have to weigh the trucks.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

They pull over trucks to the shoulder. Even on other roadways we have seen that.

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

They must set up for a couple of hours and combination.....

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

I think EPA is getting.....I guess what EPA is getting to is we had a question about what the answer....comment period is July 18th and I think in

order to understand how you are going to address these comments, I think it is sort of premature to address them right now.

Legally you need to wait until the end of the comment period to address those issues and I am a little bit concerned to tell you the truth that you are trying to address these issues currently when you haven't' heard everybody.

RESPONSE:

MS. CYNTHIA SIMPSON, SHA:

She is not actually addressing the issues, she is identifying how we feel we are going to address the issue. Now what is the intent of your getting the information on the weigh station? I mean how will that weigh into a decision? I mean do you want us to provide you with the results?

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

The information that is given as part of the draft EIS should also be used for minimizing the impacts and also safety concerns and safety issues and if you need to weigh all those out before you start addressing these issues.

So it is not so much a matter of this specific question alone, it is a matter of all the questions that

you are getting as a result of the public hearing comments. I don't feel like you had, you know, the time to be able to assess all of these, to be able to address the comments at this stage and we actually got a letter from Neil Pederson thanking us for being a part of the conference call.

One of the things that he mentioned was that we were to be addressing these issues until August, at the August interagency meeting and I'm a little bit uncomfortable doing it before the end of the comment which is what.....

RESPONSE:

MS. CYNTHIA SIMPSON, SHA:

We are aware of the letter that was written to you and we discussed this. We are identifying our preferred alternative, we haven't even gotten to that part of the agenda. What we are going through right now are comments that we received at the conference call and we are trying to explain to you how we anticipate addressing those comments.

Because we are giving you information now does not mean this is the final answer that will be in the final document and we realize that we have to address all of the comments that we have received on that draft document in the final document.

Because of the time frame, we have to start this process now, we can't wait. You shouldn't assume that

this is the final issue.

QUESTION/COMMENT:

MS. MICHELLE GOMEZ, COE:

What is your time frame? What is your schedule? I mean I agree with Danielle.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

We are going to address the schedule at the end of this presentation.

QUESTION/COMMENT:

MS. MICHELLE GOMEZ, COE:

I agree with Danielle on what she is saying about addressing comments and presenting a preferred alternative. It is not correct to do that at this point in time. The comment period closes on Friday the 18th and the federal agencies and I think the state agency also has an extension until July 25th as far as the Corps of Engineers public notice is concerned.

At this point in time, we haven't received any of the comments that the State Highway has received in regards to the public hearing, the transcript of the public hearing or anything that was mailed in.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

We received comments fromthe public before and at the public hearing, following the hearing, now, we are not getting any comments at all. Yesterday one comment came and the day before one comment came and we have two more days for the public comment period to end. We understand that....agency comment period until the 25th. We will take into consideration all the comments that have come in also unless they are totally different from what we are hearing now, the preferred....based on comments that have been received up to 2,000 from the public and also from the engineering evaluation, the team has identified a preferred alignment.

We haven't selected the alternative, we haven't recommended an alternate...we want to get more comments on that preferred alignment and that is the main reason. We understand that comment period....all those comments will be taken into consideration that is coming in the next 2 days.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

You already have a preferred alternative.

RESPONSE:

MS. SUE RAJAN, SHA:

Unless we get comments different from what we are getting now that will change the preferred alternative, this is how we look at it now based on comments that we have heard.

I also have a newspaper clipping and I will send it out if nobody has seen it and you asked for that earlier. One thing I forgot to mention is prior to the public hearing there was a newspaper letter to the editor in opposition to the public that you mentioned earlier.

That person came to the hearing, he collected data, accident data and safety and he came to the hearing, that was the only person who opposed so far.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

But you haven't gotten all the agency comments yet.

RESPONSE:

MS. SUE RAJAN, SHA:

I realize that and we are waiting for that. We will also include that. Right now as you see in the top, as of yesterday by 4 p.m., these are the comments that we have received so far.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

Well EPA would officially like to make SHA aware that this is against NEPA regulations and you are setting yourself up for litigation and I just want to make sure that is officially recorded.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

It will be recorded and SHA is still saying this is not a final assessment of all of the impacts and we recognize that and we agree that we have to address all of those comments in the final document.

You should not assume that because we are making this presentation that this is the end all and be all. It has been cleared up through....it is not the final addressing of the comments.

QUESTION/COMMENT:

MR. ELDER GHIGIARELLI:

SHA, and not to defend you guys, but it was made really clear in the conference call when they asked the agencies for any outstanding issues on the NEPA document at that time that they were doing so to get a head start on addressing the issues.

I understand what you are saying, but I don't understand why it was not brought up in the conference

call.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

What we said is that we couldn't tell you what the...what our preferred alternate was at this time and we were going to wait until the end of the comment period to be able to give you our concerns. I don't think SHA is in a position to restate or rethink the NEPA regulations that have been around since 1970. So that is EPA's position.

QUESTION/COMMENT:

MR. ELDER GHIGIARELLI:

Well that's fine, I mean it doesn't make a difference from our perspective, if SHA wants to start addressing some of the outstanding issues as they see it, then they have to re-do or un-do what they have done.....

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

It is stating that they already have a preferred alternative is what I have a problem with, it is pre-determined.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

We can identify a preferred alternative.

RESPONSE:

MS. DANIELLE ALGAZI, EPA:

Not in the NEPA/404 process.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

In NEPA, yes you can identify a preferred alternative. We did not do that in the DEIS and we're not actually doing that at this point. All she is doing right now is going through the comments that we received at the conference call and telling you how we plan to address them.

RESPONSE:

MS. DANIELLE ALGAZI, EPA:

Well that's what EPA's position is.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

Well can we finish the presentation?

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

Sure, go ahead, but I can't guarantee that I'm going to have anymore comments.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

Now, back to the list of issues, a number of farms access on US 113. This we are looking into and the number of farm access that we can give you.....it was difficult to find how many farms are there on both sides that own properties on both sides that need to take the farm equipments along US 113. Without actually talking to the farmers it was difficult. But we will try our best to give you that answer.

We looked into the accident data to see how many farm machine were involved in accidents since 1980 and it showed 3 accidents involving 3 farm vehicles.

The next item since many speakers spoke in favor of dualizing 113 because of economic benefits, secondary development and access control need to be strengthened in the document. We found 2 speakers saying about the economic benefits at the public hearing and one spoke about growth. One was as you mentioned earlier, economic development....director who spoke.

We are actually looking at access....limited access

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1 we actually do not think there is going to be a lot of
2 growth occurring. Also lack of water and sewer along US
3 113 would also prevent development occurring along this
4 road. But we are going to provide discussions in the
5 document.
6
7 QUESTION/COMMENT:
8
9 MS. MICHELLE GOMEZ, COE:
10
11 Even the CRASH representative spoke about how the
12 highway will promote economic growth in Worcester
13 County, so there were more than 2 speakers that
14 addressed that. There were more than 2 speakers who
15 addressed economic growth, one of them was Bob Hulburt,
16 the President of CRASH, he addressed the need for the
17 dualization to promote economic growth.
18
19 QUESTION/COMMENT:
20
21 MS. SUE RAJAN, SHA:
22
23 We met with the County staff and talked about where
24 developments are going and all those things because they
25 are now going to be accessing the existing 113. We are
26 also now doing, this road has been added to our access
27 management program....CTP this year to control access
28 along the roadway.
29
30 This is like an ongoing access management
31 program..... approaching large farm property owners and
32 buying access control along those parcels. This is to
33 the south and actually for the entire length for the

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1 road. We will have full control of access in areas
2 where the roadway is in new location and in other areas
3 partial control of access. Where the alignment is
4 shifted from the existing road, we would have full
5 control access utilizing the existing road as a service
6 road.
7
8 QUESTION/COMMENT:
9
10 MR. DAVE SUTHERLAND, USFW:
11
12 I agree with Michelle of the Corps about the
13 speakers. I listened to the video tapes and there were
14 a number of speakers there that mentioned economic
15 development and the benefits that they would get from
16 having a dualization of the highway there.
17
18 It is interesting that it wasn't further addressed
19 in the draft documents that have come out now what a
20 strong issue that really is here with this project.
21
22 QUESTION/COMMENT:
23
24 MS. CYNTHIA SIMPSON, SHA:
25
26 What is it that you all are questioning about how
27 Sue said we would respond? We realize it wasn't in the
28 draft document. What she is saying is that we are going
29 to strengthen that discussion in the final document.
30
31 The draft document has been approved and it has to
32 be approved prior to the public hearing. What she is
33 saying now is how we are going to address it in the

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1 final so I guess I'm confused about what she just said
2 that makes you feel that she didn't get the message.
3
4 RESPONSE:
5
6 MS. MICHELLE GOMEZ, COE:
7
8 Sue just indicated that only 2 people spoke.....
9
10 QUESTION/COMMENT:
11
12 MS. SUE RAJAN, SHA:
13
14 I was...from my notes. There could be more than
15 two.
16
17 QUESTION/COMMENT:
18
19 MS. CYNTHIA SIMPSON, SHA:
20
21 That says many. It says since many speakers.
22
23
24 QUESTION/COMMENT:
25
26 MS. SUE RAJAN, SHA:
27
28 It is true, earlier I mentioned two speakers at the
29 hearing suggested economic benefits - we haven't gotten
30 the transcript yet, but we will look into that.
31
32 QUESTION/COMMENT:
33

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1 MS. CYNTHIA SIMPSON, SHA:
2
3 I am just trying to clarify, they are objecting
4 simply to what you just said.
5
6 QUESTION/COMMENT:
7
8 MR. DAVE SUTHERLAND, USFW:
9
10 Right, but there were a number of them in the video
11 tape, all 5 hours of it or audio tape, there were a
12 considerable amount that mentioned it.
13
14 QUESTION/COMMENT:
15
16 MS. MICHELLE GOMEZ, COE:
17
18 The other thing I just wanted to clarify, at the
19 conference call the Corps also indicated that a number
20 of our questions or comments that were sent to you in
21 our comments on the pre-draft were not answered, not
22 just an issue.....not just the secondary and cumulative
23 effects, but also a number of other issues or questions
24 that they were not addressed.
25
26 QUESTION/COMMENT:
27
28 MS. SUE RAJAN, SHA:
29
30 Stated okay. Regarding accident data, in...March
31 1997 letter, this one the comment is below that, "please
32 provide information on the number of accidents dualized
33 portions of 113 and has the number of accidents in this

area been reduced since the dualization has occurred?"

What happened is we couldn't get the earlier that time the way they reported the data was not in the same format so it was difficult for comparison and we actually met with our accident study division to look at the previous data; we have data if you are looking for 2 lane versus 4 lane, we've got the last 5 years statewide data showing a 2 lane roadway with no access control versus 4 lane roadway with controlled access.

I also have that data here and we will be sending you a copy of that. I think we gave you a whole package before, but that has all types of roadways and I think it was confusing. We will be addressing that, we will give you that information.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

That was truck accident data?

RESPONSE:

MS. SUE RAJAN, SHA:

It is not truck accident data, it is like an average accident data along existing roadways all types of accidents, 2 lane versus 4 lane.

And I also asked for US 50 to Berlin to Ocean City. We felt it is not comparable to US 113 because of the

type of accidents, type of vehicles and the number of vehicles. It is not a similar type of roadway, it has no control of access with a lot of developments along that stretch of US 50.

Normally we compare a similar type of roadway, we could get that information, but we didn't feel that is a good comparison. You also asked on the list about MD 90 data, before and after headlight use went into effect. We could give you MD 90 data from 1981 onwards. By looking at it the only thing is that at the same time other improvements also went into place such as putting rumble strips along the median and even after that there were fatal crashes, but we could get that data.

The only data we don't have available is....on 90, that is...one must complete....97 and that was last year, we didn't get that data. We have the other data for MD 90.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Is the truck accident data, can it be updated in the final document for 113?

RESPONSE:

MS. SUE RAJAN, SHA:

What truck accident data are you talking about? How many trucks were involved in the accident?

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Yeah, truck accident data.

RESPONSE:

MS. SUE RAJAN, SHA:

Okay, I thought that was in the original package that we gave, yeah. We have detailed information all fatal accidents, including the vehicles involved. I thought we gave that before.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Asked Michelle if the truck accident data has been updated?

RESPONSE:

MS. SUE RAJAN, SHA:

Updated as of December '96 I think. We will provide what is available because we don't get the reported accidents from '97 until late this year. But fatal accidents we have up to date.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

The reason I said that is because as many or more speakers in the public hearing mentioned that trucks were a safety problem, added to the safety problem.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

Actually of the fatalities, 51% of the fatalities were truck related accidents which I think is right there telling you what one of the major problems are on the road.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

In many of the comments we got, people were talking about trucks, that's true. Because this traffic moves slowly and people try to pass or pass on the shoulder.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

And I don't think it is the slow moving trucks.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

Next item, US Fish and Wildlife comments. This we discussed....comments also EPA addressed....development issues...we'll be talking about in a little while under the next item on the agenda. Corps requested a copy of transcript, you asked for the transcript, we haven't received it yet. As soon as we get it, we will be providing that.

Now we want to get to the next item on the agenda, that is preferred alignment that the team has identified based on the comments so far. Cathy?

QUESTION/COMMENT:

MS. CATHY MAHER:

Once again, I wanted to remind you that the comment period is not completed yet, there are 2 more days left in the comment period. However, I want to try to present to you some of the reasoning as to why we are looking at these preferred alternatives now because we want to get your comments on them and be able to relay your comments on to the Administrator and that will have an effect in his determination of selecting an alternative which is why we want to try to explain some of the reasoning as to why we are looking at a preferred alternative right now.

First of all is a review of the purpose and need. The purpose and need for this project is again, fatal accidents. There were a large number of fatal accidents all throughout the study area and the rate is equal to or above the statewide average.

I'd first like to go through the southern study area. A review of the alternatives real quick reveal there is a TSM alternative that we looked at which has a number of...improvements, rumble strips in the middle and on the shoulders, raised pavement markers, intersection improvements, addition of turning lanes.

Another alternative we looked at was 2S with a 20 foot median which was a 2 lane, one lane in each direction, with a 20 foot median in the middle to try to address some of the opposite direction collisions while minimizing the environmental impacts, so we tried to reduce the cross sections as best we could.

There is also the 3S alternative which was a 4 lane cross section, 2 lanes in each direction and again, we looked at a 34 foot median and also a 20 foot median to reduce the impacts and I'd like to go over that.

First of all 2S TSM we are not going to recommend. It may reduce some fatal accidents, but it doesn't reduce a large portion of the fatal accidents, it provides some safety increases, but it is not going to address a lot of the accidents.

Our preferred alternative really needs to have a median or barrier to separate the opposite flow of traffic because 57.5% of the fatals are caused by opposite direction collisions and most fatal accidents occur between intersections not at intersections, so we want to have some kind of median or barrier separating the opposite direction traffic.

So we did look at the Alternative 2S with the 20 foot median which had one lane in each direction and a median down the middle as a way of addressing these fatal accidents while also reducing the cross section as best we could. We are not going to recommend this, there are a lot of safety problems with this.

There maybe e a lot of additional high speed accidents due to the operations with the passing lanes, people are not used to this type of cross section, there is no cross section like this throughout Maryland. You are going about passing lanes intermittently throughout the corridor, throughout the southern corridor and these changes in cross section drivers are not used to this. There may be high speed collisions from people trying to pass each other, that sort of thing.

Also local drivers currently pass each other on the shoulders and with a median and then with a shoulder, you're going to have a lot more people passing each other on the shoulder which is an additional safety hazard with this alternative.

The intersection operations are another problem. The intersections are going to be very small. Cars will not be able to make U turns or will have a lot of difficulty making U turns with this alternative from the left turn lane if they try to make a U turn they are going to end up in the grass, the cars.

Also removing pavement for construction, in order to construct this we would have to remove some of the existing roadway or somehow incorporate the existing

roadway into the median which is not a, that is kind of an unorthodox construction method.

Finally the cost considerations, this is a 53 million dollar alternative which is comparable to some of the other alternatives in cost, I mean the others are a little bit more, but it is a comparable cost for some of the safety problems that you are going to abe having with this alternative.

Finally the stormwater drainage issue which I'll get into in a little more detail, with a 20 foot median, the entire median would have be an impervious area. This shows the 20 foot median with the cross section and a car making U turns and you can see that a typical car would end up off the edge of the shoulder in order to make a U turn.

Now some cars maybe able to make this, I mean a Honda for instance, but they would have a lot of difficulty and some cars may not be able to make it at all. Yes?

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

I have a question about the projected 2020 accident rate in the comment for 2S, 20 median versus the 3S, there is a difference of 3 accidents per year.

I'm just wondering, I mean if it is such a small difference, why is that such a substantial versus why is

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such a difference in....I guess I'm still not understand that why...why this is such a lesser alternate than the 3S median.

I understand you are trying to explain some of the issues and that kind of thing, but the accident rate is not that much different.

RESPONSE:

MS. CATHY MAHER:

Yes, it does have a higher accident rate, slightly higher, but consider also the traffic operations. As you see, we are going to be cutting off all of the left turn in and out access to driveways and to minor access points and so all those access points, if you live on the northbound roadway and you want to go southbound from your driveway.....

RESPONSE:

MS. DANIELLE ALGAZI, EPA:

Wouldn't you do that on the dualized?

QUESTION/COMMENT:

MS. CATHY MAHER:

Yes, you can do that as well on the dualized.

QUESTION/COMMENT:

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MS. DANIELLE ALGAZI, EPA:

So there is no difference?

RESPONSE:

MS. CATHY MAHER:

Well the difference is when you would have to go up to an intersection, a major intersection like this and make a U turn in order to go south.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

And you'd have to do that with dualized, too.

RESPONSE:

MS. CATHY MAHER:

Yes, you would. But with the dualized you would have a lot more pavement section in order to make this U turn. Because the pavement section is smaller under 2S, you are going to have less room between the edge of that left turn lane and the grass area.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

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What about a flare out of the intersection?

RESPONSE:

MS. CATHY MAHER:

That's an issue. There are a number of intersections throughout the southern area, and that could be a possibility.

QUESTION/COMMENT:

MS. DANIELLE ALGAZI, EPA:

I'm just trying to understand the real difference between these two because it is not real clear that I can see.

QUESTION/COMMENT:

MS. CATHY MAHER:

I just wanted to really quickly try to go through some of our reasons as to why we are preferring one over the other and this is one of the big reasons is the U turns. There are other reasons including the safety, the removal of pavement and the intersection operations.

We also considered both a 34 foot median and a 20 foot median, we wanted to look at ways to reduce impacts. We decided we couldn't look at 2S, we had to have a 4 lane cross section in order to have enough pavement to make the U turns and to accommodate the

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intersection and the safety throughout the corridor.

We also looked at both the 20 foot median and the 34 foot. The 34 foot is preferred because.....

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Going back to the 20 foot median, why couldn't you just have a little span the pavement a little at certain....a limited number of U turn areas to provide access or provide the availability to make a U turn?

RESPONSE:

MS. CATHY MAHER:

With the 4 lane cross section and 20 foot median, the cars could make U turns. With the 2S.....

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

Basically you'd have to expand every intersection.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

I don't understand that, why would you have to do every one?

RESPONSE:

MR. JIM WYNN, SHA:

Because to provide the access for school buses and trucks to make that U turn.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

I don't see a lot of school buses making U turns on 2 lane roads. I don't follow that.

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

They don't have to now. They could just make a left turn onto the road.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

It could be designed where they would have the availability to make their turns other than U turns in the middle of the road.

QUESTION/COMMENT:

MS. CATHY MAHER:

They would be able to make turns, the problem is cars. The cars would have a lot of difficulty making U turns. That is, every vehicle on the road is not going to be able to make a U turn with this alternative which is one of the big operation problems with this alternative.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

I think if you just opened up your mind a little bit, there are plenty of designs you could accommodate this....

QUESTION/COMMENT:

MS. CATHY MAHER:

There are also problems with the operations throughout the corridor, the operations of the passing lanes could cause more high speed collisions.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Well we are addressing this U turn problem right here.

QUESTION/COMMENT:

MS. CATHY MAHER:

Well this isn't the only reason we are not recommending this alternative. There are a number of others.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

Okay. Well I don't agree, I mean you.....the accident data is not statistically significant, it is not statistically higher in this location and the traffic volumes even in the year 2020 just approach later volumes or current volumes in the northern part of the highway. So I mean I don't understand why you can't consider this as a valid alternative.

QUESTION/COMMENT:

MS. NANCY:

Well we did consider it as a valid alternative.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

Now, that is 2S, go forward with.....

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

There is also public opposition to Alternative 2S

that we got also. One thing is that even when people make left turn at intersections, there is not enough....distance, even 34 feet is not that good, but it is better than 20 foot. For school buses that have to make left turns, not only U turns, even for left turns it creates a more dangerous condition.

Another thing is people do improper passing, even now that is one main thing that we got a lot of letters on. People are making improper passing on the shoulder. There are a lot of farm machines trying to use the shoulder and they are all hanging onto that edge, even using the travel lane while people are trying to pass.

With a 2 lane divided with 20 foot median, that possibility of passing is not there, there are also themany issues we listed before.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

That type of problem is consistent throughout the state and every state across the country where you have got farm equipment creating problems.

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

But we don't have any 2 lane roads with median barriers. In other words you've got a farm vehicle using one of the lanes going down one way, at opportune

moments you can pass that vehicle, but if there is a median barrier and there is a piece of farm equipment on the road passing is impossible.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

The alternative that I recommended was that the median.....

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

If there is a piece of farm equipment utilizing a section of roadway, with a barrier there is no opportunity to go around them at all, particularly if there is a 22 foot wide combine.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

Well I think there are ways to get around that.

QUESTION/COMMENT:

MS. CATHY MAHER:

If you need a median break for the farm vehicles to cross with the 20 foot median, you are creating an additional safety hazard because every time you break

the median, that is considered a safety hazard to cars, it is considered something they can run into and cause more extreme accident then what you would have otherwise. With a 34 foot median, you have a little bit more room so that you do need median break, it is not as much of a safety hazard.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

How big a problem is this? I mean are we talking about one tractor, two tractors? You know, a farm....how big a problem is this?

RESPONSE:

MS. SUE RAJAN, SHA:

We are trying to estimate the number of farm vehicles on the road.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

At this stage of the game you would think you would have that right at your fingertips really.

RESPONSE:

MS. SUE RAJAN, SHA:

We got several letters from the public about the farm equipment using this road. The farmers have to use this road and we have to do something about it.

RESPONSE:

MS. CATHY MAHER:

Additionally with the 20 foot median both with the 2S and the 3S. Alternatives, the 20 foot median has to be an impervious area straight across, it could not be designed to allow for infiltration in the median.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Why is that?

RESPONSE:

MS. CATHY MAHER:

In order to design it for a 10 year design storm, you are not going to have enough width to hold the water underneath the sub base of the roadway. With a 34 foot median you could use natural infiltration, but with a 20 foot, you are not going to have enough room and the slopes are not going to come down at an angle that is going to allow you enough volume for a 10 year design storm.

QUESTION/COMMENT:

MS. MICHELLE GOMEZ, COE:

Will you get infiltration down in this area?

QUESTION/COMMENT:

MS. CATHY MAHER:

Do we get infiltration in this area?

RESPONSE:

MR. JOHN ZANETTI :

Yes, the soils infiltrate in this area. What happens is with a 20 foot median, you can go a foot and a half down. We have a pavement section say 2 1/2 feet deep and water is going to collect in the median which could affect the pavement and wash out the pavement. According to our standards are we try to design 9 inches.....in a 20 foot scenario you wouldn't be able to do that, you'd have to widen the median and force the water to an outfall point. You wouldn't get the water quality that you would be looking for.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Why can't you wrap some water underneath the road in those problem areas?

RESPONSE:

MR. JOHN ZANETTI:

Well to solve the problem you'd have to have larger ditches on the outside. In a 20 foot scenario you'd have to go to a raised median closed drainage system.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

I understand that, why can't you run pipes underneath the road?

RESPONSE:

MR. JOHN ZANETTI:

Well you could do that periodically wherever your outfall points are, but still you are not going to get that water perking into the soil, cleaning out the metals.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Well if you could get the majority of that process done, I can't imagine you wouldn't get the water quality.

QUESTION/COMMENT:

MR. JOHN ZANETTI

You are running it through pipes, it is not going to happen.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Why can't you run pipes under the highway to the swale on the side of the highway that is now existing there. It has the same function.

QUESTION/COMMENT:

MR. JOHN ZANETTI:

Well when you've got less than one half percent slope on the main line, you have to do that quite frequently and it would be very expensive.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

It is possible though?

RESPONSE:

MR. JOHN ZANETTI:

It is possible, it is something that can be designed certainly. It is a drainage issue.

QUESTION/COMMENT:

MR. ANDY PARKER:

You are also going to be increasing the size of the swales on the outside because they are going to have to handle that volume that you would have had in the median that is now going to have to be handled on the outside.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Well it is either handling it now with a 2 lane situation without anything in the middle.

QUESTION/COMMENT:

MR. JIM WYNN, SHA:

But think that we're adding 20 foot of impervious roadway.

QUESTION/COMMENT:

MR. JOHN ZANETTI:

Yes you are only picking up 12 foot of pavement.

QUESTION/COMMENT:

MS. CATHY MAHER:

Yes and the total impervious area is greater with the 20 foot median than with the 3S 34 foot median.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

Yes, but I don't see why it has to be impervious, why you can't leave the grass there, that's my whole basis of my argument here.

QUESTION/COMMENT:

MS. CATHY MAHER:

The design issue is that if we did have a 20 foot median because of the size and the slope of the median and the volume of water that we can transfer that way, it would have to be an impervious area, it couldn't be a.....

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Let's not go back again, we have just talked about diverting some of that water underneath the highway where it seems to be a problem where you would think that the capacity of the water quantity is going to be so great in those locations running underneath the road into the swale and the sides of the road.

RESPONSE:

MR. JOHN ZANETTI:

But you still would need to have impervious material underneath the median regardless of where the outfalls are. When you've got less than 1/2 percent slope, the water is going to accumulate and lay there. It could wash out of a sub grade facility and compromise the road.

We don't have 20 foot depressed medians in Maryland.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Pretty close to it.

QUESTION/COMMENT:

MR. JOHN ZANETTI:

The only 20 foot medians we have in this state have a raised median with an edge curving or a closed section.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

What is on Route 50 now in those locations?

RESPONSE:

MR. JOHN ZANETTI:

It is at least 34 feet wide.

QUESTION/COMMENT:

MS. MICHELLE GOMEZ, COE:

What about along like right before the Bay Bridge Toll Plaza?

RESPONSE:

MR. DON OSTRANDER:

I believe that is a closed system.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

I don't think we're going to resolve this. I think we need to note that there are drainage issues to be resolved with the 20 foot median, that there are numerous questions that the agencies have concerning the drainage because even though State Highway is answering, the highway engineer is answering, there are still questions about it, so we need to discuss this particular issue further.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

He is not answering it adequately for the Fish and

Wildlife Service at this point.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

So we need to discuss it further.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

We have now a 2 lane roadway if we are going to construct that median, we are actually not using the existing pavement. We need to tear out existing pavement to make a grass median. I think that is why the cost is so much for that alternate.

QUESTION/COMMENT:

MS. CATHY MAHER:

So anyway, to conclude, the reason for presenting this today was to get your concerns and your issues so that we'll be able to present those to the administrator when we present this to him.

Our preferred alternative for the south would be 3S with a 34 foot median, it addresses the safety issues, it provides continuity for the system, you would have a 4 lane cross section from Berlin to Snow Hill. We went over the intersection design and operations, the improved traffic operations and we have a large amount

of public support for this alternative in comparison to the 2S 20 foot median alternative.

So I'd like to go onto the northern study area and once again I will read the alternatives. The no build, again the TSM alternative similar to the one that we have in the south with similar intersection improvements, rumble strips. We also looked at the 3N alternative which is generally on existing alignment as shown over there on the maps.

The 3N is generally on existing alignment with some improvements in different areas. It is a 4 lane cross section with either a 20 foot and a 34 foot median for this alternative. The 4N modified alternative follows a new alignment starting just north of Berlin and goes through the what was a graded interchange at MD 90 area, ties back in at 589 to the 3N alternative, runs a little bit south of St. Martin's Church and then runs northward on the alignment again and ties in at Shingle Landing Road.

The 4N alternative again follows the 3N alternative up to just north of Bishopville Road where it goes on new alignment just to the west of the roadway and ties in just south of the Delaware State line.

The final alternative was a combination alternative which combined the different aspects of the 3N and the 4N. It followed the 4N alternative through Shingle Landing Road all the way up to Bishopville Road and then instead of utilizing that small area going off line there, it followed the existing alignment north of

Bishopville Road to the Delaware State line.

So we combined the two different alternatives to develop this alternative. Again, the TSM will not be recommended in the north, mainly because it doesn't address a significant portion of the fatal accidents. The TSM also won't address the purpose and need for the north because we have a capacity problem in the summer.

Again, a review of some of the issues I went over before, we want to 34 foot median because we feel that it is a better design, has better intersection safety, better U turning and intersection design, safety design, it is better for farm equipment crossing, provides for more safe farm equipment crossing, and again, the stormwater design issues, so that is just our reasoning for selecting a 34 foot median.

North of Berlin at this point we have narrowed it down to the different alignments. We definitely want a 34 foot median with a 4 lane cross section and the different alternatives that incorporate this are the 3N with the 34 foot median, the 4N modified and the Combination Alternative.

So we are looking at the different alignments. We considered a lot of issues, but some of the critical issues that we feel are most important are the north are the natural environmental impacts, first of all, mostly the wetlands, the floodplain impacts, etc. The socio-economic impacts, including displacements access control is also a consideration between the different alignments they have different aspects of access control associated

provides continuity for the system, improves traffic operations, it has less historic impacts than 3N and less displacements than 3N and it also has less impacts to wetlands than the 4N modified.

So just as an overview, these are the alternatives that we are looking at that we prefer right now. I'm going to have Lorraine go over the different impacts associated with the preferred alternative.

QUESTION/COMMENT:

MS. LORRAINE STROW, SHA:

Because of natural and socio econ impacts were one of the factors in choosing alternates, Ms. Strow presented a comparison of the impacts of the northern alternates that had been in consideration. The information was displayed via slide show. 3N, 4N modified and 3N/4N, the combo, all with a 34 foot median were then compared.

Attention was called to the heavy wetland impact under 4N modified, the 24.8 are figure as opposed to 3N, 7.5 acres; the heavy displacements for 3N, 30 as opposed to 4N modified, 12; and that the 3N/4N modified is a compromise between the two, with wetland impacts of the 4N modified cut in half and displacements of 19 are significantly lower than that of 3N at 30 displacements.

3N impacts 5 historic sites that are either National Register or National Register Eligible. From 3 of them it takes right-of-way. One would be definitely

with them.

We want to ensure that the preferred alternative will address the safety problem, consider the cost comparisons and the different issues associated with public support of the different alternatives.

The natural environmental impacts for 4N were a lot greater generally than for 3N. The combination alternative generally fell in the middle for natural environment impacts. Socio econ impacts were greatest for the 3N alternative as it had a number of displacements and also affected the most historic sites of all the alternatives.

We have better access control with the 4N and the combination alternative than we did under the 3N alternative. There are less intersections associated with the 4N and the combination alternative. Here are cost comparisons of the different alternatives . The public support is another issue as Sue went over. There is generally more public support for the 4N, the Combination Alternative and there is definitely public support for the 34 foot median with a 4 lane cross section.

Our preferred alternative for the north is a 34 foot median, a 4 lane cross section and the Combination Alternative. Again, that follows new alignment up until Bishopville Road, where it follows the existing alignment to the Delaware State line.

The Combination Alternative addresses safety,

demolished, from another 27% of its right-of-way would be taken and it could possibly be considered demolished. It takes right-of-way from a 3rd, up to 14% of it. The remaining two would have their setting adversely affected.

4N modified and 3N/4N Modified, both visually impact one historic resource. The Maryland Historic Trust has said they eliminated the view from the Old St. Martin's Church. Therefore, although they take no right-of-way from the historical resource, they have an adverse effect determination.

With the comparison of the major impact of the northern alternates completed, the complete summary of impacts from your brochure and the brochure's availability was noted.

Referring again to slides, a complete breakdown of the impacts and the costs of 3S, the preferred alternate in the south and the preferred alternate in the north, the 3N/4N modified combination alternate was presented.

It was pointed out there are no architectural resources in the south and one with the 3N/4N combo that was adversely affected in its setting.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

Introduced the next item on the agenda -- secondary impacts and cumulative effects issues. Lorraine is

1 going to go over those issues.
2
3 QUESTION/COMMENT:
4
5 MS. LORRAINE STROW, SHA:
6
7 Distributed a handout that pooled together the
8 comments of resource agencies from varied sources on the
9 alterntes retained package.
10
11 The first issue listed was a comment on the DEIS:
12 "For cumulative and secondary impacts, the Corps had a
13 comment that we need acreage of wetlands lost by
14 watershed through forestry operations, prior converted
15 crop lands, areas filled for construction of US 113,
16 areas filled due to construction of dualized portions of
17 113 (we have the construction of the 2 lane impact)
18 railroad bed developments, Routes 50, 90 and any other
19 roads which intersect with US 113." We are currently
20 scoping for our cumulative effects analysis. We are
21 looking closely at what appropriate spacial boundaries
22 should be, and with regard to time, what time period
23 our analysis should cover.
24
25 We do not feel that watershed boundaries are
26 appropriate as US 113 goes through only a small part of
27 one of the four sub water sheds. County boundaries
28 likewise seem too large an area and therefore
29 inappropriate.
30
31 Sub water shed boundaries of each stream on the
32 other hand may be a more fitting limit, although
33 presently we are looking at only the wetland impacts of

1 the existing road in conjunction with the proposed
2 improvement's impacts.
3
4 Furthermore, it warrants some consideration that a
5 cumulative effects analysis may not be appropriate for a
6 project such as this where the direct beneficial effects
7 of safety are of paramount importances. Public
8 interests, in combination with direct effects of
9 displacements and farm land, and wetland impacts are
10 primary factors to be considered in making a decision
11 rather than any cumulative effects.
12
13 Clearly this merits further consideration and,
14 towards that end, a meeting with the Army Corps of
15 Engineers and the Environmental Protection Agency is
16 being scheduled to finalize the spatcial and temporal
17 limits and ensure that all comments have been given
18 proper regard.
19
20 QUESTION/COMMENT:
21
22 MS. MICHELLE GOMEZ, COE:
23
24 Offered a couple of examples of cumulative impact
25 assessments which were in documents that the Corps
26 reviewed and also a couple of scientific reports that
27 were done on cumulative impacts to be used for
28 cumulative effects section of the document.
29
30 Also you should look at this book from CEQ which is
31 considering cumulative impacts, I don't know if you have
32 that.
33

1 QUESTION/COMMENT:
2
3 MS. LORRAINE STROW, SHA:
4
5 Continued thanking her and proceeding to the next
6 issue: "Development going in and the associated
7 impacts. "
8
9 On page 424 we have discussion of that. Next
10 comment was "Elaborate on the area reserved for future
11 development around the present MD 114 Maryland 90
12 interchange." That is on page 424 in the document.
13 "Answer, how does improving US 113 affect improved
14 access to developable lands? "
15
16 Sue has covered that and I don't want to go over
17 that again. Also "Addressing the potential development
18 impacts." I think we have covered that.
19
20 "Comment on the project's wetland impacts with
21 regards to cumulative effects, that is, does it remove a
22 link or take the remainder of a wetland?" By reviewing
23 the location of wetland impacts, we will assess indirect
24 impacts where the proposed construction would eliminate
25 the remaining portion of any wetland that was previously
26 impacted by the existing US 113 or would eliminate a
27 link within a wetland that is either a hydrological link
28 or a habitat link.
29
30 We will provide discussion on links as well as
31 review function and value and provide mitigation
32 accordingly.
33

1 Next comment, "Discuss that enlarging capacity of
2 the road may have an effect on growth in this area." We
3 have also covered that. Answer.....
4
5 QUESTION/COMMENT:
6
7 UNIDENTIFIED:
8
9 Lorraine, I'm not understanding what you're saying.
10 You have covered it where?
11
12 RESPONSE:
13
14 MS. LORRAINE STROW, SHA:
15
16 In this discussion today.
17
18 QUESTION/COMMENT:
19
20 MS. SUE RAJAN, SHA:
21
22 Explained that earlier at thismeeting we mentioned
23 that we are going to include access controls with the
24 proposed alternatives and that we are also working
25 closely with the Worcester County to come up with an
26 access management program for US 113.
27
28 QUESTION/COMMENT:
29
30 MS. LORRAINE STROW, SHA:
31
32 We have additional information coming in from the
33 county? We do not expect change due to the project.

"Discuss wetland impacts in terms of watershed segments that US 113 crosses." We direct you to page 429 of our DEIS. "Give total of wetland acres in project area." This will be provided, we will get this from our technical report.

EPA had some comments in the current letter of 4/16/97: "Provide a historical perspective of land use in the watershed area." We will compare the 1976 land use plan from the county with the current land use plan to get this historic perspective.

"Evaluate indirect impacts of the potential growth associated with US 113 and the Worcester County comprehensive plan. The potential to impact environmental resources and the future land use of the county." I think we really covered that with our discussion.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

Excuse me, I am also observing people as I look around the table, is there really any reason for us to continue going over these comments and how we expect to address them if we aren't really going to get comments?

I see people shaking their heads, so I know you have questions or comments, but I'm not hearing them. Is there any reason for her to continue going through how we expect to address these comments?

Two of the people who need to hear this aren't even in the room right now.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Wanted to know how SHA's going to address the problem with the farm tractors and buses, how they are going to provide turning at U turns and how they can provide the needed access and movement of these different vehicles under the 2S alternative.

MR. JOE KRESSLEIN, SHA:

Can you possibly give us some input on what type of things you are looking for?

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

I think that there are things that can be done. I don't know that you have explored all the possibilities.

MR. JOE KRESSLEIN, SHA:

We feel that we have and that is why we are asking you.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

Suggested that, on a county level or town level, they can figure out some bus routes where these buses are not going to have to be turning or making U turns in the middle of the road. They can schedule bus routes to make that not necessary.

QUESTION/COMMENT:

MR. JOE KRESSLEIN, SHA:

Responded: Well, the type of thing that we need from you is what ideas you are thinking of.

QUESTION/COMMENT:

MR. JOE KRESSLEIN, SHA:

Asked Ms. Rajan if we have evaluated jughandles.

RESPONSE:

MS. SUE RAJAN, SHA:

Replied that we had not because of additional impacts.

QUESTION/COMMENT:

MR. DAVE SUTHERLAND, USFW:

Argued that putting up stuff on the screen like that wastes time because there are other alternatives and ways around that.

QUESTION/COMMENT:

MR. JOE KRESSLEIN, SHA:

Responded that in order to avoid wasting time in the future, he wanted to get Mr. Sutherland's input into what specifically to look at. We will be glad to do that.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

Look at all alternatives.

QUESTION/COMMENT:

MR. JOE KRESSLEIN, SHA:

We have.

RESPONSE:

MR. DAVE SUTHERLAND, USFW:

No, I don't think you have.

QUESTION/COMMENT:

MS. CHRIS WELLS, MOP:

Complained that she is not clear what is being told to us here with regard to the secondary impacts. The

Maryland Office of Planning in its comments from November 20th expressed some comments about effects on both growth management efforts and access control. We are not listed here as even having commented on these things, so I don't know what that means, our comments are being addressed or not addressed or we just weren't mentioned because they are similar to other agencies.

The information that is being said here is not specific enough for me to comment. They have talked to the county, I don't know what that means, I don't know what the outcome is going to be.

QUESTION/COMMENT:

MS. SUE RAJAN, SHA:

We talked to the county regarding future development in the area and requested a developments proposal. .....information and other things about access control we will go over that issue in the document. We have an access management program for the south. We are looking at access management by reducing, by not providing any new permits for access along the road and also.....to prevent any commercial development.

That is how the access management....similar to what we did on US 50, we will look into that and also as part of the project we will certainly control access along the road. Access will be allowed only at public roads.

QUESTION/COMMENT:

MS. CHRIS WELLS, MOP"

I guess until I see it explained in some format, I can't respond as to whether or not that addresses all of our concerns.

RESPONSE:

MS. SUE RAJAN, SHA:

We will provide you with that information.

QUESTION/COMMENT:

MS. LORRAINE STROW, SHA:

Responded sorry we missed your comments, Chris. Any further questions? I think that concludes our presentation.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

I have one question of the agencies who are in the room. Do you feel we need a separate 2 or 3 hour meeting in the future to talk about the US 13 issues? We can schedule that at an interagency so you don' have to come back for a separate meeting.

RESPONSE:

MR. VANCE HOBBS, COE:

Expressed concern over the multitude of unresolved issues and the activities that need to take place.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

Actually the 26th.

RESPONSE:

MR. VANCE HOBBS, COE:

Right. Continued: We need to get the State Highway's information, we have hundreds and hundreds of letters that need to get to the Corps of Engineers so that we can review those. The longer they sit in State Highway Administration boxes, the longer it is going to take us to read each one of those letters and respond and we need those for our records as part of the joint public notice. We need the transcripts for the hearings, we need the private testimonies and public so that we can form our record while State Highway Administration forms their record.

Also it looks like State Highway may be leaning for one preferred alternative or selected alternative or SHA's selected alternative and it may be that there is more than one alternative that could be carried onto final EIS for study.

These are questions we need to resolve and that is why I am recommending that we may need to sit down and

figure out what is going on in the project. I think if EPA and the Corps and anybody else that is out there, you know, feel that we are premature in doing the things that we are doing, we need to get that in writing, we need to figure out how we are going to respond on that and I mean that is just the benefit to SHA. We need to get this information shaken out.

I would recommend that we sit down and figure out what we want and I do agree with Dave Sutherland, when we put things on the board and we have information that evidently has occurred, we have looked at jughandles, how come the agencies don't have that information to respond to?

Just let me continue. We need to get this information. There has got to be a two way path on the information, it shouldn't be a one way path and this is what I'm seeing and this is just an outside observer, this is the only meeting I've been in and I'm just trying to give you some input.

So there seems to be not a two way path going on right now and we need to fix that to get this project to continue to move down the path. That's all I have to say.

QUESTION/COMMENT:

MS. KIM WILLIAMS:

I'd just like to reiterate that I think we should wait until the end of the comment period before we

decide whether or not there should be a separate meeting, but at this point the Trust has not completed its review and has not made comments, so I would like to wait until the end of the period to do so.

QUESTION/COMMENT:

MS. CYNTHIA SIMPSON, SHA:

Observed that there is a lot of distrust at least as far as 113 is concerned and expressing concern that the agencies need to understand is that the SHA is under a lot of pressure to get this project approved and get improvements implemented.

There are federal elected officials, there are state elected officials, there are Worcester County elected officials who feel that we have strung them along for a number of years and are not making improvements on the road.

It is in that context that Sue has developed this schedule. We really need your input and your assistance. The team that has made the presentation today is making the presentation with the understanding from their superiors that there is a schedule that has to be met.

We are trying to begin that process, we are not trying to finalize any process at this point, we are not trying to ignore comment periods. I don't know whether that means anything to you or not, but I am saying it.

There is a context in which this administration is reacting and we are trying our best not to make this project extremely political. If we do not at least appear to be responsive, not just to the agency concerns but to the concerns of the citizens, then we get extraordinary pressures placed on us and if it goes political it will not just be State Highway being pressured. I'm sure federal elected officials will also be placing pressure on the other agencies.

We are simply trying to get a head start on the process. It is critical that after the comment period if we discuss with you the need for a meeting that we get responses. We do not need anymore political pressure on this project.

So Sue has passed out a schedule and that concludes the discussion on 113.

QUESTION/COMMENT:

MR. JOE KRESSLEIN, SHA:

Before we break for lunch, the last project is going to be MD 28, Bridge over Muddy Branch, Montgomery County.

MD 28: Bridge over Muddy Branch

MR. JOHN NARE, SHA:

Stated he is presenting a proposed bridge replacement project and a little history on it. About the last 5 to 8 years we have had...upgrade MD 28 on the west side of I-270.

The project will be running from MD 124 easterly over to where the Key West Avenue construction is currently going today. Within that project limits there is an existing double type culvert at Muddy Branch th crosses over MD 28.

The existing culvert is sub standard in that the only.....anything...overtops the roadway. Here in this schematic is a picture of the existing pipes which are yellow, the structure is here.

Sometime ago this was presented to the interagency we are just bringing it back to you all to update you on it since it has been quite some time, probably about 7 years since it was presented.

We looked at several different structures here back at that time after modeling it, we comprised a triple cell 11 x 6 by 11 x 6 box culvert, we submitted that to the agency water resources. Was that approved? The hydraulics?

RESPONSE:

UNIDENTIFIED:

....that is the only thing....

QUESTION/COMMENT:

MR. JOHN NARER, SHA:

Okay, they approved concept and all we had to submit at that time was....plans. I guess our primary mission for presenting it today is to bring you up to speed on it and get any feedback you all may have regarding what we are presenting here and what issues you feel would be related to the project.

We are at about the point where we are going to submit a permit, how long are we off on that?

RESPONSE:

MS. CHERYL JORDAN, SHA:

Still several months. We are shooting for December.

QUESTION/COMMENT:

MR. JOHN NARER, SHA:

We are putting in a permit for the entire project through this area.

QUESTION/COMMENT:

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

MEMORANDUM

TO: Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

FROM: Mrs. R. Suseela Rajan
Project Manager

DATE: ~~August 29, 1997~~ January 30, 1998January301998~~January 9, 1998~~

SUBJECT: US 113 Interagency Meeting

On August 20, 1997 a meeting was held with SHA and the agencies involved with the development of the US 113 project from South of Snow Hill to the Delaware State Line. The purpose of the meeting was to fully address each issue on the project. Those in attendance were:

SHA:
Neil Pedersen, Director of Planning and Preliminary Engineering
Louis Ege, Jr., Deputy Director of Planning and Preliminary Engineering
Cynthia Simpson, Deputy Division Chief for Project Planning Division
Sue Rajan, Project Manager, Project Planning Division
Steve Kouroupis, Highway Design
James Wynn, Project Planning Division
Jack Hett, Environmental Programs Division
Cathy Maher, Project Planning Division
Lorraine Strow, Environmental Manager, Project Planning Division
Dan Scheib, Regional and Intermodal Planning Division

FHWA:
Renee Sigel, Planning, Research and Environmental Team leader
Mary Huie, Environmental Protection Specialist

U.S. Army Corps of Engineers:
Keith Harris
Michele Gomez
Jennifer Moyer

US EPA:
Roy Denmark, NEPA Program Manager
Danielle Algazi

MDE:
Terry Clark

M DNR:
Larry Hughes

US F&W:
Bob Pennington
David Sutherland

MOP:
Bihui Xu

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Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RK&K: Lisa Zeimer, Project Planner
Ernest G. Disney, Designer
Robert A. Palmer, Environmental Specialist
Eric C. Mellor, Transportation Engineer
Sherry A. Burton, Transportation Planner

A.D. Marble: Andrew C. Parker, Environmental Scientist

These minutes were written by SHA and distributed to all the agencies and team members involved in study. Subsequent to this distribution, the Corps of Engineers informed SHA of comments or disagreement with some of the statements made in these minutes. Appropriate corrections and additions are shown below in redline font as changes.

Introduction and Purpose

Neil J. Pedersen began the meeting by highlighting a number of key issues that should be considered. The US 113 project has received a significant amount of public support. The citizens in the area are well organized and have mobilized the elected officials to push for a decision on this project. SHA has been able to explain to the elected officials the reasons for why the project decision process must take so much time, but it is extremely difficult for SHA to provide the citizens with this type of understanding. A meeting with the agencies and Congressman Gilchrest is scheduled for September 18th and it will be important for the agencies and SHA to reach a consensus before that meeting. Roy Denmark agreed with Mr. Pedersen's goals to develop a consensus before the September 18 meeting. Our next meeting with the agencies is scheduled for September 10. The goal of today's meeting will then be to review all the issues that continue to be a concern for the agencies and address these issues either today or otherwise before September 10.

Mr. Pedersen mentioned that the enforcement agencies, FHWA, and SHA should look at this project with the same goal in mind; to consider some creative approaches to wetland minimization while not sacrificing safety (the purpose and need). With that in mind our goal should be to develop a plan that will minimize impacts to wetlands while providing a safe design for the roadway by the September 10 meeting and be prepared to present this solution to Congressman Gilchrest.

Issues/Comments and Response

SHA went through each of the agencies issues to try to resolve them one by one. The first part of the meeting involved taking a few minutes to go over each issue to ensure that SHA is addressing the issues to the satisfaction of the agencies. The more time consuming issues such as wetland mitigation, access management, and cumulative effects analysis would be addressed towards the end of the meeting. A review all of the as yet unresolved issues that have been brought up by the agencies was provided in one of the handouts. A list of issues and the items that SHA agreed to include in the FEIS follows.

1. Provide accident data for MD 90 before and after headlight use went into effect.

Response: 1980 through 1995 data included in handouts. Signs for headlight use were installed in October 1981; the law went into effect in November 1995. Rumble strips were installed in 1988. Data before 1980 is not available. SHA provided MD 90 accident data to the agencies at the meeting. SHA mentioned that rumble strips were installed on MD 90 in 1988 and further explained that a search for the exact month of when the installation took place was not available in the records. It was explained at the meeting that no discernible effect could be shown in the accident data as the result of installation of these smaller improvements and therefore this information is not critical.

Additional commitments: SHA will work with our Office of Traffic and Safety to develop an analysis of the MD 90 accident data on a month to month basis to determine the effects that the additions of rumble strips or headlight use had on the accident rates. The results will be discussed in the FEIS.

2. Provide accident rates for the dualized sections of US 113 before and after dualization.

Response: The accident data for the section of US 113 south of Snow Hill to Pocomoke City, and for the portion through Berlin are available from 1980 through 1995 (see attached). Data before dualization is not available. The dualization occurred in the early 1970's, and the accident records do not go back that far. Also, accident reporting procedures have changed since 1979 and this data is not comparable to current data.

Additional commitments: The FEIS will include a more detailed analysis of accident data along US 113.

Accident data for both the dualized and undualized sections of US 113 will be provided and a more comprehensive analysis of this data will be developed and included in the FEIS. The analysis will include the following elements:

- A comparison of these accident rates to the statewide averages for similar roadways and how this comparison could be explained.
- A discussion of how this data could be interpreted (i.e. how the accident rates may be affected by the character or cross-section of the roadway).
- A breakdown of the accident data into the number of fatal accidents involving trucks, buses, or farm equipment. Include discussion.

SHA provided MD 90 accident data to the agencies at the meeting. SHA mentioned that rumble strips were installed on MD 90 in 1988 and further explained that a search for the exact month of when the installation took place was not available in the records. It was explained at the meeting that no discernible effect could be shown in the accident data as the result of installation of these smaller improvements and therefore this information is not critical.

3. How does US 113 study area accident statistics compare with the section of US 50 from Berlin to Ocean City?

Response: Accident rates were included in the handouts. This section of US 50 is highly developed with no control of access. The type and volume of traffic using this highway are not same as in the case of US 113. Therefore, accident rates are not comparable.

Additional commitments:

- Since this data is not comparable to US 113, SHA will find a comparable roadway to include accident data in the FEIS.
- SHA will compare the effects of dualization on another road in the state which was dualized after 1980. Accident data before and after dualization will be compared. The possibility of using US 50 through Vienna was suggested.
- SHA will provide an explanation of how the statewide averages were calculated including what roads in the state are used for the statewide averages and what is the defining criteria for including a road in this list.
- Statewide accident rates for dualized and undualized highways were handed out at the meeting. This information will be included in the FEIS with an additional explanation of which statewide accident rates are significantly higher for an undualized roadway.

4. Address effects of increased traffic due to the widening of the Chesapeake Bay Bridge and tunnel from two lanes to four lanes.

Response: The construction project currently underway will only widen the two-lane causeway sections to four-lanes. At this time, there are no plans to widen the tunnel sections. This is not expected to affect the traffic volumes on the study sections of US 113.

Additional commitments: SHA will include information on the status of this project in the US 113 FEIS and mention that the project will not have any effect on traffic volumes in the study area.

5. Address effects of increased truck speeds from 40 mph to 55 mph.

Response: Research is being done to find out when a lower speed was posted for trucks. Sue Rajan provided a history of the increases in posted speed limits for the US 113 corridor.

Additional commitments: SHA will include a history of the posted speed limits along US 113 in the document.

Keith Harris questioned why SHA would look at a design speed less than 60 mph when this could compromise safety. At the agencies' request, SHA considered designs that had a lower design speed as possible ways to minimize wetland impacts. These alternatives were considered with the understanding that the speed limit and the cross-section would vary throughout the corridor thus compromising roadway safety. SHA was willing to study all possibilities; the conclusion of the studies of some alternatives however depict a tradeoff between wetlands and safety issues.

6. Address the need for a truck weigh station along US 113. Several citizens expressed concerns regarding truck traffic.

Response: Currently, there is a roving weigh station along US 113. The weigh station at Salisbury uses portable scales for random checking along US 113. Normally, they set the scales on the shoulder and pull over trucks to weigh them. The police feel that this is sometimes more effective because the police are able to surprise the trucks. There are no plans to construct a weigh station along US 113 due to cost.

Additional commitments: SHA agreed to ensure that the design of US 113 will include locations for truck weight enforcement. During final design of the project specific pull-off areas will be identified. More information on truck weight enforcement will be included in the FEIS including how often they use the portable scales, examples of typical instances when it would be used, and how the enforcement is set up.

The FEIS will include a discussion of the advantages and disadvantages of roving weigh stations. COE asked that further consideration of a truck weigh station along US 113 be pursued. SHA will meet with representatives from the Motor Carrier Division to discuss this issue.

The FEIS will also include a general update of the enforcement activities in the study area.

7. Address the effects of wide farm equipment on traffic operation. Assess the number of farm accesses required and the amount of farm equipment using the road.

Response: The largest farm vehicle is the combine which is 20 to 25 feet in width. Tillers and planters range from 18 to 20 feet in width. Many farmers own or lease parcels which are not adjacent to each other and require travel along US 113. In the southern study area, there are 70 to 90 farm access points and approximately 40 to 55 along the existing road in the northern section. Eric Mellor presented some information he had gathered concerning the farm operations along the corridor. This information was obtained from the Consolidated Farm Service Bureau. It included a sampling of the typical operations

along the corridor. The average trip length for farm equipment was 3.25 miles and farm vehicles currently travel up to 8 miles along US 113. More information on farm vehicles will be developed for the FEIS.

Additional commitments: The information on farm equipment will be refined for the FEIS. Additional discussion on the
design of the roadway will be modified to cover the impact that potential design modifications would have on each type of vehicles using the roadway.

8. Minimize impacts to wetlands. Avoid impacts to Bald Cypress swamp.

Response: Avoidance/minimization options for wetlands are being developed and were presented at the meeting.

Additional commitments: The Cypress Swamp will be looked at in greater detail to identify methods to limit impacts. Minimization strategies for all wetland will be further refined.

9. Accommodate wildlife passage by providing new box culverts to replace existing corrugated metal pipes.

Response: SHA questioned whether it is appropriate to commit to modifying the structures at the stream crossings at this point in the approval process. Detailed hydraulic studies should be completed before an informed decision can be made.

Additional commitments: The FEIS will state that the use of box culverts will be investigated in final design. Where possible from a hydraulic standpoint, wildlife passage would be considered at the stream crossings.

10. Address access control and potential future developments. Secondary impacts need to be fully addressed in the FEIS. SHA will continue to work with the county.

Response: In areas, where the alignment is on new location, there would be no private entrances. Along sections where construction is along the existing road, the goal is to restrict access to public roads only where feasible and to minimize the number of new access points.

Additional commitments: SHA has looked at proposed alternative access points for a number of the existing entrances along the corridor. This plan considered parcels where access could be moved or consolidated with other entrances. The purchase of some properties will also evaluated. A conceptual access control plan will be included in the FEIS.

11. Cumulative effects and indirect impact analysis in the DEIS needs to be improved.

The agencies provided comments on the scope and methodology for the cumulative effects analysis. The agencies will be an integral part of the development of the cumulative effects analysis. The Pre-FEIS will be distributed to the agencies in November and this will include a complete section addressing cumulative effects. Thus the agencies will be given ample opportunity to provide comments on the cumulative effects analysis.

Response: Due to time constraints, we were not able to discuss cumulative impacts at the meeting.

Additional commitments: After the meeting, SHA contacted the agencies asking for their comments on a scope and methodology for addressing cumulative impacts.

Wetlands
Strategies for minimizing the impacts to wetlands were considered for each individual wetland along the entire corridor. The goal of the wetland minimization study was to limit the impacts to wetlands while not compromising safety. Some of the wetland minimization strategies that were considered are summarized below:

The safety grading and construction easement was eliminated from the cross-section in wetland areas thereby minimizing impacts. Guardrail was provided in place of the safety grading and the slope to the limit of disturbance was adjusted.

The next minimization technique included looking at a smaller median in areas that were not near an intersection. For safety and operations, the 34 foot median was maintained at all intersections. An attempt was made to taper to a 10 foot median for sensitive wetlands that were more than 1500 feet from an intersection. However, some wetlands are located along horizontal curves and a sight distance safety problem occurs with a 10 foot median width. It has been determined that in areas where there is both a wetland and a sharp curve, a 16 to 24 foot wide median would be the minimum needed to ensure safety.

The most notable example of where this combination of both a wetland and a sharp curve exists is at Wetland 8 (the Cypress Swamp). USFWS suggested that this could be a Category 1 wetland. Because this wetland is located on a sharp curve, a sixteen foot median would be required through this wetland to provide for adequate sight distance. SHA is continuing to look at all applicable measures to minimize impacts to this wetland in particular.

SHA also considered some alternative alignments in three areas to minimize wetland impacts. Further development of these alternatives and some additional alignments that were suggested at the meeting are continuing.

A listing of each wetland including its function and proposed minimization techniques was provided in the handouts of the meeting and as an attachment to the meeting minutes. The meeting minutes are a brief synopsis of the meeting and include only those items that are essential in either providing a short update for those involved in the project or to stand as a record of any major decisions. Any additional information is kept at a minimum.

Cumulative Impacts
Since we were not able to cover the cumulative impacts discussion, a package on cumulative impacts was faxed to all agencies on August 22. This will be followed up by phone calls and meetings if necessary to resolve the outstanding issues. The cumulative impacts package is also included with this package.

Handouts
The handouts from the meeting and the cumulative impacts presentation is included with these minutes. A list of the attachments is as follows:

1. Agenda
2. Issues/Comments and Responses (with traffic information included)
3. Comparison among statewide accident rates(table and color graphs)
4. Cross-sections for minimizing wetland impacts
5. Wetland Minimization Table
6. Access Management Proposal
7. Cumulative Impacts Presentation

A response to agency comments on truck, bus, and farm equipment usage, median widths, u-turns, and storm water drainage issues was provided in the handouts of the meeting and as an attachment to the meeting minutes. These responses will be included in the FEIS.

Future Meetings

The agencies will meet to discuss US 113 again on September 10th. At that time SHA will more completely address or present a plan to address all agency comments in the FEIS. The agencies will also be meeting with Congressman Gilchrest on September 18th.

These minutes are based on the interpretation of the writer. If you have any additional questions or comments please call Mrs. Sue Rajan, Project Manager at (410) 545-8514 or Ms. Catherine Maher, Project Engineer at (410) 545-8544.

by:

Ms. Catherine Maher
Project Engineer
Project Planning Division

cc: Attendees (w/attachments)
John Nichols (NMFS) (w/attachments)
John Zanetti (SHA)
Bob Cunningham (SHA)
Steve Udsinski (SHA)
Joe Kresslein

Corrections and additions by the Corps of Engineers to the Minutes from the August 20, 1997 Meeting

On August 20, 1997 a meeting was held with SHA and the agencies involved with the development of the US 113 project from South of Snow Hill to the Delaware State Line. Meeting minutes dated August 29 were written by SHA and distributed to all the agencies and team members involved in study. Subsequent to this distribution, the Corps of Engineers informed SHA of comments or disagreement with some of the statements made in these minutes. A list of the comments on the minutes is included below with appropriate corrections and additions.

Agency Comment: To better understand the data provided by SHA, Corps of Engineers (COE) requested the month in addition to the year in which rumble strips were installed.
SHA Response: SHA provided MD 90 accident data to the agencies at the meeting. SHA mentioned that rumble strips were installed on MD 90 in 1988 and further explained that a search for the exact month of when the installation took place was not available in the records. It was explained at the meeting that no discernible effect could be shown in the accident data as the result of installation of these smaller improvements and therefore this information is not critical.

Agency Comment: Requests for fatal accident data were misinterpreted by SHA.
SHA Response: Prior to this meeting, it was SHA's understanding that the agencies requested data on US 50 for comparison to US 113 accident data. Data for US 50 from Berlin to Ocean City was provided at the meeting. SHA additionally agreed to look at accident data for US 50 through Vienna as this data would be more appropriate as this may be more comparable to the US 113 study area.

Agency Comment: The FEIS needs to include a discussion of the need for truck weight enforcement stations.
SHA Response: The FEIS will include a discussion of the advantages and disadvantages of roving weigh stations. COE asked that further consideration of a truck weigh station along US 113 be pursued. SHA will meet with representatives from the Motor Carrier Division to discuss this issue.

Agency Comment: Request for results of the cumulative effects analysis
SHA Response: The agencies provided comments on the scope and methodology for the cumulative effects analysis. The agencies will be an integral part of the development of the cumulative effects analysis. The Pre-FEIS will be distributed to the agencies in November and this will include a complete section addressing cumulative effects. Thus the agencies will be given ample opportunity to provide comments on the cumulative effects analysis.

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

MEMORANDUM

TO: Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

FROM: Mrs. R. Suseela Rajan
Project Manager

DATE: January 30, 1998~~September 12, 1997~~

SUBJECT: US 113 Interagency Meeting

On September 10,1997 a meeting was held with SHA and the agencies involved with the development of the US 113 project from South of Snow Hill to the Delaware State Line. The purpose of the meeting was to fully address each issue on the project. Those in attendance were:

SHA:
Neil Pedersen, Director of Planning and Preliminary Engineering
Louis Ege, Jr., Deputy Director of Planning and Preliminary Engineering
Cynthia Simpson, Deputy Division Chief for Project Planning Division
Sue Rajan, Project Manager, Project Planning Division
John Zanetti, Highway Design Division
James Wynn, Project Planning Division
Jack Hett, Environmental Programs Division
Cathy Maher, Project Planning Division
Lorraine Strow, Environmental Manager, Project Planning Division
Jason Latham, Environmental Programs Division
William MacLeod, Transportation Services Division
Bob Cunningham, Transportation Services Division
Howard Weissberg, Bridge Hydraulics
Steve Udsinski, Highway Hydraulics

FHWA: Renee Sigel, Planning, Research and Environmental Team Leader

U.S. Army Corps of Engineers:
Michele Gomez
Vance Hobbs
David Capka

US EPA: Roy Denmark, NEPA Program Manager

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MDE:	Elder Ghigiarelli, Jr. Terry Clark
M DNR:	Larry Hughes
US F&W:	Bob Pennington David Sutherland
MOP:	Christine Wells
NMFS:	John Nichols Tim Goodger
RK&K:	David Wallace, Partner Lisa Zeimer, Project Planner Robert A. Palmer, Environmental Specialist Jeremy Madaras, Engineer
A.D. Marble:	Andrew C. Parker, Environmental Scientist

These minutes were written by SHA and distributed to all the agencies and team members involved in study. Subsequent to this distribution, the Corps of Engineers informed SHA of comments or disagreement with some of the statements made in these minutes. Appropriate corrections and additions are shown below in redline font as changes.

Cumulative Impacts

A package on cumulative impacts was faxed to all agencies on August 22, included in the meeting minutes package from the August 10 meeting minutes, and distributed again at this meeting to those who needed additional copies. This has been followed up by phone calls to resolve the outstanding issues. Comments on the cumulative effects analysis are being incorporated into the workplan.

Time Frame, Geographic Boundaries, and Analysis Methodologies

All agencies agreed with the time frame and the basis for an analysis methodology to be used for the cumulative effects analysis. County, sub-watershed, and watershed boundaries will be used as appropriate in the analysis. The Worcester County boundary will be used for most issues while some issues (such as wetlands) will require an analysis based on the natural resource boundaries (sub-watershed and watershed boundaries). The agencies and SHA agreed that the time frame for the cumulative effects analysis will be from the early 1970's through 2020.

Issues List

A cumulative effects analysis will be conducted for the following issues: Wetlands and Waters of the U.S., Surface Waters, Land Use, and Sensitive Areas of Concern. Sensitive Areas of Concern include habitats for threatened and endangered species, wetlands, woodlands, coastal bays, floodplains, and streams. The team felt that an analysis of steep slopes would not be

necessary since these are not extensive in Worcester County. Agency concerns regarding specific resources such as wildlife and wildlife habitat will be addressed through the analysis of land use and Waters of the U.S. The cumulative effects analysis would provide the most informative results concerning any cumulative effects of the US 113 project. SHA will ensure that the county planners concur with this list of issues.

At the request of the agencies, floodplains was added to the list of issues for analysis. Originally it was not included since floodplains are a regulated resource. The analysis of floodplains would include the following:

1. Data concerning the past effects to floodplains
2. Description of the regulatory requirements for floodplains
3. Explanation that cumulative impacts to floodplains would not be significant since regulations prevent floodplain impacts

For each issue contained in Chapter 3 of the document, SHA agreed to include in the FEIS an explanation for why a cumulative effects analysis was or was not conducted for each resource. This explanation will be brief and may refer to other sections of the document.

It was decided at this meeting that each issue included in the Affected Environment Section of the Draft Environmental Impact Statement (DEIS) will be reviewed for its relevance for cumulative effects related to the US 113 planning study. A letter will be sent to the agencies explaining for which resources a cumulative effects analysis will be conducted and why. These explanations will also be included in the FEIS.

Data Collection

The agencies agreed that only existing data should be used in a cumulative effects analysis. No new data collection should be initiated for the sole purpose of inclusion in a cumulative effects analysis.

SHA will be coordinating with Worcester county to obtain any data they may have especially any information from the Master Plan. SHA can obtain existing data from sources identified in the cumulative effects analysis outline.

Data that is available on groundwater will be included. Some groundwater information may be available from the County Master Plan.

David Sutherland requested a past and present wildlife survey for the corridor and that DNR would have this information available. Mr. Sutherland also mentioned that if he were doing the analysis he would include a map of all floodplains in the area. SHA will contact DNR and other appropriate data sources to clarify what information is available and if a compilation of this data is reasonable or feasible.

Wetlands

Because of the critical importance of fully analyzing potential wetland impacts, RK&K prepared and distributed a conceptual wetland minimization plan for the dualization of US 113. It was

agreed that the resource agencies and SHA should look at this project with the same goal in mind; to consider some creative approaches to cost-effective wetland minimization while not sacrificing safety (the purpose and need). These conceptual strategies were developed for each individual wetland along the entire corridor. An explanation of the wetland minimization strategies was included in the 11X17 Wetland Minimization Report dated September 10, 1997. Please contact Sue Rajan for a copy of this report if you did not receive it. With the exception of the COE, SHA and the agencies agreed to a conceptual wetland minimization plan throughout the entire project area for the Alternative 3S and 3N/4N Combination Alternative. The minimization options to be incorporated into the project design are detailed in Tables 1 and 2.

Wetland 8 - The Cypress Swamp
Because Wetland 8 is a wetland resource of critical concern, special wetland minimization techniques were investigated. The discussion centered around two options that had the least impact to the wetland. One option included placing sheeting and shoring along the western side of the proposed roadway to limit the impacts from widening on that side. Another option included realigning the roadway and placing sheeting and shoring on both sides of the roadway to further reduce impacts. The first option mentioned has 0.2 acres of impact more than the realignment option. It was understood that the realignment option may involve significantly higher costs than the other one. If a significant additional cost on the magnitude of $7-8 million is necessary for realignment, then, with the exception of the COE,- the agencies agreed that SHA could instead build the sheeting and shoring option with widening to the west of existing road and purchase some portion of the Cypress Swamp for preservation.

Wetland 23 and 26
Minimization for these wetlands consisted of beginning the transition from the existing dualized roadway. SHA will look at the feasibility of further minimizing impacts to these wetlands.

Wetland 28 and 29
The alignment was moved closer to St. Martin's Church in order to minimize wetland impacts to wetlands 28 and 29. The effect to St. Martin's Church is adverse regardless of how close the roadway is to the church.

Wetland 36
The agencies suggested widening on the other side of the road to minimize impacts to this wetland. Andy Parker (A.D. Marble) stated that a C&P switch gear building is located on the other side of the roadway and moving this building would be somewhat involved and very costly.

Table 1 - Conceptual Wetland Minimization Options to be included in Alternative 3S

Wetland Number	Wetland Functions	Option for Implementation	Approximate Impact (acres)
1	a	C	0.10
2	a,b,c,d	D (10' Median)	0.36
3	a	B	0
4		No Impact	0
5	a,b	C	0.20
5A	a,b	C	0.22
6	a,b,c,d,e,f,g,h	C	0.40
7	a,b,c,d,e,f,g,h	No Impact	0
8	a,b,c,d,e,f,g,h	see NOTE	0.20
9	a,c,d	B	0
10	a,c,d	No Impact	0
11	a,c,d	B	0
12	a,c,d,e,f,g,h	D (10' Median)	1.12
13	a,c,d,e,f,g,h	C	0.40
14		No Impact	0
15	a,b,c,d,g	D (16' Median)	0.27
16		D	0.30
17	a,b,c,d,e	D	0.07
18	a,b,c,d,e	C	0.80
19	a,b,c,d,e	No Impact	0
20	a,b,c,d,e	No Impact	0
21	a,b,c,d,e	No Impact	0
22	a,b,c,d,e	C	0.22

- **Option B - 34 foot median with 20 feet of safety grading (4:1 side slope).**
- **Option C - 34 foot median with guardrail and 2:1 side slope.**
- **Option D - Reduced median width with guardrail and 2:1 side slope.** For safety and operations, the 34 foot median was maintained at all intersections. An attempt was made to taper to a 10 foot median for sensitive wetlands that were more than 1500 feet from an intersection. However, some wetlands are located along horizontal curves and a sight distance safety problem occurs with a 10 foot median width. In areas where there is both a wetland and a sharp curve, a 16 foot wide median would be the minimum needed to ensure safety.

NOTE: The 0.2 acres of impact to Wetland 8 refects the impacts associated with placing sheeting and shoring on the western side of the roadway. Please see the text for further explanation.

Principal Wetland Functions

a) **wildlife habitat**
b) **groundwater recharge/discharge**
c) **sediment/toxicant retention**
d) **nutrient removal**
e) **floodplain alteration**
f) **production export**
g) **uniqueness/habitat**
h) **visual quality/aesthetics**
i) **sediment/shoreline stabilization**
j) **fish/shellfish habitat**

Table 2 - Conceptual Wetland Minimization Options to be included in the Combination Alternative 3N/4N

Wetland Number	Wetland Functions	Option for Implementation	Approximate Impact (acres)
23	a,b,d	E	1.29
24	a,b,d	No Impact	0
25	a,b,d	No Impact	0
26	a,b,d	E	1.07
27	a,b,d	D (16-34' Median)	<1.18
28	a,b,c,d,e,f,h,i,j	E	0.92
29	a,b	E	<0.10
30	a,b,c,d,e,f,g,h,i,j	D (10' Median)	<0.71
31	a,b,c,d,e,f,g,h,i,j	D (10' Median)	<0.58
32		No Impact	0
33	a,b,d	No Impact	0
34	a,b,d	No Impact	0
35		No Impact	0
36	a,b,d	C	0.33
37	a,b,d	C	0.40
38		C	0.70
39	a,b,d	No Impact	0
40	a,b,c,d,e,f,h,i,j	C	0.26

- **Option B - 34 foot median with 20 feet of safety grading (4:1 side slope).**
- **Option C - 34 foot median with guardrail and 2:1 side slope.**
- **Option D - Reduced median width with guardrail and 2:1 side slope.** For safety and operations, the 34 foot median was maintained at all intersections. An attempt was made to taper to a 10 foot median for sensitive wetlands that were more than 1500 feet from an intersection. However, some wetlands are located along horizontal curves and a sight distance safety problem occurs with a 10 foot median width. In areas where there is both a wetland and a sharp curve, a 16 foot wide median would be the minimum needed to ensure safety.
- **Option E - Realignment with a 34 foot median and guardrail (2:1 side slope).** For some wetlands a reduced median was also possible.

"<" denotes "slightly less than"

Principal Wetland Functions

a) **wildlife habitat**
b) **groundwater recharge/discharge**
c) **sediment/toxicant retention**
d) **nutrient removal**
e) **floodplain alteration**
f) **production export**
g) **uniqueness/habitat**
h) **visual quality/aesthetics**
i) **sediment/shoreline stabilization**
j) **fish/shellfish habitat**

Selected Alternative

The agencies were asked whether they would be able to concur on Alternative 3S and Alternative 3N/4N Combination as the recommended alternative if the conceptual wetland minimization plan were incorporated into this planning study. The following agencies agreed that they would recommend concurrence with Alternative 3S and Alternative 3N/4N Combination with a 34 foot median except where modified by the conceptual wetland minimization plan:

- U.S. Fish and Wildlife Service - concurs contingent on mitigation
- Environmental Protection Agency - concurs contingent on mitigation
- Federal Highway Administration- concurs contingent on safety study of narrowed median
- National Marine Fisheries Service - concurs contingent on mitigation
- Maryland Department of the Environment - concurs
- Maryland Department of Natural Resources - concurs
- Maryland Office of Planning - concurs contingent upon inclusion in the access management program

The U.S. ACOE further responded that a permit would be foreseeable for Alternative 3S and Alternative 3N/4N Combination with a 34 foot median except where modified by the conceptual wetland minimization plan assuming these conceptual minimization options and a mitigation plan is included.

Access Management

An access management plan is being developed for US 113 and the corridor has been included for funding in the Access Management Program. A work-in-progress access management plan was reviewed. An analysis of each property along the corridor is underway. The goal of the program is to provide as much control of access as possible without condemnation of single-resident properties.

As properties go up for sale they will either be purchased or their access could be reconfigured. The program would then result in a reduction in the net number of access points.

Other Agency Comments

Handouts were provided at the meeting to address previous comments that the agencies had concerning truck weigh stations, accident statistics, farm equipment, and a draft schedule for the project. SHA will continue to work with the agencies to ensure that their comments are adequately addressed.

Future Meetings

The agencies will be meeting with Congressman Gilchrest on September 18th.

These minutes are based on the interpretation of the writer. If you have any additional questions or comments please call Mrs. Sue Rajan, Project Manager at (410) 545-8514 or Ms. Catherine Maher, Project Engineer at (410) 545-8544.

by:

Ms. Catherine Maher
Project Engineer
Project Planning Division

cc: Attendees (w/attachments)

Corrections and additions by the Corps of Engineers to the Minutes from the September 10, 1997 Meeting

On September 10, 1997 a meeting was held with SHA and the agencies involved with the development of the US 113 project from South of Snow Hill to the Delaware State Line. Meeting minutes dated September 12 were written by SHA and distributed to all the agencies and team members involved in study. Subsequent to this distribution, the Corps of Engineers informed SHA of comments or disagreement with some of the statements made in these minutes. A list of the comments on the minutes is included below with appropriate corrections and additions.

Agency Comment: *Include the time frame that was agreed upon for the cumulative effects analysis*
SHA Response: The agencies and SHA agreed that the time frame for the cumulative effects analysis will be from the early 1970's through 2020.

Agency Comment: *The agencies stated that all resources discussed in the Affected Environment Section need to be addressed in the cumulative effects analysis. If there is documentation that demonstrates that no effect would occur to that resource then justification and documentation should be included in the FEIS.*
SHA Response: It was decided at this meeting that each issue included in the Affected Environment Section of the Draft Environmental Impact Statement (DEIS) will be reviewed for its relevance for cumulative effects related to the US 113 planning study. A letter will be sent to the agencies explaining for which resources a cumulative effects analysis will be conducted and why. These explanations will also be included in the FEIS.

Agency Comment: *SHA can obtain existing data from sources identified in the cumulative effects analysis outline.*
SHA Response: SHA is using this data.

Agency Comment: *The meeting minutes stated that the agencies agreed to the conceptual wetland mitigation plan at the meeting and the COE felt this statement was inaccurate.*
SHA Response: All agencies with the exception of the COE signed their concurrence with the September 9, 1997 minutes. The COE sent a letter of concurrence with the Selected Alternative on September 18, 1997.

Agency Comment: *The COE did not agree to an option at Wetland 8.*
SHA Response: The COE did not concur with a minimization option at this meeting pending additional studies to be completed in this area.

F. Public Letters

F. Public Letters

Following circulation of the Draft EIS/Section 4(f) Evaluation in May 1997 and the June 17, 1997 Combined Location/Design Public Hearing, approximately 2,050 letters from the public were received by SHA. SHA received letters from school teachers, farmers, business owners, nurses, mail carriers, firemen, policemen, children and parents; many of which addressed accidents on US 113 and relayed information concerning a friend, relative or neighbor who was in an accident. All except six were in support of dualization from Snow Hill to the Delaware state line. Letters of support from elected officials, organizations, agencies and citizens were received from the following groups:

700 letters from school children supporting dualization.
700 form letters from citizens supporting dualization.
400+ letters with specific comments from citizens, all in support of dualization.

Due to the huge number of public letters received on this project, the 2,050 public letters have not been reproduced in this Final EIS. Those agencies or individuals who wish to review these letters are encouraged to review the complete three (3)-volume Public Hearing transcript, which is on-display at several local libraries in Worcester County; SHA District 1 Offices in Salisbury, MD; SHA Headquarters in Baltimore, MD; and, FHWA Division Office in Baltimore, MD. Addresses and phone numbers for these locations are as follows.

Berlin Branch Library
220 North Main Street
Berlin, MD 21811
(410) 641-0650

Snow Hill Branch Library
307 North Washington Street
Snow Hill, MD 21863
(410) 6323-2600

Ocean City Branch Library
14th Street & Philadelphia Avenue
Ocean City, MD 21842
(410) 289-7297

Pocomoke City Library
301 Market Street
Pocomoke, MD 21851
(410) 957-0878

Maryland State Highway Administration
District One Office
660 West Road
Salisbury, MD 21802
(410) 543-6715

Maryland State Highway Administration
Headquarters
707 North Calvert Street
Baltimore, MD 21202
1-800-548-5026

Federal Highway Administration - Division Office
The Rotunda - Suite 220
711 West 40th Street
Baltimore, MD 21211

Each letter received on this project was reviewed by the Project Planning Team and an individual response was mailed. The following pages list every name of the individuals who provided comment letters on this project since May 1997.

Over 2,250 letters were sent to the State Highway Administration. Of these, 2248 letters expressed support for a four-lane dualized highway. All letters stated concerns for the safety problems along the highway. Close to 1,300 of these were form letters. Over 600 letters supporting dualization were written by schoolchildren. A breakdown of the more specific comments and a tally of the number of similar comments is listed below:

- **2248** comments in support of a four-lane, dualized highway
- **2248** comments expressed concerns regarding safety along the highway
- **97** comments that the project is long overdue
- **46** comments mentioned the dangers associated with trucks along the corridor, increasing dangers from trucks
- **23** comments mentioned that safety improvements such as headlights, warning flashers, and wide pavement markings have helped but are still not completely solving the problem
- **17** comments talked about problems with passing including unsafe passing areas, illegal passing, and the speed differences between passing drivers on the roadway creates danger
- **16** comments about the growing population and traffic volumes creating additional safety problems
- **14** comments mentioned the high number of tourists, out-of-town drivers, increasing number of tourists traveling through the area
- **12** comments on the operation of farm equipment along the roadway
- **10** comments discussed safety and operational issues associated with school buses along the roadway
- **6** comments that the road is necessary for the economic growth and development of the area
- **5** comments noted differences between the cross-section of US 113 between Delaware and Maryland and that Delaware reserves funding for US 113 and so should Maryland
- **3** comments noted that drunk-driving is a problem
- **3** comments mentioned that more highway funds go toward the metropolitan areas, the eastern shore is ignored when it comes to highway funding
- **3** comments mentioned that local and through traffic have different driving habits
- **3** comments specifically supported Alternative 3S
- **3** comments mentioned a need for more police enforcement
- **2** comments asked for other improvements including lowering the speed limit; add more stop lights; add warning flashers before stop lights; additional guardrail, lighting, and intersection improvements
- **2** comments discussed wetlands: impacts to wetlands are undesirable but necessary; elevate the roadway to avoid wetlands

- 2 comments suggesting that weigh stations are needed to prevent trucks from using US 113 to bypass the weigh stations on US 13
- 2 comments expressing concerns about driveway access with a median and truck access to local farms
- 2 comments specifically in support of a 34-foot median
- 2 comments expressed concern about impacts to their property
- 2 comments mentioned the need for safety improvements at the Jarvis/Bunting Road Intersection
- 2 comments asked that the Friendship Area not be impacted by the proposed improvements
- 1 comment specified support for Alternative 4N Modified
- 1 comment specified support for the 3N/4N Combined Alternative
- 1 comment asking to straighten the road
- 1 comment specifically against Alternative 2S
- 1 comment suggested an alternative alignment that follows the railroad tracks south of Showell

Six letters expressed opposition to dualization of US 113. These letters specified a number of reasons for their opposition and an explanation of each letter is presented below.

1. The accidents were not the result of problems with the roadway, but a problem of the drivers along the roadway. As an alternative, drivers should be educated and something should be done about the tourists.
2. The road should not be widened since it would affect my house. Instead, spot improvements should be implemented where people have died. Alternatively, passing can be eliminated by placing a barrier in the center of the road like on MD 90.
3. Against the dualization especially in the southern section since it will degrade the rural environment. Prefers Alternative 2S with a 20 foot median. The 34 foot median would require more right-of-way than is necessary. An alternative with no median should be considered.
4. Leave US 113 the way it is. There is no need to spend money on something that is not needed. It is not a dangerous road, just dangerous people. More police enforcement would helpful.
5. Do not extend the highway into my yard. Tax money should not be going to a problem that only happens because of bad drivers. Pretty soon the whole world is going to be one big piece of asphalt.
6. All traffic should be rerouted to US 50 and US 13. Preferred alternative for the southern section is 2S (20 foot median). Expressed opposition to dualization and a 34 foot median.

US 113 MAILING LIST

Ms. Amber Abrams
Mr. Edwin Abrams
Ms. Jeannette Abrams
Ms. Caitlin Adamchak
Mr. Mikhail Adamchak
M' Lura Adkins
Ms. Zaaira Ahmad
Mr. James Albert
Ms. Lauren Alexander
Mr. William E. Alleis, Jr.
Ms. Angela Allen
Mr. Bob Allen
Ms. Marilyn Allen
Ms. Leilani Ancheta
Mr. Paul Anderson
Ms. Caroline Andes
Mr. Jon M. Andes
Mr. Barry L. Andrews
Ms. Anna L. Andrews
Ms. Denise Apple
Ms. Kristy Apple
Ms. Mary Apple
Dr. Jane R. Apson
Mr. Brenton Archut
Mr. Donald Ardis
Ms. Lisa G. Ardis
Mr. Ralph Ardis
Ms. Tammy Armacost
Mr. Ernest H. Armstrong
Mr. Robert Arnold
Ms. Alison Ash
Ms. Louise Ash
Ms. Andrea L. Ashby
Mr. Keith Aydelotte
Mr. Dexter Ayers
Ms. Patricia Ayers
Mr. Greg Bacani
Mr. Barry Bacon
Ms. Deonna Bailey
M' Teresa Bailey
Ms. Tracey Bailey
Mr. David Lee Baine
Mr. Irvin C. Bainum
Mr. Jordan Bakall
Ms. Jen Baker
Ms. Nicole Baker
Mr. Tommy Baker
M' Jaime Ball
Ms. Christine Bane
Mr. Brian Bankert
Ms. Michelle Bankert
Ms. Patricia G. Barbely
Ms. Tammy L. Bare
Mr. Joseph Barkhead
Mr. Harrison Barne
Ms. Jamie Barrett
Ms. Rita Barrett
Ms. Jamie Bartlett
Ms. Rosemary Bartz
Mrs. Terri Batson
Ms. Debbie P. Baylis
Ms. Christy N. Beacuhamp
Ms. Laura Beauchamp
Mr. Mannie J. Beckett
Ms. Delores Beers
Ms. Gerri Bell
Ms. Phyllis A. Bell
Mr. Reginald H. Bell
Mr. Ryan Bell
Mr. Robert E. Benn
Mr. R. Keith Berdan
Ms. Joanne Berdan
Ms. Kristin Beringson
Mr. Shawn Berkey
Mrs. Mary Berthel
Ms. Kristen Betterton
Mr. Lewis Bilbrough
Mr. Robert Birch
Mr. Joseph Birch, III
Ms. Janet Birch
Ms. Lakeisha Bishop
Mr. Glen Blackburn
Ms. Nancy Blackburn
Ms. Jessica Blain
Ms. Margaret M. Blair
Ms. Allison Blaké
M' Chimere Blake
Chimere L. Blake
Mr. D. Denny C. Bliss
Mr. William Blossfield
Ms. Mary Jane Blossfield
Ms. Janie Bloxom
Mr. Orman Bloxom
Ms. Thelma D. Bloxom
Mr. David Bodley
Mr. David W. Bodley
Ms. Joan Marie Bodley
Ms. Jessica Bolling
Mr. George Bonneville
Ms. Londora Bonneville
M' Morgan Bono
M' Cora Booth
Mr. Raymond Borowski
Ms. Doris Borowski
Ms. Susan Boston
Mr. Hunter Bounds
Ms. Bessie Bowen
Ms. Shynika Bowen
Mr. Timothy Bowen
Ms. Beth A. Bowser
Mrs. Joyce Boyer
Mr. Daniel L. Bradford
Mr. Michael Bradford
M' E. R. Bradford, Jr.
Ms. Angela Brady
Ms. Eleanor Brady
Mr. Richard Brady
Ms. Theresa Branton
Mr. Bill Bratten
Mr. Gary Brenner
Ms. Kelly Brewington
Ms. Elsie E. Briddell
Ms. Ashley Bright
Ms. Jeanie Brink
Ms. Tracy L. Brisco
Mr. Wayne Briscole
Mr. Daniel Brissey
Ms. Chantal Brittingham
Ms. Kelly Brittingham
Ms. LaSharon C. Brittingham
Ms. Laura Brittingham
Ms. Taneka Brittingham
Mr. Bryan Brooks
Mr. John Broschard
Ms. Ashlee Brown
Ms. Carlie Brown
Ms. Carolyn Brown
Ms. Deborah A. Brown
Ms. Jackie W. Brown
Mr. James Brown
Mr. James E. Brown
Ms. Katie Brown
Ms. Nikole L. Brown
Ms. Shirley P. Brown

US 113 MAILING LIST

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Ms. Virginia J. Bullis
Ms. Colleen A. Bunting
Ms. Leslie Bunting
Ms. Margaret Bunting
Mr. Layton E. Bunting, Jr.
Mr. Bernard Burner
Ms. Patricia Burner
Mr. William Burrows
Mr. Roger Burton
Mr. Thomas Burton
Ms. Betty Burton
Mr. Edward Burton, Sr.
Ms. Katherine Butler
Mr. Mel Butler
Ms. Angelina Buttion
Ms. Angelina Button
Mr. Harry W. Butts
Ms. Julia Byrd
Ms. Kristin Cadmus
Ms. Shirley E. Calvarese
Ms. Megan Canigiani
Ms. Amanda Cannon
Mr. Lawrence E. Cannon, Jr.
Mr. Samuel Card
Ms. Kim Carlins
Mr. Aaron Carmean
Ms. Heather Carpenter
Mr. Jason Carpenter
Mr. Joshua Lee Carpenter
Ms. Amy Carr
Mr. Howard L. Carstens
Mr. Kevin M. Carter
Mr. Matt Carter
Ms. Sabrina Celid
Ms. Sarah Chandler
Mr. O. S. Chandler, III
Ms. Jeannine Chapman
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G. Selected Revised Minutes of J.D. Review Meetings

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

December 2, 1996

TO: Rob Shreeve, Project Manager
Environmental Programs Division

FROM: Todd Nichols { revised January 28 ,1998 by Jack Hett}

SUBJECT: U.S. 113, Wetland Jurisdictional
Field Review - Minutes

On November 25, 1996, the first day of a two day field review, representative of the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers and SHA met at 8:00 AM at the Church located at U.S. 113 and MD 90. The attendees were:

Mr. David Sutherland	U.S. Fish and Wildlife Service
Mr. Al Rizzo	U.S. Fish and Wildlife Service
Mr. Jeff Trulick	U.S. Army Corps of Engineers
Ms. Michele Gomez	U.S. Army Corps of Engineers
Mr. Todd Nichols	MD State Highway Administration
Gary Jellick	Coastal Resources, Inc.

Due to the severe weather, the attendees agreed to meet back at the site at 12:00 noon. At noon the group reconvened and began the jurisdictional review at wetland 27. As was discussed at a previous meeting between Susan Jacobs, Michelle Gomez, and Gary Jellick, the group was to determine whether wetland soils and hydrology was present. As a result of this review, it was determined that although a primary indicator of hydrology was not present, that two secondary indicators was adequate to verify hydrology (this was verified in the 1987 Corps Manual). After examination wetland flags were placed at the graded toe of fill on the existing Rt 90 interchange, Most wetland flags were moved 100 feet or so west (away from proposed work). The hydrology of this system was very complex, and with the thick understory of pepperbush and greenbrier, the J.D was very time consuming. Gary Jellick noted all flags which were moved.

On November 26, 1996 the group met at 8:00 AM and broke into two groups. Todd Nichols and Jeff Trulick reviewed the wetlands adjacent to existing U.S. 113 and the others reviewed those wetlands along Alternate 4N, the selected alternate. Gary Jellick will be writing Alternative 4N J.D. results.

My telephone number is _____

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Results of Todd and Jeffs J.D. review:

W-24. No flags were moved, Jeff concurred with the J.D. of the forested area; however, he did have some concerns about the farm field located south of W-24. This area of farm field should be flagged as wetlands if any road improvements are planned here.

W-25 This system is much more extensive than is depicted on the original plans. The wetland line was extended about 300 ft. N.E. along U.S. 113. We removed flags 4, 5, & 6, but added flags 3D and 3E. The Corps will take jurisdiction of the roadside ditch for several hundred feet as the ditch conveys this wetland hydrology to other jurisdictional areas. Evidence of groundwater flowing from the wetland into the ditch was present. W-24 and W-25 are connected by groundwater and act as one hydrologic unit. Wetland boundaries on this property outside of right of way were not verified by COE. Note that wetlands are present but not flagged due to outside of the ROW.

W-34 No flags moved, Jeff concurred with most of the flagged wetlands; however, a corner of the farm field is disturbed farmed wetlands and should be delineated and flagged. Jeff took note of recent logging activities 800 feet west of U.S. 113.

W-33 No flags moved, Jeff concurred with the flagged wetlands. He felt the ditch located near sta. 2265 is jurisdictional waters of the US conveying hydrology to other jurisdictional areas. The ditch conveying hydrology to the R4X wetland should be shown as jurisdictional.

W-36 The area has recently been "bushhogged", so we reflagged the limits along U.S. 113.

Around 1:30 PM we met the rest of the attendees at W-37. We attempted to verify the limits of the "upland island" 800 feet west of sta. 2315 on existing U.S. 113. After nearly forty-five minutes I decided to call the entire area in as wetland; however, if alternate 4N is chosen SHA and COE will revisit this area to determine presence of this upland island.

In summary, the northern section was completed with minor changes. The biggest concern will be the status of the disturbed farmed wetlands.

If you have any further questions see me or call Gary Jellick.

Thanks for the opportunity to help out on this project.

COASTAL
RESOURCES
INC.

To: Rob Shreeve, Project Manager
Environmental Programs Division

From: Gary Jellick, Coastal Resources, Inc.

Date: December 11, 1996
Revised August 8, 1997

Subject: U.S. Route 113, Snow Hill to Delaware State Line
Wetlands Jurisdiction Determination,
Supplemental Meeting Minutes for November 26 and 27, 1996

The following documentation is intended to supplement the meeting minutes prepared by Todd Nichols for the referenced project (see memorandum to Rob Shreeve dated December 2, 1996). The attendance list and overview of the field review is provided in Mr. Nichols' minutes.

Northern Study Area Alternate 4N

Wetland 27 Flags 1A to 5A were moved 50 to 100 feet west away from the southbound on-ramp. Flag #1 thru flag #37 along the mainline were verified by all in attendance. Flags 38 to 40 were not verified by the agencies because they were outside the proposed r/w.

Note: the entire group reviewed the delineation for Wetland 27 during the afternoon of November 26. The group broke into two teams on November 27 to continue the field review. Michele Gomez, Al Rizzo, and Gary Jellick reviewed the following wetlands.

Wetland 23 Two new flags (2A and 3A) were added along the northern edge of the wetland to include a wet "finger". All other flags were verified without modification.

As the team walked north along the proposed alignment toward Wetland 26, three small depressional wetlands were identified that were not shown on the plans. One of the depressions was flagged with nine flags (identified as New3). The team decided not to flag the other two depressions in order to save time. Coastal Resources will flag the remaining two depressions at a later date when the agencies return to complete the review for the southern study area.

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Wetland 26 The agencies determined that a farmed wetland exists within the agricultural field located approximately between station ~~2014~~ 2013 and 2016. The farmed wetland is contiguous with Wetland 26. The agencies also determined that the area of phagmites, which was not originally flagged, should be included in the wetland by ~~connecting flag 1A to flag 8A (eliminate flags 2A to 7A).~~ eliminating flags 1A to 3A and connecting flag 15B to the farmed wetland.

Wetland 37 The agencies verified flags 1 to 41 along Alternate 4N with one modification: flags 26 to 29 were removed so that now flag 25 should connect to flag 30.

Flags 1 to 31 along existing U.S. 113 were verfied by the agencies with the following modifications: flag 25 was moved approximately 25 feet east toward 113 and the Corps made note that the wetland should extend approximately 10 feet into the mowed lawn of trailer home between flags 1 and 3. Ms. Gomez stated that we could off-set the line on the map without moving the flags since it is a mowed area.

In summary, the wetlands identified by Coastal Resources in the northern study area have been field verified by the agencies, and surveying should now be completed for accurate representation on the project plans. Coastal Resources will flag two, small depressional areas between wetland 23 and wetland 26 for future verification by the agencies. Coordination with the NRCS will be needed to address farmed wetlands in the study area; however, Ms. Gomez stated that the Corps has the lead on linear projects.

If you have any questions regarding these minutes, please at (410) 956-9000.

cc: Todd Nichols
Andy Parker (RKK)

COASTAL
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MINUTES OF MEETING

Project: U.S. Route 113, Snow Hill to Delaware State Line
Project No. WO 720-1-1-170-P

Date: October 29 to 31, 1996
Revised December 8, 1997

Purpose: Wetland Jurisdiction Determination

Location: Snow Hill, Worcester County

In Attendence:

Lee Carrigan, SHA-PPD	Mary Huie, FHWA
Paul Maloney, SHA-PPD	Bill Carver, SHA-PPD
Lorraine Strow, SHA-PPD	John Zanetti, SHA-HDD
Robert Shreeve, SHA-EPD	Andy Parker, RK&K
Gary Jellick, CRI	David Sutherland, USFWS
Michele Gomez,USACE	Larry Hughes, MDDNR

The purpose of the meeting was to conduct a jurisdiction determination (JD) of forty wetlands identified and flagged in the project planning area by Coastal Resources, Inc. The field review was scheduled for three days.

The attendees met at the SHA District garage in Snow Hill at 8:00 a.m. on October 29, 1996. An overview of the project was presented by Lee Carrigan, Gary Jellick, and Andy Parker. The initial schedule for the field review was to complete the southern study area on the first day, and move to the northern study area on days 2 and 3. However, the schedule was revised within the first few hours of the field review when it became apparent that much more time would be needed to complete the jurisdiction determination for the entire planning area.

A joint decision was made to focus the field review on the northern study area since the northern portion of the project would likely be built before the southern study area. The review was shifted to the northern study area at 1:00 p.m. on October 29. The following information summarizes the results of the jurisdiction determination in the order that the wetlands were reviewed.

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Southern Study Area

Wetland 8 - West side only. Wetland boundary between flag numbers ~~1 to 20~~ W5-1 thru W5-20 (last flag) approved by the agencies and all in attendance. No changes to flagging.

Wetland 6 - West side only. Wetland boundary between flags ~~1A to 8A~~ N4-1A thru N4-8A (last flag) and ~~1B to 22 B~~ N4-1B thru N4-22B (last flag) verified by the agencies. The ditch that extends north of Wetland 6 to the culvert (approx. 250 feet) was determined to be jurisdictional by the Corps because it connects two jurisdictional wetland areas. The ditch should be shown as PEMx on the wetland map; the "x" signifies that it is excavated. The ditch averages 8 feet wide south of the culvert and five feet wide north of the culvert. A flag was placed 100 feet north of the culvert to delineate the limit of regulatory jurisdiction in the ditch.

No decision was made by the Corps concerning the ditch south of Wetland 6 along Public Landing Road; additional information must be reviewed to make the JD. (refer to minutes dated January 22-23, 1997 concerning jurisdiction of ditches)

Wetland 5 - The wetland boundary from flags 1 to 9 (last flag) were verified by the agencies.

A new wetland area was identified by the Corps approximately 2000 feet north of Wetland 5, near the Worcester County jail. The wetland was identified as New-1 and five flags were used to delineate the boundary. New-1 is approximately 30 x 100 feet. (refer to minutes dated February 27, 1997 for Wetland 5A)

A wet spot at the edge of an agricultural field was observed approximately 1200 feet north of Wetland 5. Wetland vegetation was present in the wet spot; however, the soil did not exhibit hydric characteristics. The Corps stated that the NRCS would have to make the jurisdiction determination in this area.

The pond located on the east side of US 113 across from W-5 was not verified because it is outside of the study area.

Wetland 3 - West side only. The wetland boundary between flags 1 and 6 (last flag) were verified by the agencies. An area immediately south of Wetland 3 was inspected and was determined not to be jurisdictional by the Corps. This non-jurisdictional area was not originally flagged by CRI, but shows up on the wetland delineation map from previous site planning studies (NWI maps). The wetland designation will be removed from the map. (refer to revised minutes from February 27, 1997)

Wetland 1 - West side only. Wetland boundary flags 1 to 5 (last flag) were verified.

A new wetland (New-2) was identified in a swale located 150 feet north of W-1. The wetland boundary will be flagged by CRI at a later date. Work is not currently proposed on the east side of US 113. However, if work is proposed on the east side, more detailed review of wetlands will need to take place.

Northern Study Area

Wetland 40 - West and East side. Wetland boundary verified between flags 1A to 11A (last flag) on the east side, and flags 1B to 13 B (last flag) on the west side. No changes made to delineation.

Wetland 39 (on new alignment, north or Rt. 610) - Delineation verified by the Corps after several flags were moved. Wetland flags have not yet been surveyed; therefore, the flag numbers were not noted.

End of Day 1, 4:45 p.m.

October 30, 1996 (8:00 a.m.) - Group met at Calvery Christ Church parking lot.

Wetland 37 (on new alignment, south of Rt. 610) - The delineation along the northern edge of the wetland was reviewed (flags 32 to 49-last flag). The Corps disagreed with the wetland flagging in this area and all flags were moved, generally to the tree line and Rt. 610. The Corps also noted that the corn field between Rt. 610 and the tree line may be a wetland, and the NRCS would have to be consulted. Flags 1 to 31 were not reviewed by the Corps.

Because of the time needed to review the wetland boundary on flat landscapes and the difference between the original flagging and the Corps flagging, a joint decision was made to postpone the JD on Wetland 37 and try to complete the JD for the major stream valleys of the northern study area.

Wetland 38 (between RR tracks and Rt. 113) - Several flags were moved and the delineation was extended to include the ditch along Rt. 113. All current flag locations (1-12) were verified by the Corps.

Wetland 31 (west side and east side) - Verified flags 1 to 14 on the east side and flags 1 to 6A (south end) on the west side. New flags (1A to ~~5A~~ 6A) were added to include a swale along Rt. 113 in the northwest quadrant. ~~Note: last flag on east side is #29 and last flag on west side is #9, which were not verified~~.

Wetland 30 (west side and east side) - Verified delineation on the west side from flags 1 to 15 (last flag). Added two flags (1A and 2A) to ensure that the entire study area was flagged. Verified delineation on east side from flags 1 to 24 (last flag on in southeast quadrant) and 1A to 10A (last flag in northeast quadrant). The channel that enters the wetland in the northeast quadrant is "waters of the U.S" (~~intermittent ag ditch~~).

End Day 2, 5:00 p.m.

October 31, 1996 (8:00 a.m.) - Group met at Calvery Christ Church parking lot.

Wetland 28 (west side and east side) - Verified delineation north of the stream on the west side from flags ~~1 to 12~~ NW3-1 to NW3-12. (Note: Flags NW3-1,2,3, and 4 were moved and relabeled incorrectly as NW3-9,8,7, and 6, respectively). Verified flags south of the stream on the west side of US 113 from NW-13 to NW-20. Waters of the U.S. continue south in a ditch (phagmites cover) along Rt. 113 to a culvert at Racetrack Road.

Verified delineation on east side from flag 1 to ~~15~~ 20 (last flag), and added three flags in southeast quadrant to ensure coverage of study area (1A - 1C, verified). ~~Note: last flag on west side is #20, which was not verified~~.

Wetland 29 (excavated depression) - Corps tentatively agrees with delineation, but final jurisdiction determination was not made pending additional investigation. Flags 2 to 15 were reviewed but not verified. ~~Note: last flag is #20.~~

End Day 3, 11:30 a.m.

If there are any additions or deletions to these minutes, please contact Gary Jellick at (410) 956-9000 by November 22, 1996.

cc: Attendees

COASTAL
RESOURCES
INC.

MINUTES OF MEETING

Project: U.S. Route 113 from MD 394 to Delaware State Line
Project No. WO 720-1-1-170-P

Date: January 22 and 23, 1997
Revised December 8, 1997

Purpose: Wetland Jurisdiction Determination

Location: Snow Hill, Worcester County

In Attendence: Robert Shreeve, MD State Highway Administration, EPD
David Sutherland, U.S. Fish and Wildlife Service
Michele Gomez, U.S. Army Corps of Engineers
Gary Jellick, Coastal Resources, Inc.

The purpose of the meeting was to complete the jurisdictional determination for the southern study area between Snow Hill and Berlin. The attendees met at the SHA District garage in Snow Hill at 8:00 a.m. on January 22, 1997.

The agencies emphasized that the jurisdictional determination is valid only for the wetland areas that were flagged within the study area. Wetlands have been flagged within 100-feet from the edge of pavement on the side of the road where widening is proposed, and within 50-feet of the edge of pavement on the side where no widening is proposed. If project plans are revised such that disturbance will occur outside of the 50' or 100' study area, additional verification of wetland boundaries will be necessary. Potential wetlands outside the study area are noted on the project plans for information purposes only, and have not been field verified.

In addition to reviewing the location of flagged wetlands, the attendees also noted the characteristics of the numerous ditches in the study area to determine regulatory jurisdiction. The ditches have not been flagged; however, they are identified on the topographic base map for the project. Those ditches that support wetland vegetation, or that appear to be channelized natural streams, where determined to be jurisdictional by the agencies. The jurisdictional determination for each ditch was noted on the project plans, and is not discussed in these minutes.

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All attendees agreed that for the purpose of calculating impacts, the ditches would be assigned a width of 5-feet unless otherwise noted, and would be labeled with the suffix "x" to indicate that the wetland or stream is man-made or excavated (PEMx = emergent wetland ditch; R4x = channelized intermittent stream; R2x = channelized perennial stream). The attendees also agreed that the roadside ditches would be replaced in-kind, and that they should not be included in the overall mitigation requirements for the project.

The following information summarizes the results of the jurisdiction determination in the order that the wetlands were reviewed.

Wetland 1A - West side. This area is a new extension of Wetland 1, which was previously verified by the Corps (referred to as New2 on 10/29-31/96 meeting minutes). The wetland boundary between flags 1A-1 to 1A-8 were verified by all in attendance. Wetland 1A has recently been logged and has a new growth of emergent and scrub/shrub species. Wetland 1 and Wetland 1A are connected by a jurisdictional ditch located along U.S. 113. The jurisdictional ditch will be labeled as PEMx on the project plans.

Wetland 2 - ~~West~~ East side. Wetland 2 was extended to the toe of slope for the road embankment from approximately Station 1101 to Station 1091. Eleven new flags were placed along the toe of slope and were labeled New-1 to New-11. Flag New-11 ties-in to the existing flag E2-3. Flags E2-1 and E2-2 were removed.

The area on the east side of 113, opposite of Wetland 2, was reviewed by the Corps; however, a final decision on regulatory jurisdiction was not made. The Corps stated that additional information will be reviewed, and the SHA will be informed if the area should be flagged. Coastal Resources did not flag the area as a wetland because the plant community is predominately white oak (facu), loblolly (fac-), red oak (facu), American holly (facu), and highbush blueberry (facw). (refer to 2/27/97 meeting minutes)

Wetland 3 - East side. No changes made to wetland flagging. The agencies determined that the ditch that enters the wetland from the south is jurisdictional, and should be labeled as PEMx.

Wetland 4 - South side of Brick Kiln Road. This wetland was not reviewed because the wetland is outside the design area. If final design impacts this area, the wetland line will be verified by the agencies.

Wetland 7 - Wetland boundary between Flag 6C and Flag 22C was verified by the agencies.

Wetland 8 - East side of US 113. The wetland boundary between Flag E5-1 and E5-22 was verified by the agencies. The wetland line south of Public Landing Road was flagged by CRI but was not verified by the Corps because this area is outside proposed impact area. If this area is affected by design changes, this wetland will

need to be confirmed. The area between wetland 7 and wetland 8 was not verified, but the wetland line on the mapping was moved to follow the contour. More detail will be needed in this area if a design change occurs. ~~The wetland map was revised between Station 1215 and Station 1205 to indicate that the wetland comes within 100 feet of the road; however, this area is outside the 50' study area and was not verified by the agencies.~~

The wetland located in the northeast corner of the intersection of US 113 and Brick Kiln Road was not verified because it lies outside of the proposed impact area. If this area is affected by design changes, this wetland will need to be confirmed.

Sta. 1315 - West side. The wooded area immediately north of the Snow Hill Mennonite Church near Test Plot 15 was reviewed. The agencies verified that jurisdictional wetlands do not exist in the area.

Wetland 9 - West side. The jurisdictional area within 100 feet of the U.S. 113 is confined to the stream channel. A scrub/shrub wetland fringe exists within the channel.

- East side. Wetland boundary flags verified. The map should be re-labeled to indicate that emergent wetlands are located outside of the tree-line. The drainage ditch along U.S. 113 immediately north of Wetland 9 is jurisdictional for a distance of 50 feet past the last flag, and should be classified as PEMx.

Wetland 10 - ~~West~~ East side. All flags (E7-1 to E7-10) were verified by the agencies with no modification.

- ~~East~~ West side. Agencies verified that jurisdictional waters are confined to the streambank of Five Mile Branch, which has been channelized. The channel was not flagged.

Sta 1442 to Sta 1457 - Wetlands shown on the mapping that are outside the proposed impact area were not verified by the Corps.

Sta. 1555 - East side, approximately 500 feet north of Newark Rd. The agencies verified that jurisdictional wetlands do not exist in the wooded area. This area appears to be effectively drained by drainage ditches. However, a small emergent wetland, predominantly soft rush, was identified along the south side of the wooded area, within 50-feet of the road. The wetland was field measured to cover a 15'x50' area, which will be shown on the final wetland maps. No flags were placed around the emergent wetland.

Three wet spots were observed in the agricultural field on the west side of 113 between Station 1556 and Station 1561. One of the wet spots is within 100-feet of the road. The ~~agencies~~ Corps stated that NRCS photos shall be reviewed by

SHA/CRI to confirm and delineate any farmed wetlands in this area. The roadside ditch from Sta 1553 is jurisdictional.

Sta. 1575 - West side. The wastewater treatment pond for the Town of Newark is not considered jurisdictional waters by the ~~agencies~~ Corps.

Wetland 11 - The portion of wetland 11 within the study area was verified by the Corps. On the east side of US 113, the stream/wetland complex opens up to a wider wetland system. This portion was not verified because it is outside of the study area. If this area is affected by design changes, this wetland will need to be confirmed.

Wetland 12 -The wetland boundary was verified by the agencies with the following modifications:

West side, northern area

- Flag W9-2 was moved 160-feet east to the edge of the phragmites at driveway culvert.
- Flag W9-3 and W9-4 were moved 20-feet south to the edge of the tree-line.
- Flag W9-9 should connect to Flag W9-15; Flags W9-10 to W9-14 were removed because the wetland extends to toe-of-slope of the road.
- Flag W9-22 was verified without modification (last flag)

West side, southern area

- Flags W9-23, 24, and 25 were moved 20-feet northeast.
- Flag W9-31 was moved 25-feet south
- Flag W9-32 (last flag) was verified without modification
- Ditch along road is jurisdictional (PEMx) for 200-feet south of Flag W9-29

East side, southern area

- Flag E9-1 moved 90-feet south (last flag verified)
- Flag E9-2 moved 50-feet south
- Flag E9-16 moved 10-feet east
- Flag E9-~~18~~ 19 (last flag) verified without modification

East side, northern area

- Flag E9-20 moved 20-feet west
- Flags E9-33, 34, 35 were relocated to the toe of slope (SHA Survey Dept. has been instructed to survey new location of these flags. Flag 35 was last flag verified.
- Flag E9-19 last flag verified

Wetland 13 - West side. Flag W10-2 was moved 60-feet north along road. All other flags W10-1 to W10-11 were verified by the agencies. The channel within 75 feet of the culvert shall be labeled as a perennial stream on the final wetland map.

East side. Flag E10-3 moved 50-feet west to edge of phagmites at culvert. All other flags (E10-1 to E10-11) were verified by the agencies.

Sta. 1697 West side. The agencies confirmed that jurisdictional wetlands do not exist within 100 feet of the road. ~~Potential~~ Wetlands ~~(not confirmed)~~ exist outside of the 100-foot study area in this location. More detailed investigation will need to be done if design changes occur in this area.

Wetland 14 - Wetland is outside the 50' study area and was not verified. The agencies verified that no wetlands exist within 50-feet of the road. Flagged line was not verified; more detailed investigation will need to be done if design changes occur in this area.

Wetland 15 - All flags (1 to 12) were previously verified by the Corps independently after the last field review was completed on November 27, 1996.

Wetland 16 - West side. All flags (1 to 11) verified without modification

East side. Flag 5A moved 25-feet south (Note: Flagging had not yet been surveyed in this area; therefore, the survey plot will not need to be revised). A potential wetland exists outside the 50-foot study area, between Wetland 16 and Goody Hill Road.

Sta. 1733 - West side. A depressional forested wetland was identified, but not flagged, on the west side between Wetland 15 and Wetland 16. The agencies stated that NRCS photos shall be reviewed by SHA/CRI to confirm and delineate any farmed wetlands in ~~this area~~ the field located between Sta. 1734 and 1735.

Wetland 17 - Flag W14-2 was moved 55-feet north into a mowed lawn. (Note: Flagging had not yet been surveyed in this area; therefore, the survey plot will not need to be revised). The Corps stated that the lawn portion of the wetland should be identified as a "Landscaped Wetland".

Sta. 1746 - East side. A potential farmed wetland exists outside the 50-foot study area, approximately 800-feet north of Goody Hill Road. The agencies stated that NRCS photos shall be reviewed by SHA/CRI to confirm and delineate any farmed wetlands in this area.

Sta. 1772 East side. Ditch in this area is jurisdictional.

Wetland 18 - West side. All flags (1 to 14) were verified by the agencies without modification.

East side. Six new flags (18A-1 to 18A-6) were placed between Sta. ~~1760~~ 1759 and Sta. 1762. (SHA Survey Dept. has been instructed to survey new location of these flags). Flags 18B-1 to 18B-6 were verified by the agencies.

Wetland 19 Jurisdictional ditch which enters from the south side of W-19 connects to ditch on west side of US 113. Flags E16-1 to E16-7 were verified.

Wetland 20 - All flags between 17-1 and 17-12 were verified by the agencies. Several flags were moved closer to the road; however, flag numbers were not noted because the flags had not yet been surveyed.

Wetland 21 - East and West sides. All flags verified without modification.

Wetland 22 All flags verified without modification (flags 18-1 to 18-7)

Sta. 2010 On new alignment in northern study area - Two new wetlands were previously identified by the agencies during the field review in November, 1996 and have subsequently been flagged by CRI. The wetlands were flagged New4-1 to 14 and New5-1 to 18. All flags were verified by the agencies without modification. (SHA Survey Dept. has been instructed to survey these new locations)

If there are any additions or deletions to these minutes, please contact Gary Jellick at (410) 956-9000.

cc: Andy Parker (RKK)

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

MEMORANDUM

TO: Lou Ege, Jr., Deputy Director
Project Planning Division

ATTN: Sue Rajan

FROM: Susan M. Jacobs, Acting Chief
Environmental Programs Division

DATE: February 5, 1997

SUBJECT: FMIS No.: WO 721B11
Description: US 113 -- Snow Hill to the Delaware Line

RE: Wetland Jurisdictional Review

Attached for your use are the minutes of the January 22 and 23, 1997, Jurisdictional Review meeting. To ensure that a complete set of the JD meeting minutes exists, the minutes from the October 29 - 31, 1996, and November 26 and 27, 1996, meetings are also included. All the wetlands delineated by Coastal Resources have been verified by the US Army Corp of Engineers. The Maryland Department of Environment Nontidal Wetlands and Waterways Division has stated that they will accept the USACOE determination. The survey crews were on site while the JD was proceeding, and were provided with revised mapping. All ditches containing hydrophytic vegetation are considered jurisdictional and will be noted as such on the plans. The ditches were not flagged or surveyed, but will be shown from the topographic mapping.

There are still issues that need to be resolved as part of the Jurisdictional Determination. USACOE wants to coordinate with the National Resource Conservation Service to make the determination on possible farmed wetlands. Coastal Resources will proceed with evaluating Infrared photos to determine the presence of wetlands in the identified areas.

Wetland 29 was reviewed by USACOE in October, but no formal determination has been made. By receipt of these minutes, USACOE is requested to make a determination.

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Lou Ege
WO 721 B11
February 5, 1997
[revised page 2, Jan 28,1998]

USACE requested, at the November review, that SHA re-check the MD 90/US 113 (Alternate 4N) interchange for the presence of wetlands. At the November meeting, USACE noted that the area adjacent to the interchange may contain wetlands. Due to time constraints, the area was not reviewed because it had not been delineated. Coastal Resources will investigate and delineate as needed. FPD will request USACE verify the delineation when USACE is available.

As noted in the November minutes, Wetland 37 should have a comprehensive delineation completed if Alternate 4N is selected in the area of Sta. 2320+00. Coastal Resources had previously identified an extensive upland inclusion in the wetland, but was unable to locate it at the time of this field meeting.

As referred to in January minutes, the area opposite Wetland 2 has since been determined to have forested wetlands. USACE determined that wetlands do exist after an in-depth vegetative analysis determined that the vegetation was hydrophytic. USACE did not flag the wetlands. Coastal Resources will delineate the wetlands in the next week. EPD will request USACE verify the delineation when USACE is available.

USACE checked a wetland area found on the October JD. The wetland was flagged as "New 1", but was questioned by USACE. USACE determined that the wetland was larger than originally flagged. USACE and USFWS delineated the wetland. SHA needs to survey and show on the plans.

The resolution of these outstanding issues is underway. Please distribute these minutes to all interested parties. If you have any questions or comments, please contact Robert Shreeve at (410) 545-8613.

COASTAL
RESOURCES
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MINUTES OF MEETING

Project: U.S. Route 113, Snow Hill to Delaware State Line
Project No. WO 720-1-1-170-P

Date: March 20, 1997
Revised August 8, 1997

Purpose: Field Review of Potential Wetland Mitigation Sites

Location: Snow Hill, Worcester County

In Attendence: Robert Shreeve, SHA-EPD
Michele Gomez,USCOE
Al Kampmeyer MDE
Gary Jellick, CRI

The purpose of the meeting was to review potential wetland mitigation sites in the southern study area that may be used to compensate for unavoidable wetlands impacts associated with the project. The attendees met at the SHA District garage in Snow Hill at 10:00 a.m. on March 20, 1997. Gary Jellick provided draft copies of site location maps and summary tables for each recommended site based on a preliminary review by SHA and CRI. The following general comments were made by the agencies that would be applicable to all potential mitigation sites:

1. Adjacent land use (current and future) shall be identified as it relates to potential impact on the mitigation sites (i.e., habitat value, hydrology).

2. The U.S. Fish and Wildlife Service and USEPA shall be involved in ranking the suitability of potential sites for wetland mitigation. (Note: The USFWS and USEPA are scheduled to review mitigation sites on March 28, 1997).

3. ~~Archeological~~ Section 106 review of the sites shall be required before the agencies concur with the use of the sites for wetland mitigation.

4. Consultation with the Natural Resource and Conservation Service (NRCS) shall be conducted to verify the status of Prior Converted Cropland or Farmed Wetlands that may

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exist within the proposed mitigation sites, as well as areas which are currently in set aside or acting as mitigation under the Food Security Act.

The following wetland mitigation sites were reviewed by the agencies and were determined to be suitable for additional on-site investigations. At this time, the sites shall be considered potential mitigation sites for the purpose of the environmental document. Final agency concurrence on each site for permitting purposes shall occur after more detailed studies are completed. Refer to the attached table for a general description of each site.

Sites that are potentially suitable for wetland mitigation:

2A - 100' west of station 1035
3 - 2000' east of station 1080
4 - 2500' east of station 1105
4A - 1000' east of station 1132
14 - 3600' west of station 1775
14A - 2000' east of station 1735
16 - 1000' east of station 1865
16A - 100' west of station 1740

Site 6 (1500' east of station 1220) was reviewed and found to be unacceptable for additional investigations because of questionable hydrology and the distance to the cypress swamp along Patty's Branch. CRI and SHA will investigate another area to the south of Site 6 which may offer a direct connection to the cypress swamp.

If there are any additions or deletions to these minutes, please contact Gary Jellick at (410) 956-9000.

cc: Attendees
Sue Rajan (SHA-PPD)
Lisa Zeimer (RKK)

COASTAL
RESOURCES
INC.

MINUTES OF MEETING

Project: U.S. Route 113, Snow Hill to Delaware State Line
Project No. WO 720-1-1-170-P

Date: March 27-28, 1997
Revised December 8, 1997

Purpose: Field Review of Potential Wetland Mitigation Sites

Location: Snow Hill, Worcester County

In Attendence: Jack Hett, SHA-EPD
Michele Gomez,USCOE
David Sutherland, USFWS
Danielle Algazi, EPA
Al Kampmeyer, MDE (3/27 only)
Gary Jellick, CRI (3/28 only)
Ricardo Gonzalez, CRI (3/27 only)

The purpose of the meeting was to review potential wetland mitigation sites in the northern and southern study area that may be used to compensate for unavoidable wetlands impacts associated with the project. The attendees met at the SHA District garage in Snow Hill at 10:00 a.m. on March 27, 1997. Ricardo Gonzalez provided draft copies of site location maps and summary tables for each recommended site based on a preliminary review by SHA and CRI.

The following wetland mitigation sites were reviewed by the agencies and were determined to be suitable for additional on-site investigations. At this time, the sites shall be considered potential mitigation sites for the purpose of the environmental document. Final agency concurrence on each site for permitting purposes shall occur after more detailed studies are completed.

The following sites were reviewed on March 27, 1997. All attendees agreed that the sites are suitable for additional investigations:

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- **Site 19**- 100' west of station 2010. The location of suitable area will depend on which alignment is selected.

- **Site 28**- 1100' west of station 2215. Some concern raised by the agencies regarding the distance to the railroad tracks and how much natural buffer could be maintained between the tracks and the mitigation site.

- **Site 32**- 600'. west of station 2340. All agencies agreed that Site 32 is acceptable for additional investigations.

- **Site 33**- 100' west of station 2335 (May not be suitable if alternative 4N is selected)

Site 21 and 21A were reviewed and found to be unacceptable by the agencies for additional investigations because of questionable hydrology, and the location between existing and proposed roads. Site 21 is adjacent to station 2080, on the west side of Rt. 113, and Site 21A is 700' west of station 2080.

In addition, the Corps of Engineers questioned the suitability of Site 22 because of adjacent land use, which may affect the potential for the site to provide wildlife habitat. The site is bounded by Rt. 90 and Rt. 113 to the south and west, and has a gravel driveway along the northern boundary. The Corps also questioned the source of hydrology for the site. The SHA agreed that Site 22 would not be considered a primary mitigation site for the purpose of the environmental document. The USFWS noted that the site was currently being used by shore birds and waterfowl as the result of flooding caused by a recently constructed berm on the adjacent property.

March 28, 1997

The group met at the SHA Snow Hill garage at 8:30 a.m. to discuss the sites that were reviewed on the previous day, and to discuss the wetland function assessment methodology presented in the draft environmental document. The agencies do not accept the SHA checklist methodology that was used for the environmental document, and stated that a preferred alternative could not be determined until a more rigorous field method was used to evaluate wetland functions and values.

The Corps of Engineers recommended, and the SHA agreed, that the New England method ~~should~~ may be used for the wetland function assessment. The group decided that the field work will be done with two teams, one for the north and one for the south. The field work will have to be completed by April 4, 1997 to meet the schedule for the environmental document. The Corps of Engineers stated the functional assessment could be completed on the basis of "wetland systems", whereby similar wetlands would be grouped together for the purpose of data gathering. The agencies will report back to the SHA regarding the potential field dates for available staff.

The following sites were reviewed on March 28, 1997. All attendees agreed that the sites are suitable for additional investigations:

- **Site 10**- 600' east of station 1450. All agencies agreed that Site 10 is acceptable for additional investigations.

- **Site 11**- 1000' east of station 1520. The agencies prefer the area that is currently a horse pasture to allow a connection with existing wetlands in the pasture.

- **Site 12**- 1000' west of station 1540. The far western portion of the field should be further investigated for a possible connection to Coonsfoot Branch.

- **Site 12A**- 300' east of station 1560. All agencies agreed that Site 12A is acceptable for additional investigations.

Site 6A (1500' east of station 1220) was reviewed and found unacceptable by the Corps of Engineers because of the amount of cut that would be needed to function as a floodplain of Purnell Branch (cypress area) and the discontinuity of the site from the existing cypress area.

The group field review ended at 1:00 p.m., but sites 2A, 3, 4 and 4A were reviewed in the afternoon by the USFWS and CRI (the Corps, MDE, and SHA previously reviewed these site on March 20, 1997). The USFWS agreed that these sites should be considered for additional investigations. The USFWS and CRI also identified one additional site that may be suitable for mitigation in the area of the cypress swamp. The site is located 800' east of station 1230 between the railroad tracks and the cypress swamp. Portions of the site are used for pasture, which comes within 20' of the swamp. A floodplain connection could be made by excavating from 2-6 feet of soil. Approximately 2 acres may be suitable for mitigation. The site has been designated as Site 6B and shall be reviewed by the SHA and the agencies during subsequent field work in the project area.

If there are any additions or deletions to these minutes, please contact Gary Jellick at (410) 956-9000.

cc: Attendees
Sue Kajan (SHA-PPD)
Lisa Zeimer (RKK)

COASTAL RESOURCES INC.

MINUTES OF MEETING

Project: U.S. Route 113, Snow Hill to Delaware State Line
Project No. WO 720-1-1-170-P

Date: April 3-4, 1997
Revised December 8, 1997

Purpose: Field Review of Wetland Functional Assessment - Corps Descriptive Approach

Location: Snow Hill, Worcester County, Maryland

In Attendance:

Jack Hett, SHA-EPD	Bob Zepp, USFWS
John Denniston, SHA-EPD	David Sutherland, USFWS
Michele Gomez, USCOE	Chuck Weinkam, CRI
Jeff Trulick, USCOE	Ricardo Gonzalez, CRI

The purpose of the meeting was to perform a functional assessment of representative wetlands in the study area. The attendees met at the SHA District garage in Snow Hill at 8:00 a.m. on April 3, 1997. Coastal Resources Inc. provided copies of Appendix A: Consideration List from US Corps of Engineers (USCOE) *The Highway Methodology Workbook Supplement: Wetland Functions and Values a Descriptive Approach,* evaluation forms, and site location summary tables for each of the wetlands.

Recognizing the similarity of many wetlands in the project area, the study team discussed the justifications for grouping wetlands for the purpose of the functional assessment in the DEIS. The USCOE suggested that by associating wetlands on the basis of their proximity and hydrologic connection to other wetlands a more effective projection of the functions and values of non-evaluated wetland sites could be made. A dialogue was conducted and a consensus was reached as to an acceptable grouping of sites. Groupings were primarily based on the hydrologic unit (i.e., physical connection within the subwatershed), ~~Other factors considered, to a lesser degree, were~~ wetland type, and landscape position. All wetlands in the study area that could be impacted by the project were divided into 15 sub-groups; one reference wetland from each sub-group was selected for site inspection to evaluate functions and values. A consensus was reached on the following wetland groupings:

- W-1 and W-3 (Reference wetland W-3)

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- W-2
- W-5 and W-5A (Reference wetland W-5A)
- W-6, W-7, and W-8 (Reference wetland W-8)
- W-9, W-10, and W-11 (Reference wetland W-9)
- W-12 and W-13 (Reference wetland W-13)
- W-15
- W-16 and W-17 (Reference wetland W-16). (Note: Upon review of additional mapping and information in the office, W-17 is a depressional wetland that is not associated with the floodplain of W-16. In addition, W-17 is less than one acre. Therefore, it is the opinion of CRI and SHA that W-17 is unlikely to have the same functions as W-16 and will not be grouped with W-16 for the DEIS).
- W-18, W-19, W-20, W-21, and W-22 (Reference wetland W-18)
- W-23, W-24, and W-25 (Reference wetland W-23)
- W-26
- W-27, W-37, and W-39 (Reference wetland W-37)
- W-28, W-30, W-31, and W-40 (Reference wetland W-31 ~~W-28~~)
- W-29
- W-33, W-34, and W-36 (Reference wetland W-34 ~~W-33~~)

The attendees separated into 2 teams;

North Team
Ricardo Gonzalez
John Denniston
Jeff Trulick
David Sutherland

South Team
Chuck Weinkam
Michele Gomez
Jack Hett
Bob Zepp

It was decided that both teams would perform the first assessment together in an effort to ensure a consistent approach to using the procedure. ~~All the participants agreed that functional indicators listed in the method that did not to apply to wetlands of the region should be dismissed from consideration~~. It was felt that since the methodology had been developed in New England, some indicators or characteristics would not be observed or would not relate to the normal conditions found in the coastal plain physiographic region. Therefore, these indicators were dismissed from consideration. For example in the Groundwater Recharge/Discharge section, indicator 3 refers to stratified drift, which is a geomorphic feature associated with glacial activity (a process that did not occur in this area). Additionally, in some cases, the indicators were not clear to the group or insufficient data were available to assess the presence or absence of the indicator. For example, the Groundwater Recharge/Discharge section consideration #17 refers to

piezometric data, which was not available for any of the sites assessed. The group felt comfortable modifying the provided list of considerations/indicators given guidance provided in Appendix A of the manual (page 20): "*Considerations are flexible, based on best professional judgment and interdisciplinary team consensus. This example provides a comprehensive base, however, and may only need slight modifications for use in other projects.*"

Indicators omitted for consideration included for the groundwater recharge function, qualifiers 3, 11, 14, ~~16~~, and 17; fish and shellfish habitat function, qualifier 13 (added the qualifier "in the wetland" to qualifier 15); wildlife habitat functions, qualifier 22; and education/scientific functions, qualifier 16. Also, in the wildlife habitat functions section, the water quality standard of consideration #2 ~~two~~ was changed from class A or B to Maryland use I ~~class one~~. By consensus, the wetland size categories of were designated as 1-10, 10-100, and >100 acres, primarily because these size categories were used previously for the Route 301 project in which the New England method was applied for function and value assessment.

The functional wetland assessments were conducted by the two teams during the remainder of Thursday, April 3 and they were completed on Friday morning April 4th. At the conclusion of the fieldwork, the teams reconvened to discuss which functions were found to occur in the reference wetlands. It was agreed that when the presence of at least half of the possible considerations were observed, the likelihood was strong that the relative function may be occurring. Following that step, the principal functions of the representative wetlands were decided. Best professional judgment was used to determine which of the occurring functions should be considered principle. Generally, the considerations/indicators that dominated the evaluators impressions of the wetland were fairly consistent and it was usually quite obvious, to those present, which of the functions were principle. Field sheets were gathered and given to CRI to summarize in the DEIS. Copies of the field data sheets will be included in the Natural Resources Technical Report.

A description of the wetlands assessed including the dominant characteristics influencing the selection of the primary functions of that reference wetland follows.

Wetland 3 (W-1 and W-3) is located in a narrow ditch on either side of US 113, approximately 400-feet south of Snow Hill Road. It appears that the area was originally a natural tributary to Patty's Branch which was ditched for agricultural purposes. The area is classified as a palustrine emergent wetland with a saturated water regime (PEM1B) on the east side of US 113, and a palustrine forested wetland with a seasonal water regime (PFO1C) on the west side of the highway. The principal function associated with the wetland is wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it dominated the evaluators overall impression of the functions of this wetland.

The forested portion of the wetland is dominated by *Acer rubrum* (red maple) and *Liquidambar styraciflua* (sweet gum). The emergent wetland is dominated by *Salix nigra* (black willow), *Juncus effusus* (soft rush), *Scirpus atrovirens* (green bulrush), and *Eleocharis sp.* (spikerush species).

Wetland 2 is located on both sides of US 113, approximately 1,300-feet south of Snow Hill Road and is associated with a broad drainage swale. The northeast corner of the wetland is farmed, however, the majority of the area is classified as a palustrine forested wetland with a saturated water regime (PFO1B). *Acer rubrum* (red maple) and *Liquidambar styraciflua* (sweet gum) are the dominant species in the canopy of the forested wetland. The shrub layer is dominated by *Clethra alnifolia* (coast pepperbush), *Vaccinium corymbosum* (highbush blueberry), *Viburnum dentatum* (arrowwood), and *Myrica cerifera* (bayberry). *Cinna arundinacea* (wood reed) is the dominant herbaceous species.

The principal wetland functions associated with W-2 are groundwater recharge/discharge, sediment/ toxicant retention, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it, and its proximity to agricultural activity dominated the evaluators overall impression of the functions of this wetland.

Wetland 5A (5A and 5) is located on the west side of US 113, approximately 1,000-feet south of Public Landing Road. The wetland appears to have formed in an excavated area, possibly created as a borrow pit for the original construction of US 113. The wetland does not appear to have a direct hydrologic connection by way of surface waters. The area consists of palustrine emergent wetlands along the edge of right-of-way, with palustrine scrub/shrub wetlands within the interior of the wetland. Dominant vegetation includes *Baccharis halimifolia* (groundsel tree), *Phragmites australis* (common reed), *Dichanthelium acuminatum* (panic grass), *Pinus taeda* (loblolly pine), *Juncus effusus* (soft rush), and *Smilax rotundifolia* (common greenbriar).

Principal functions and values associated with the wetland are groundwater recharge/discharge and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it dominated the evaluators overall impression of the functions of this wetland.

Wetland 8 (W-6, W-7, and W-8) is located on either side of US 113 within the floodplain of Purnell Branch, approximately 400-feet south of where the Maryland and Delaware Railroad crosses the roadway. Purnell Branch is joined by Patty's Branch just to the east (upstream) of the US 113 crossing over the waterway. The wetland is classified as a palustrine forested wetland with a seasonal saturated water regime (PFO2/1E). Dominant vegetation observed in the forest canopy includes *Taxodium distichum* (bald cypress), *Acer rubrum* (red maple) and *Liquidambar styraciflua* (sweet gum). The shrub layer is dominated by *Clethra alnifolia* (coast pepperbush), *Vaccinium corymbosum* (highbush blueberry), *Alnus serrulata* (alder), and *Ilex verticillata* (winterberry). The dominant herbaceous species are *Cinna arundinacea* (wood reed), *Osmunda regalis* (royal fern), and *Saururus cernnus* (lizards tail). The wetland was inundated to a depth of 4-inches throughout the majority of the floodplain. Other hydrologic indicators include water marks, drainage patterns and water stained leaves.

The wetland is of particular note because it is dominated by bald cypress. Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, floodflow ~~floodplain~~ alteration, sediment/toxicant retention, nutrient removal, production export, wildlife habitat, uniqueness/heritage ~~habitat~~, and visual quality/aesthetics. The observation of a variety of habitat and the presence of wildlife utilizing it, proximity to agricultural activity, and the

presence of unique species dominated the evaluators overall impression of the functions of this wetland.

Wetland 9 (W-9, W-10, and W-11) is located on either side of US 113 in the floodplain of Poorhouse Branch. The stream crosses US 113 approximately 250-feet north of Cedartown Road. The area is classified as both a palustrine forested and a palustrine emergent wetland with a saturated water regime (PFO/PEM1B). Dominant vegetation in the forested portions of the wetland includes *Acer rubrum* (red maple), and *Salix nigra* (black willow) in the canopy and *Alnus serrulata* (alder) in the shrub layer. The emergent wetland is dominated by *Cephalanthus occidentalis* (buttonbush), *Impatiens capensis* (jewelweed), *Veronia noveboracensis* (New York ironweed), and *Asclepias incarnata* (swamp milkweed). The wetland was inundated and flowing, with water depths ranging from 6 to 12-inches. Water marks, sediment deposits and drainage patterns were also observed.

Principal wetland functions and values associated with the wetland are sediment/ toxicant retention, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to agricultural activity dominated the evaluators overall impression of the functions of this wetland.

Wetland 13 (W-12 and W-13) is located within the floodplain of Porter Creek which crosses US 113 just north of Newark Road. The area is classified as a palustrine forested wetland with a saturated water regime (PFO1B). Dominant canopy vegetation in the wetland includes *Acer rubrum* (red maple), *Fraxinus pennsylvanica* (green ash), *Nyssa sylvatica* (black gum) and *Liquidambar styraciflua* (sweet gum). The dominant understory and shrub species are *Magnolia virginiana* (sweet bay), *Lindera benzoin* (spicebush) and *Clethra alnifolia* (coast pepperbush). The herbaceous layer is dominated by *Symplocarpus foetidus* (skunk cabbage), *Saururus cernuus* (lizards tail), *Impatiens capensis* (jewelweed), *Boehmeria cylindrica* (false nettle), and *Woodwardia areolata* (netted chainfern).

Principal wetland functions and values associated with the wetland are floodflow ~~floodplain~~ alteration, sediment/toxicant retention, nutrient removal, production export, wildlife habitat, uniqueness/heritage ~~habitat~~, and visual quality/aesthetics. The observation of a variety and abundance of habitat and the presence of wildlife utilizing it and the wetlands proximity to agricultural activity, streams, and inland bays dominated the evaluators overall impression of the functions of this wetland.

Wetland 15 is a wetland of special state concern located on the west side of US 113, approximately 1,700 feet north of Downes Road. *Alnus maritima* (seaside alder) is located along the road ditch and is listed as a state rare species. The area is classified as a palustrine forested wetland with a seasonal water regime (PFO1C). At the time of the field visit, the wetland was inundated to a depth of 3-inches and sediment deposits and drainage patterns were observed. Dominant vegetation within the canopy of the wetland includes *Acer rubrum* (red maple), and *Nyssa sylvatica* (black gum). The understory and shrub layers are dominated by *Magnolia virginiana* (sweetbay), *Lindera benzoin* (spicebush), *Viburnum dentatum* (arrowwood), and

Alnus maritima (seaside alder). The dominant herbaceous species are *Woodwardia areolata* (netted chainfern) and *Boehmeria cylindrica* (false nettle).

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, sediment/toxicant retention, nutrient removal, wildlife habitat, ~~and~~ uniqueness/heritage ~~habitat,~~ and endangered species habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to agricultural activity and the presence of a unique endangered species dominated the evaluators overall impression of the functions of this wetland.

Wetland 16 is located within the floodplain of Goody Hill Branch, which crosses US 113 approximately 2,600-feet north of Downes Road. The area is classified as a palustrine forested wetland with a seasonal water regime (PFO1C). The wetland was inundated at the time of the field visit with water depths ranging from 2 to 4-inches. Drainage patterns were also noted. Dominant vegetation within the wetland includes *Acer rubrum* (red maple), *Fraxinus pennsylvanica* (green ash) and *Liquidambar styraciflua* (sweet gum) in the canopy, *Viburnum dentatum* (arrowwood) and *Smilax rotundifolia* (greenbrier) in the shrub layer and *Impatiens capensis* (jewelweed), *Boehmeria cylindrica* (false nettle) and *Saururus cernuus* (lizards tail) in the herbaceous layer.

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, floodflow ~~floodplain~~ alteration, sediment/toxicant retention, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to streams and agricultural activity dominated the evaluators overall impression of the functions of this wetland.

Wetland 18 (W-18, W-19, W-20, W-21, and W-22) is located on both sides of US 113, just south of Bays End Lane. The wetland is associated with an unnamed tributary to Catbird Creek and is classified as a palustrine forested wetland with a seasonal saturated water regime (PFO1E). The wetland was inundated up to a depth of 3-inches in some places. Areas that were not inundated were saturated to the surface and the trunks of the trees within the wetland were buttressed. Dominant vegetation in the wetland canopy includes *Acer rubrum* (red maple), *Nyssa sylvatica* (black gum), and *Liquidambar styraciflua* (sweet gum). The dominant understory and shrub species are *Ilex opaca* (American holly), *Magnolia virginiana* (sweetbay), *Viburnum dentatum* (arrowwood) and *Rhododendron viscosum* (swamp azalea). Sphagnum moss was the dominant species in the herbaceous layer.

Principal wetland functions and values associated with the wetland are groundwater recharge/ discharge, floodflow ~~floodplain~~ alteration, sediment/toxicant retention, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to streams and agricultural activity dominated the evaluators overall impression of the functions of this wetland.

Wetland 23 (W-23, W-24, and W-25) is located approximately 800-feet north of the split for the existing dualized portion of US 113, and is classified as a palustrine forested wetland with a

seasonal water regime (PFO1C). The wetland includes four depressions that are located within a wooded area bounded by the Maryland and Delaware Railroad and US 113. Surface water runoff is impeded by a constricted outlet beneath the railroad. . Dominant vegetation in the wetland includes *Acer rubrum* (red maple), *Liquidambar styraciflua* (sweet gum) and *Nyssa sylvatica* (black gum) in the canopy, *Leucothoe racemosa* (fetterbush) and *Viburnum nudum* (possum-haw) in the shrub layer and *Wodwardia areolata* (netted-chain fern) in the herbaceous layer. Wetlands 24 and 25 are larger, more intact systems not entirely mapped by this study.

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to agricultural activity dominated the evaluators overall impression of the functions of this wetland

Wetland 26 is located along Alternate 4N Modified, approximately 2,200-feet north of the southern boundary of the northern study area. The area is adjacent to the railroad line and is primarily a mix of palustrine forested and palustrine scrub-shrub wetland with a saturated water regime (PFO/PSS1B). A small portion of the wetland is also currently under cultivation and has been classified as a farmed wetland during the jurisdictional determination. The wetland forms in a topographic low and was inundated to a depth of 4-inches in some areas. Surface water runoff is impeded by a constricted outlet beneath the Maryland and Delaware Railroad. The canopy of the forested wetland is dominated by *Acer rubrum* (red maple) and *Liquidambar styraciflua* (sweet gum). The shrub layer in the forested and scrub-shrub wetland is dominated by *Myrica cerifera* (bayberry), *Baccharis halimifolia* (groundsel tree), and *Smilax rotundifolia* (common greenbrier), while the dominant herbaceous species is *Juncus effusus* (soft rush). In the agricultural field, the dominant vegetation includes *Juncus effusus* (soft rush), *Scirpus cyperinus* (wool grass), *Agrostis alba* (redtop), *Polygonum sp.* (smartweed species), and *Carex sp.* (sedge species).

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, nutrient removal, wildlife habitat, and visual quality/ aesthetics. The observation of an abundance and variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to agricultural activity dominated the evaluators overall impression of the functions of this wetland.

Wetland 37 (W-27, W-37, and W-39) is large system located on the west side of US 113. It begins approximately 2,500-feet north of Bishopville Road and extends parallel to US 113 for a distance of approximately 2,600-feet. The area is classified as a palustrine forested wetland with a saturated water regime (PFO1B) and has formed in a broad flat area with scattered unvegetated depressional areas. The land surface has been ~~significantly~~ disturbed by past logging activities within the wetland. Dominant woody vegetation in the wetland includes *Acer rubrum* (red maple), *Quercus phellos* (willow oak) and *Liquidambar styraciflua* (sweet gum) in the canopy, *Magnolia virginiana* (sweetbay) in the understory, and *Vaccinium corymbosum* (highbush blueberry) in the shrub layer. The dominant herbaceous species include *Woodwardia areolata* (netted chainfern) and *Carex sp.* (sedge species).

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to agricultural activity dominated the evaluators overall impression of the functions of this wetland.

Wetland 31 ~~28~~ (W-28, W-30, W-31 and W-40) is located along Birch Branch which crosses US 113 approximately 1,300-feet north of Peerless Road. The wetland has formed within the floodplain of the stream and is confined by the steep slopes which border the edges of the floodplain. The area is classified as a palustrine forested wetland with a seasonally saturated water regime (PFO1E). The canopy of the forest within the wetland is dominated by *Acer rubrum* (red maple), *Liquidambar styraciflua* (sweet gum), and *Fraxinus pennsylvanica* (green ash). *Ilex opaca* (American holly), *Lindera benzoin* (spicebush), *Ilex verticillata* (winterberry) and *Magnolia virginiana* (sweetbay) are the dominant shrub/understory species, while *Arisaema triphyllum* (jack-in-the-pulpit), *Woodwardia areolata* (netted chainfern), *Osmunda cinnamomea* (cinnamon fern) and *Saururus cernuus* (lizards tail) are dominant in the herbaceous layer.

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, floodflow ~~floodplain~~ alteration, fish and shellfish habitat, sediment/toxicant retention, nutrient removal, production export, sediment/shoreline stabilization, wildlife habitat, and visual quality/aesthetics. The observation of a variety and abundance of habitat and the presence of wildlife utilizing it, the wetlands proximity to agricultural activity, and the size of the associated stream dominated the evaluators overall impression of the functions of this wetland.

Wetland 29 is located northeast of the US 113 crossing of Church Branch, approximately 100' northwest of where Alternate 4N Modified emerges from the floodplain of Church Branch. The wetland has formed in an excavated depression that is most likely the result of past sand or gravel borrow operations. The area is classified as a palustrine forested wetland with a seasonally saturated water regime (PFO1E). Dominant vegetation within the wetland includes *Acer rubrum* (red maple), *Liquidambar styraciflua* (sweet gum), and *Pinus taeda* (loblolly pine) in the canopy and understory, *Clethra alnifolia* (coast pepperbush) in the shrub layer and *Phragmites australis* (common reed) in the herbaceous layer.

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it dominated the evaluators overall impression of the functions of this wetland.

Wetland 34 ~~33~~ (W-33, W-34, and W-36) is located along existing US 113, approximately 100-feet south of Kepler Lane. The area is classified as a palustrine forested wetland with a saturated water regime (PFO1B). The land surface has been disturbed and is characterized by scattered unvegetated depressions. Dominant woody vegetation observed in the wetland includes *Acer rubrum* (red maple), *Nyssa sylvatica* (black gum) and *Liquidambar styraciflua* (sweet gum) in the canopy, *Magnolia virginiana* (sweetbay) in the understory, and *Clethra alnifolia* (coast pepperbush) in the shrub layer. The dominant herbaceous species are *Woodwardia areolata* (netted chainfern), and *Osmunda cinnamomea* (cinnamon fern).

Principal wetland functions and values associated with the wetland are groundwater recharge/discharge, nutrient removal, and wildlife habitat. The observation of a variety of habitat and the presence of wildlife utilizing it as well as the wetlands proximity to agricultural activity dominated the evaluators overall impression of the functions of this wetland.

The accompanying table summarizes the occurrence and principle functions that were determined to exist within each reference wetland. If any revisions to these minutes are needed, please contact Ricardo Gonzalez at (410) 956-9000.

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IX.
APPENDICES

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IX. APPENDICES

Appendix A

Project Plates for Preferred Alternatives, at 1" = 400' Scale

Key Map - **Preferred Alternatives**

Figure 1	**Southern Preferred Alternative** from south of MD 394 (Market Street) to south of MD 12 (Snow Hill Road)
Figure 2	**Southern Preferred Alternative** from south of MD 12 (Snow Hill Road) to north of MD 394 (Market Street)
Figure 3	**Southern Preferred Alternative** from north of MD 394 (Market Street) to north of Porters Crossing Road
Figure 4	**Southern Preferred Alternative** from north of Porters Crossing Road to north of Basket Switch Road
Figure 5	**Southern Preferred Alternative** from north of Basket Switch Road to south of Newark Road - Gunning Club Lane
Figure 6	**Southern Preferred Alternative** from south of Newark Road. - Gunning Club Lane to south of Ironshire Station Road - Mason Road
Figure 7	**Southern Preferred Alternative** from south of Ironshire Station Road - Mason Road to south of MD 818 (Main Street) - Germantown Road

Figure 8 **Northern Preferred Alternatives**
from north of MD 818 (Main Street) - Georgetown Road
to north of MD 90 (Ocean Expressway)

Figure 9 **Northern Preferred Alternatives**
from north of MD 90 (Ocean Expressway)
to south of Kepler Lane

Figure 10 **Northern Preferred Alternatives**
from south of Kepler Lane
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Appendix B

Farmland Conversion Impact Rating Forms

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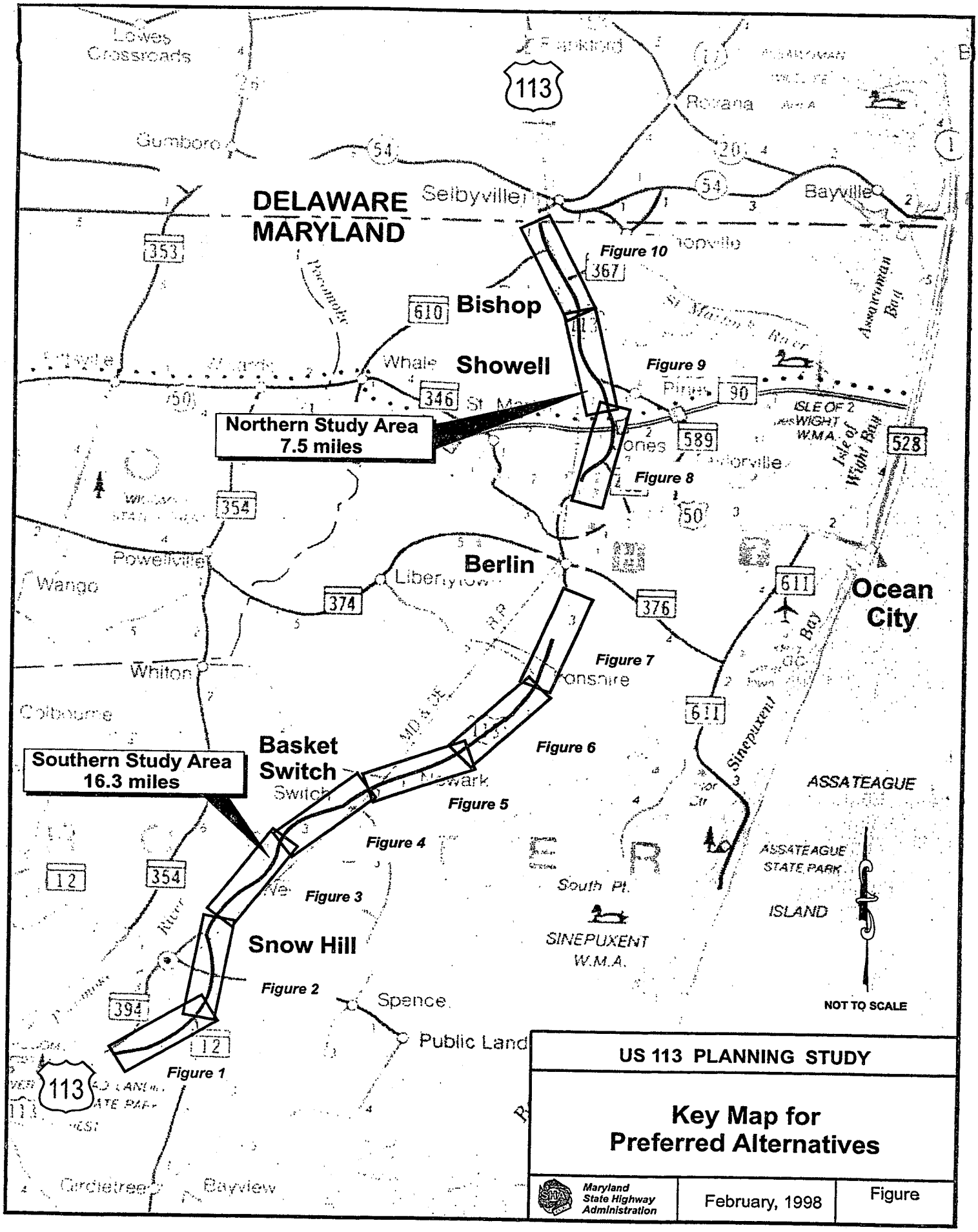
Appendix A
Preferred Alternative Plates, 400-Scale

Key Map + Preferred Alternatives
Figures 1 through 10



US 113 PLANNING STUDY

Key Map for Preferred Alternatives

Maryland State Highway Administration | February, 1998 | Figure

Appendix B
Farmland Conversion Impact Rating Form

APPENDIX B
FARMLAND CONVERSION IMPACT RATING FORM

A Farmland Conversion Impact Rating form (Form AD-1006) and rationale for evaluation of site assessment criteria were completed for and evaluated by the Worcester County Natural Resources Conservation Service (NRCS) in February 1997 for the five build alternatives under consideration at that time (TSM, 3S-34' Median, 3N-34' Median, 3N/4N Modified - 34' Median, 4N Modified). Since then, additional alternatives have been added to the planning study and the number of improvements associated with the TSM alternative have ben increased. This appendix includes a copy of the evaluated February 1997 AD-1006 form and rationale for the original build alternatives and the evaluated April 1997 AD-1006 form and rationale for the additional alternatives that would impact farmland. For this Final Environmental Impact Statement, the 3S-34' median and the 3N/4N Modified-34' Median Alternatives have been identified as the Preferred Alternatives for the southern and northern study areas respectively.

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request: February, 18, 1997
Name Of Project: US 113 Improvement Study (Snow Hill-DE line)	Federal Agency Involved: Federal Highway Administration
Proposed Land Use: Highway	County And State: Worcester; MD
PART II *(To be completed by SCS)*	Date Request Received By SCS:

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply — do not complete additional parts of this form).* Yes ☒ No ☐

Acres Irrigated: | Average Farm Size: 176 ac

Major Crop(s): Corn, Soybean Wheat Barley

Farmable Land In Govt. Jurisdiction: Acres: 86,000 % 27

Amount Of Farmland As Defined in FPPA: Acres: 232 562 % 73

Name Of Land Evaluation System Used: LESA

Name Of Local Site Assessment System:

Date Land Evaluation Returned By SCS: 2/26/97

PART III *(To be completed by Federal Agency)*	Alternative Site Rating: Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	115.0	43.6	61.1	61.9
B. Total Acres To Be Converted Indirectly	0.0	0.0	40.9	40.9
C. Total Acres In Site (Add'l ROW required outside of MSHA ROW)	73.4	135.4	122.7	112.2
PART IV *(To be completed by SCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	43.8	53.2	114.9	119
B. Total Acres Statewide And Local Important Farmland	21.6	39.4	90.1	76
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.07	.1	.2	.2
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	73	73	73	73
PART V *(To be completed by SCS)* Land Evaluation Criterion (Project) Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	30	60	80	80

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points	Alt. 3S	Alt. 3N	Alt. 4N Modified	Combo Alt.
1. Area In Nonurban Use	15	14	14	14	14
2. Perimeter In Nonurban Use	10	8	8	10	10
3. Percent Of Site Being Farmed	20	20	20	20	20
4. Protection Provided By State And Local Government	20	0	0	0	0
5. Distance From Urban Builtup Area	n/a	n/a	n/a	n/a	n/a
6. Distance To Urban Support Services	n/a	n/a	n/a	n/a	n/a
7. Size Of Present Farm Unit Compared To Average	10	2	1	0	1
8. Creation Of Nonfarmable Farmland	25	0	0	25	25
9. Availability Of Farm Support Services	5	5	5	5	5
10. On-Farm Investments	20	14	14	14	14
11. Effects Of Conversion On Farm Support Services	25	0	0	0	0
12. Compatibility With Existing Agricultural Use	10	3	3	5	4
TOTAL SITE ASSESSMENT POINTS	160	66	65	93	93
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	30	60	80	80
Total Site Assessment *(From Part VI above or a local site assessment)*	160	66	65	93	93
TOTAL POINTS *(Total of above 2 lines)*	260	96	125	173	173

Site Selected: Sites A and D Date Of Selection: Sept. 17, 1997 Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

Site A in the southern study area and Site D in the northern study area were selected because they minimized adverse environmental impacts to the maximum extent possible while still meeting the project need. Detailed descriptions of the impacts of the Selected Alternatives, mitigation measures proposed, and rational for selection is contained in the Final Environmental Impact Statement for the project.

Form AD-1006 (10

(See Instructions on reverse side)

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

RT I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request: February 18, 1997
Name Of Project: US 113 Improvement Study (Snow Hill-DE Line)	Federal Agency Involved: Federal Highway Administration
Proposed Land Use: Highway	County And State: Worcester; MD
RT II *(To be completed by SCS)*	Date Request Received By SCS

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply – do not complete additional parts of this form).* Yes ☒ No ☐

Acres Irrigated: | Average Farm Size: 176 ac

Major Crop(s): Corn, Soybean Wheat Barley | Farmable Land In Govt. Jurisdiction Acres: 86,000 % | Amount Of Farmland As Defined in FPPA Acres: 232562 % 73

Name Of Land Evaluation System Used: LESA | Name Of Local Site Assessment System: | Date Land Evaluation Returned By SCS: 2/26/97

RT III *(To be completed by Federal Agency)*	Alternative Site Rating: Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	0.5			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site (derived from planimeter calculation)	3.0			
RT IV *(To be completed by SCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	.5			
B. Total Acres Statewide And Local Important Farmland	0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.0006			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	73			
RT V *(To be completed by SCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	10			

RT VI *(To be completed by Federal Agency)* te Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points	TSM Alt.			
1. Area In Nonurban Use	15	14			
2. Perimeter In Nonurban Use	10	8			
3. Percent Of Site Being Farmed	20	0			
4. Protection Provided By State And Local Government	20	0			
5. Distance From Urban Builtup Area	n/a	n/a			
6. Distance To Urban Support Services	n/a	n/a			
7. Size Of Present Farm Unit Compared To Average	10	0			
8. Creation Of Nonfarmable Farmland	25	0			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	14			
11. Effects Of Conversion On Farm Support Services	25	0			
12. Compatibility With Existing Agricultural Use	10	1			
TOTAL SITE ASSESSMENT POINTS	160	42			
RT VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	10			
Total Site Assessment *(From Part VI above or a local site assessment)*	160	42			
TOTAL POINTS *(Total of above 2 lines)*	260	52			

Site Selected: See page IXB-2 | Date Of Selection: | Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

(See Instructions on reverse side)

Form AD-1006 (10-83)

FARMLAND CONVERSION IMPACT RATING FORM AD-1006
RATIONALE FOR EVALUATION OF SITE ASSESSMENT CRITERIA
7 CFR 658.5(b)
US 113-SNOW HILL, MARYLAND TO DELAWARE STATE LINE
February 1997

1. How much land is in nonurban use within a radius of 1 mile from where the project is intended?

   More than 90 percent - 15 points
   90 to 20 percent - 14 to 1 point(s)
   Less than 20 percent - 0 points

   Aerial photography and land use maps were reviewed and a field review of the site was conducted to determine nonurban use within a 1 mile radius of the project area. It was estimated that 90 percent of the land is in nonurban use for all of the alternatives.

   Rating: Alternative 3S-34' Median/60 MPH (Preferred Alternative) - 14 points; Alternative 3N-34' Median/60 MPH (Preferred Alternative) - 14 points; Alternative 4N-34' Median/60 MPH - 14 points; Alternative 3N/4N-34' Median/60 MPH - 14 points; TSM Alternative - 14 points

2. How much of the perimeter of the site borders on land in nonurban use?

   More than 90 percent - 10 points
   90 to 20 percent - 9 to 1 point(s)
   Less than 20 percent - 0 points

   Aerial photography and land use maps were reviewed and a field review of the site was conducted to determine nonurban use bordering on the site. It was estimated that 85 percent of Alternatives 3S-34' Median/60 MPH (Preferred Alternative) and 3N-34' Median/60 MPH and the TSM alternative border on land in nonurban use and more than 90 percent of Alternatives 4N-34' Median and 3N/4N-34' Median/60 MPH (Preferred Alternative) border on nonurban use.

   Rating: Alternative 3S-34' Median/60 MPH (Preferred Alternative) - 8 points; Alternative 3N-34' Median/60 MPH - 8 points; Alternatives 4N-34' Median/60 MPH - 10 points; Alternatives 3N/4N-34' Median/60 MPH (Preferred Alternative) - 10 points; TSM Alternative - 8 points

3. How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

   More than 90 percent - 20 points
   90 to 20 percent - 19 to 1 point(s)
   Less than 20 percent - 0 points

   Historically, much of Worcester County land has been used for agricultural activities. Based on a review of aerial photographs and land use maps, it is estimated that more than 90 percent of the land area for each of the build alternatives has been farmed more that five of the last 10 years.

   Rating: Alternative 3S-34' Median/60 MPH (Preferred Alternative) - 20 points; Alternative 3N-34' Median/60 MPH - 20 points; Alternative 4N-34' Median/60 MPH - 20 points; Alternative 3N/4N-34' Median/60 MPH (Preferred Alternative) - 20 points; TSM Alternative - 0 points

4. Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland or covered by private programs to protect farmland?

   Site is protected - 20 points
   Site is not protected - 0 points

The Maryland Department of Agriculture has an Agricultural Land Preservation Program to preserve sufficient agricultural land in order to maintain a viable local base of food and fiber production for the citizens of Maryland. According to the Worcester County Office of Planning, Permits and Inspection, there are no agricultural land preservation districts located within the right-of-way limits of the project build alternatives.

Rating: Alternative 3S-34' Median/60 MPH (Preferred Alternative) - 0 points; Alternative 3N-34' Median/60 MPH - 0 points; Alternative 4N-34' Median/60 MPH - 0 points; Alternative 3N/4N-34' Median/60 MPH (Preferred Alternative) - 0 points; TSM Alternative - 0 points

5. Criterion 5 is not considered applicable for corridor-type projects.

6. Criterion 6 is not considered applicable for corridor-type projects.

7. Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county?

As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average; down to 0 points if 50 percent or more below average - 9 to 0 points

According to the Worcester County Natural Resource Conservation Service, the average farm size in Worcester County is 176 acres. Alternative 3N-34' Median/60 MPH impacts 24 properties engaged in agricultural activity. Only two of these properties are equal to or greater than the county average. Except for one property, each of the remaining farm parcels is less than the county average. Alternative 4N-34' Median/60 MPH impacts 19 properties engaged in agricultural activity. Except for one property, each of the remaining farm parcels is less than the county average. Alternative 3N/4N-34' Median/60 MPH (Preferred Alternative) impacts 20 properties engaged in agricultural activity. Along this Alternative, one farm is greater thana the county average and one farm is less than 170 acres, but greater than 85 acres (half of the county average). Alternative 3S-34' Median/60 MPH (Preferred Alternative) impacts 48 properties engaged in agricultural activity. Six of these parcels are equal to or greater than the county average. Six of the remaining 42 parcels are less than 170 acres, but greater than 85 acres (half of the county average). The remaining parcels are less than the county average. To arrive at the rating, the scores of the impacted farm properties were added and then divided by the number of farm properties impacted by the alternative.

Rating: Alternative 3S-34' Median/60 MPH (Preferred Alternative) - 2 points; Alternative 3N-34' Median/60 MPH - 1 point; Alternative 4N-34' Median/60 MPH - 0 points; Alternative 3N/4N-34' Median/60 MPH (Preferred Alternative) - 1 point; TSM Alternative - 0 points

8. If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 24 to 1 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

Alternative 3S-34' Median/60 MPH (Preferred Alternative) is designed to parallel existing US 113 in the southern study area. Farmland will be impacted in the parcels adjacent to existing US 113. Accessibility to remaining farmland is expected to remain intact with this alternative. For most of its length, Alternative 3N-34' Median/60 MPH also parallels existing US 113. Most of the farmland impacts associated with this alternative will occur on the parcels adjacent to the existing roadway. Alternatives 4N-34' Median/60 MPH and 3N/4N-34' Median/60 MPH (Preferred Alternative) are the only alternatives that will bisect farmland parcels. The design of these alternatives (four lanes w/a median) will create accessibility problems on six properties for the current property owners. These parcels (tax parcel numbers 109, 122, 118, 123, 52 and 41) are located between Showell and southern study area limits of these alternatives. Approximately 40.9 acres are indirectly impacted.

Rating: Alternative 3S-34' Median/60 MPH (Preferred Alternative) - 0 points; Alternative 3N-34' Median/60 MPH - 0 points; Alternative 4N-34' Median/60 MPH - 25 points; Alternative 3N/4N-34' Median/60 MPH (Preferred Alternative) - 25 points; TSM Alternative - 0 points

9. Does the site have available adequate supply of farm support sevices and markets, i.e. far suppliers, equipment dealer, processing and storage facilities and farmer's markets?

All required services are available-5 points
Some required services are available-4 to 1 point(s)
No required services are available-0 points

All required services are available to the farms in the arc for each alternative. Agricultural services are located in Berlin, Salisbury and Snow Hill.

Rating: Alternative 3S-34' Median/60 MPH- (Preferred Alternative) - 5 poins; Alternative 3N-34' Median/60 MPH-5 points; Alternative 4N-34' Median/60 MPH-5 points; Alternative 3N/4N-34' Mdeian/60 MPH - (Preferred Alternative) 5 points; TSM Alternative-5 points

10. Does the site have substantial and well-maintianed on-fram investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation waterways or other soil and water conservation measures?

High amount of on-farm investment-20 points
Moderate amount of on-farm investment-19 to 1 point(s)
No on-farm investment-0 points

Farms within the study area reange from having a high amount of on-farm investment to no on-farm investment. Most of the farms appeared tohave a moderate amount of on-farm investment I the form of chicken houses, irrigation drainageways, barns and other outbuildings.

Rating: Alternative 3S-34' Median/60 MPH- (Preferred Alternative) 14 points; Alternative 3N-34' Median/60 MPH-14 points; Alternative 4N-34' Median/60 MPH-14 points; alternative 3N/4N-34' Median/60 MPH - (Preferred Alternative) 14 point; TSM Alternative-14 points

11. Would the project at this site, by converting farmland to non-agricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services andthus, the viability of the farms remaining in the are?

Substantial reduction in demand for support services if the site is converted-10 points
Some reduction in demand for support services if the site is converted-9 to 1 point(s)
No significant reduction in demand for support services ifthe site is converted-0 points

None of the alternatives will reduce the demand for farmland support services. Many of the support services are located in Berlin, Snow Hill and Salisbury.

Rating: Alternative 3S-34' median/60 MPH - (Preferred Alternative) 0 points; alternative 3N-34' Median/60 MPH-0 points; Alternative 4N-34' Median/60 MPH-0 points; Alternative 3N/4N-34' Median/60 MPH- (Preferred Alternative) 0 points; TSM Alternative-0 points

12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that is likely to contribute to the eventual conversion of surrounding farmland to non-agricultural use?

Proposed project is incompatible with existing agricultural use of surrounding farmland-10 points
Proposed project is tolerable to existing agriculutral use of surrounding farmland-9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland-0 points

Secondary development around the US 113/MD Route 90 interchange associated with Alternatives 4N-345' Median and 3N/4N-34' Median/60 MPH (Preferred Alternative) could be and ideal location for secondary devleopoment. However, this area is currently zoned for agriculuture use, as is much of the study area, and would require a zoning change. Alternatives 3S-34' Median/60 MPH (Preferred Alternative), 3N-34' Median/60 MPH and the TSM Alternative are designed along the existing US 113 which already has limited development. It is the intent of

Worcester County to 1) "Encourage new development projects to locate in or near the existing population centers and service centers (where planned) but also discourage development of the rural areas of the county" and 2) "Maintain the rural character of Worcester county and its existing population center, small towns and villages (Worcester County Planning Commission, 1997).

Rating: Alternative 3S-34' Median/60 MPH- (Preferred Alternative) 3 points; Alternative 3N-34' Median/60 MPH-3 points; Alternative 4N-34' Median/60 MPH-5 points; alternative 3N/4N-34' Median/60 MPH - (Preferred Alternative) 4 points; TSM Alternative- 1 point

Total Rating: Alternative 3S-34' Median - (Preferred Alternative) 66 points
Alternative 3N-34' Median -65 points
Alternative 4N-34' Median - 93 points
Alternative 3N/4N-34' Median/60 MPH - (Preferred Alternative) 93 points
TSM Alternative-42 points

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request: April 16, 1997
Name Of Project: U3113 Improvement Study (Snow Hill to DE state line)	Federal Agency Involved: Federal Highway Administration
Proposed Land Use: Highway	County And State: Worcester, MD
PART II *(To be completed by SCS)*	Date Request Received By SCS:

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply — do not complete additional parts of this form)* Yes ☒ No ☐ | Acres Irrigated: | Average Farm Size: 176 ac

Major Crop(s): Corn, Soybean, Wheat, Barley	Farmable Land In Govt. Jurisdiction: Acres: 86,000 % 27	Amount Of Farmland As Defined in FPPA: Acres: 232562 % 7
Name Of Land Evaluation System Used: LESA	Name Of Local Site Assessment System:	Date Land Evaluation Returned By SCS: 4/22/97

PART III *(To be completed by Federal Agency)*	Alternative Site Rating: Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	19.8	103.5	0.2	34.9
B. Total Acres To Be Converted Indirectly	0.0	0.0	0.0	0.0
C. Total Acres In Site (Add'l Right of Way required outside of MSHA right of way)	31.0	67.0	<5.0	86.0
PART IV *(To be completed by SCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	20.0	39.4	0.2	42.
B. Total Acres Statewide And Local Important Farmland	10.0	19.4	0.0	31.
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.03	.06	.0002	.08
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	73	73	73	73
PART V *(To be completed by SCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	16	31	0	40

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points	Alt. 2S-20' Median	Alt 3S-20' Median	Alt 2S/2N	Alt 3N-2 Median/5
1. Area In Nonurban Use	15	14	14	14	14
2. Perimeter In Nonurban Use	10	8	8	8	8
3. Percent Of Site Being Farmed	20	20	20	0	20
4. Protection Provided By State And Local Government	20	0	0	0	0
5. Distance From Urban Builtup Area	n/a	n/a	n/a	n/a	n/a
6. Distance To Urban Support Services	n/a	n/a	n/a	n/a	n/a
7. Size Of Present Farm Unit Compared To Average	10	3	2	3	1
8. Creation Of Nonfarmable Farmland	25	0	0	0	0
9. Availability Of Farm Support Services	5	5	5	5	5
10. On-Farm Investments	20	14	14	14	14
11. Effects Of Conversion On Farm Support Services	25	0	0	0	0
12. Compatibility With Existing Agricultural Use	10	3	3	1	3
TOTAL SITE ASSESSMENT POINTS	160	67	66	45	65
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	16	31	0	40
Total Site Assessment *(From Part VI above or a local site assessment)*	160	67	66	45	65
TOTAL POINTS *(Total of above 2 lines)*	260	83	97	45	105

Site Selected: see Page IXB-2	Date Of Selection:	Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

(See Instructions on reverse side)

Form AD-1006 (1

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request: April 16, 1997
Name Of Project: US 113 Improvement Study (Snow Hill to DE line)	Federal Agency Involved: Federal Highway Administration
Proposed Land Use: Highway	County And State: Worcester, MD
PART II *(To be completed by SCS)*	Date Request Received By SCS
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply — do not complete additional parts of this form) Yes ☐ No ☒	Acres Irrigated: Average Farm Size: 176 ac
Major Crop(s): Corn, Soybean, Wheat, Barley	Farmable Land In Govt. Jurisdiction: Acres: 86,000 % 27 — Amount Of Farmland As Defined in FPPA: Acres: 232,562 % 73
Name Of Land Evaluation System Used: LESA	Name Of Local Site Assessment System: — Date Land Evaluation Returned By SCS: 4/22/97

PART III *(To be completed by Federal Agency)*	Alternative Site Rating: Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	39.2	39.2	55.0	55.7
B. Total Acres To Be Converted Indirectly	0.0	0.0	47.0	47.1
C. Total Acres In Site (Add'l right-of-way required outside of FMHA rights)	78.0	122.0	111.0	102.0
PART IV *(To be completed by SCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	47.9	47.9	103.4	107.1
B. Total Acres Statewide And Local Important Farmland	35.5	35.5	81.1	68.4
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.09	.09	.21	.20
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	73	73	73	73
PART V *(To be completed by SCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	83	83	100	95

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points	Alt 3N-34' Median/50 MPH	Alt 3N-20' Median/60 MPH	Alt 4N-20' Median	Alt 3N/4N 20' Median
1. Area In Nonurban Use	15	14	14	14	14
2. Perimeter In Nonurban Use	10	8	8	10	10
3. Percent Of Site Being Farmed	20	20	20	20	20
4. Protection Provided By State And Local Government	20	0	0	0	0
5. Distance From Urban Builtup Area	n/a	n/a	n/a	n/a	n/a
6. Distance To Urban Support Services	n/a	n/a	n/a	n/a	n/a
7. Size Of Present Farm Unit Compared To Average	10	1	1	0	1
8. Creation Of Nonfarmable Farmland	25	0	0	25	25
9. Availability Of Farm Support Services	5	5	5	5	5
10. On-Farm Investments	20	14	14	14	14
11. Effects Of Conversion On Farm Support Services	25	0	0	0	0
12. Compatibility With Existing Agricultural Use	10	3	3	5	4
TOTAL SITE ASSESSMENT POINTS	160	65	65	93	93
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	83	83	100	95
Total Site Assessment *(From Part VI above or a local site assessment)*	160	65	65	93	93
TOTAL POINTS *(Total of above 2 lines)*	260	148	148	193	188

Site Selected: see Page IXB-2	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

FARMLAND CONVERSION IMPACT RATING FORM AD-1006
RATIONALE FOR EVALUATION OF SITE ASSESSMENT CRITERIA
7 CFR 658.5 (b)
US 113-SNOW HILL, MARYLAND TO DELAWARE STATE LINE
April 1997

1. How much land is in nonurban use within a radius of 1 mile from where the project is intended?

   More than 90 percent-15 points
   90 to 20 percent-14 to 1 point(s)
   Less than 20 percent-0 points

   Aerial photography and land use maps were reviewed and a field review of the site was conducted to determine nonurban use within a 1 mile radius of the project area. It was estimated that 90 percent of the land is in nonurban use for all of the alternatives.

   Rating: Alternative 2S/2N-14 points; Alternative 2S-20' Median/60 MPH-14 points; Alternative 3S-20' Median/60MPH-14 points; Alternative 3N-20' Median/50 MPH-14 points; Alternative 3N-34' Median/50MPH-14 points; Alternative 3N-20' Median/60 MPH-14 points; Alternative 4N-20' Median/60 MPH-14 points; Alternative 3N/4N-20' Median/60 MPH-14 points

2. How much of the perimeter of the site borders on land in nonurban use?

   More than 90 percent-10 points
   90 to 20 percent-9 to 1 point(s)
   Less than 20 percent-0 points

   Aerial photography and land use maps were reviewed and a field review of the site was conducted to determine nonurban use bordering on the site. It was estimated that 85 percent of Alternatives 2S/2N, 2S-20' Median/60 MPH, 3S-20' Median/60 MPH and 3N-20' Median/50 MPH, 3N-34' Median/60 MPH, 3N-20' Median/60 MPH border on land in nonurban use and more than 90 percent of Alternatives 4N-20' Median/60 MPH and 3N/4N-20' Median/60 MPH border on nonurban use.

   Rating: Alternative 2S/2N-8 points; Alternative 2S-20' Median/60 MPH-8 points; Alternative 3S-20' Median/60MPH-8 points; Alternative 3N-20' Median/50 MPH-8 points; Alternative 3N-34' Median/50MPH-8 points; Alternative 3N-20' Median/60 MPH-8 points; Alternative 4N-20' Median/60 MPH-10 points; Alternative 3N/4N-20' Median/60 MPH-10 points

3. How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

   More than 90 percent-20 points
   90 to 20 percent-19 to 1 point(s)
   Less than 20 percent-0 points

   Historically, much of Worcester County land has been used for agricultural activities. Based on a review of aerial photographs and land use maps, it is estimated that more than 90 percent of the land area for each of the dualization alternatives and Alternative 2S-20' Median/60 MPH has been farmed more than five of the last 10 years. The majority of the improvements associated with the 2S/2N Alternatives would occur within existing SHA right-of-way.

   Rating: Alternative 2S/2N-0 points; Alternative 2S-20' Median/60 MPH-20 points; Alternative 3S-20' Median/60MPH-20 points; Alternative 3N-20' Median/50 MPH-20 points; Alternative 3N-34' Median/50MPH-20 points; Alternative 3N-20' Median/60 MPH-20 points; Alternative 4N-20' Median/60 MPH-20 points; Alternative 3N/4N-20' Median/60 MPH-20

points

4. Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland or covered by private programs to protect farmland?

   Site is protected-20 points
   Site is not protected-0 points

   The Maryland Department of Agriculture has an Agricultural Land Preservation Program to preserve sufficient agricultural land in order to maintain a viable local base of food and fiber production for the citizens of Maryland. According to the Worcester County Office of Planning, Permits and Inspections, there are no agricultural land preservation districts located within the right-of-way limits of the project build alternatives.

   Rating: Alternative 2S/2N-0 points; Alternative 2S-20' Median/60 MPH-0 points; Alternative 3S-20' Median/60MPH-0 points; Alternative 3N-20' Median/50 MPH-0 points; Alternative 3N-34' Median/50MPH-0 points; Alternative 3N-20' Median/60 MPH-0 points; Alternative 4N-20' Median/60 MPH-0 points; Alternative 3N/4N-20' Median/60 MPH-0 points

5. Criterion 5 is not considered applicable for corridor-type projects.

6. Criterion 6 is not considered applicable for corridor-type projects.

7. Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county?

   As large or larger-10 points
   Below average-deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average-9 to 0 points

   According to the Worcester County Natural Resource Conservation Service, the average farm size in Worcester County is 176 acres. Alternatives 3N-20' Median/50 MPH, 3N-34' Median/50 MPH and 3N-20' Median/60 MPH impact 24 properties engaged in agricultural activity. Only two of these properties are equal to or greater than thecounty average. Except for one property, each of the remaining farm parcels is less than the county average. Alternative 4N-20' Median/60 MPH impacts 19 properties engaged in agricultural activity. Except for one property, each of the remaining farm parcels is less than the county average. Alternative 3N/4N-20' Median/60 MPH impacts 20 properties engaged in agricultural activity. Along this Alternative, one farm is greater than the county average and one farm is less than 176 acres, but greater than 88 acres (half of the county average). Alternative 3S-20' Median/60 MPH impacts 48 properties engaged in agricultural activity. Six of these parcels are equal to or greater than the county average. Six of the remaining 42 parcels are less than 170 acres, but greater than 88 acres (half of the county average). The remaining parcels are less than the county average. Alternative 2S-20' Median/60 MPH impacts 20 farmland parcels. Four of the parcels are greater than 176 acres. Three of the parcels are less than 176 acres but greater than 88 acres. Thirteen of the parcels are less than 88 acres in size. Alternative 2S/2N impacts 3 parcels, all of which are located in the southern study area. One parcel is greater than 176 acres. Two parcels are less than 88 acres. To arrive at the rating, the scores of the impacted farm properties were added and then divided by the number of farm properties impacted by the alternative.

   Rating: Alternative 2S/2N-3 points; Alternative 2S-20' Median/60 MPH-3 points; Alternative 3S-20' Median/60MPH-2 points; Alternative 3N-20' Median/50 MPH-1 point; Alternative 3N-34' Median/50MPH-1 point; Alternative 3N-20' Median/60 MPH-1 point; Alternative 4N-20' Median/60 MPH-0 points; Alternative 3N/4N-20' Median/60 MPH-1 point

8. If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project-25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project-24 to 1 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project-0 points

Alternatives 2S-20' Median and 3S-20' Median/60 MPH are designed to parallel existing US 113 in the southern study area. Farmland will be impacted in the parcels adjacent to existing US 113. Accessibility to remaining farmland is expected to remain intact with these alternatives. Alternatives 3N-20' Median/50 MPH, 3N-34' Median/50 MPH and 3N-20' Median/60 MPH also parallel existing US 113. The farmland impacts associated with these alternatives will also occur on the parcels adjacent to the existing roadway. Alternatives 4N-20' Median/60 MPH and 3N/4N-20' Median/60 MPH are the only alternatives that will bisect farmland parcels. The design of these alternatives (four lanes w/ a median) will create accessibility difficulties on six properties for the current property owners. These parcels (tax parcel numbers 109, 122, 118, 123, 52 and 41) are located between Showell and southern study area limits of these alternatives. Approximately 47 acres are indirectly impacted by these alternatives. Improvements incorporated into Alternative 2S/2N will occur mostly within the existing US 113 right-of-way.

Rating: Alternative 2S/2N-0 points; Alternative 2S-20' Median/60 MPH-0 points; Alternative 3S-20' Median/60MPH-0 points; Alternative 3N-20' Median/50 MPH-0 points; Alternative 3N-34' Median/50MPH-0 points; Alternative 3N-20' Median/60 MPH-0 points; Alternative 4N-20' Median/60 MPH-25 points; Alternative 3N/4N-20' Median/60 MPH-25 points

9. Does the site have available an adequate supply of farm support services and markets, i.e. farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available-5 points
Some required services are available-4 to 1 point(s)
No required services are available-0 points

All required services are available to the farms in the area for each alternative. Agricultural services are located in Berlin, Salisbury and Snow Hill.

Rating: Alternative 2S/2N-5 points; Alternative 2S-20' Median/60 MPH-5 points; Alternative 3S-20' Median/60MPH-5 points; Alternative 3N-20' Median/50 MPH-5 points; Alternative 3N-34' Median/50MPH-5 points; Alternative 3N-20' Median/60 MPH-5 points; Alternative 4N-20' Median/60 MPH-5 points; Alternative 3N/4N-20' Median/60 MPH-5 points

10. Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation waterways or other soil and water conservation measures?

High amount of on-farm investment-20 points
Moderate amount of on-farm investment-19 to 1 point(s)
No on-farm investment-0 points

Farms within the study area range from having a high amount of on-farm investment to no on-farm investment. Most of the farms appeared to have a moderate amount of on-farm investment in the form of chicken houses, irrigation drainageways, barns and other outbuildings.

Rating: Alternative 2S/2N-14 points; Alternative 2S-20' Median/60 MPH-14 points; Alternative 3S-20' Median/60MPH-14 points; Alternative 3N-20' Median/50 MPH-14 points; Alternative 3N-34' Median/50MPH-14 points; Alternative 3N-20' Median/60 MPH-14 points; Alternative 4N-20' Median/60 MPH-14 points; Alternative 3N/4N-20' Median/60 MPH-14 points

11. Would the project at this site, by converting farmland to non-agricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms

remaining in the area?

Substantial reduction in demand for support services if the site is converted-10 points
Some reduction in demand for support services if the site is converted-9 to 1 point(s)
No significant reduction in demand for support services if the site is converted-0 points

None of the alternatives will reduce the demand for farmland support services. Many of the support services are located in Berlin, Snow Hill and Salisbury.

Rating: Alternative 2S/2N-0 points; Alternative 2S-20' Median/60 MPH-0 points; Alternative 3S-20' Median/60MPH-0 points; Alternative 3N-20' Median/50 MPH-0 points; Alternative 3N-34' Median/50MPH-0 points; Aternative 3N-20' Median/60 MPH-0 points; Alternative 4N-20' Median/60 MPH-0 points; Alternative 3N/4N-20' Median/60 MPH-0 points

12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to non-agricultural use?

Proposed project is incompatible with existing agricultural use of surrounding farmland-10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland-9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland-0 points

The purpose of the roadway is to improve the safety for motorists. The potential for secondary development as a result of the proposed roadway improvements exists; however, land use controls, questionable soil suitability characteristics for development and the absence of public sewerage and sewer disposal facilities limit the potential for development in the study area . Minor subdivisions of five dwelling units per property are allowed in land zoned agriculture (A-1). It is the intent of Worcester County to 1)"Encourage new development projects to locate in or near the existing population centers and service centers (where planned) but also discourage development of the rural areas of the county" and 2) "Maintain the rural character of Worcester County and its existing population centers, small towns and villages (Worcester County Comprehensive Plan, 1989).

Rating: Alternative 2S/2N-1 point; Alternative 2S-20' Median/60 MPH-3 points; Alternative 3S-20' Median/60MPH-3 points; Alternative 3N-20' Median/50 MPH-3 points; Alternative 3N-34' Median/50MPH-3 points; Alternative 3N-20' Median/60 MPH-3 points; Alternative 4N-20' Median/60 MPH-5 points; Alternative 3N/4N-20' Median/60 MPH-4 points

Total Rating:
Alternative 2S/2N-45 points
Alternative 2S-20' Median/60 MPH-67 points
Alternative 3S-20' Median/60 MPH-66 points
Alternative 3N-20' Median/50 MPH-65 points
Alternative 3N-34' Median/50 MPH-65 points
Alternative 3N-20' Median/60 MPH-65 points
Alternative 4N-20' Median/60 MPH-93 points
Alternative 3N/4N 20' Median/60 MPH-93 points

United States Department of Agriculture

Natural Resources Conservation Service

301 Bank Street
Snow Hill, Maryland 21863
(410)632-0939

SOILS OF STATEWIDE IMPORTANCE FOR WORCESTER COUNTY MARYLAND

ACRES	SOIL MAPPING UNIT
9,655	Fallsington Loam Fg
31,135	Fallsington Sandy Loam Fa
1,285	Fort Mott Loamy Sand, 0 to 2 percent slopes Fm.A
7,085	Fort Mott Loamy Sand, 2 to 5 percent slopes FmB
6,815	Klej Loamy Sand, 0 to 2 percent slopes KsA
1,920	Klej Loamy Sand, 2 to 5 percent slopes KsB
7,760	Lakeland Loamy Sand Clayey Substratum, 0 to 5 percent slopes LmB
4,790	Lakeland Sand Clayey Substratum, 0 to 5 percent slopes LlB
867	Lakeland-Fort Mott Loamy Sands, 0 to 5 percent slopes LoB
505	Matapeake Fine Sandy Loam, 5 to 10 percent slopes MdC
275	Matapeake Silt Loam, 5 to 10 percent slopes MeC
50,135	Othello Silt Loam Ot
16,260	Pocomoke Loam, drained Pm
10,185	Pocomoke Sandy Loam, drained PK
905	Portsmouth Sandy Loam Pr
6,825	Portsmouth Silt Loam Pt
950	Sassafras Sandy Loam, 5 to 10 percent slopes, moderately eroded SaC
2,620	St Johns Loamy Sand St
530	St Johns Mucky Loamy Sand Su

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The Natural Resources Conservation Service is an agency of the Department of Agriculture

AN EQUAL OPPORTUNITY EMPLOYER

United States Department of Agriculture

Soil Conservation Service

301 Bank Street
Snow Hill, Maryland 21863
(301) 632-0939

PRIME FARMLAND SOILS FOR WORCESTER COUNTY MARYLAND

MdA	3,645	Matapeake Fine Sandy Loam, 0 to 2 percent slopes
MdB	5,505	Matapeake Fine Sandy Loam, 2 to 5 percent slopes
MeA	3,275	Matapeake Silt Loam, 0 to 2 percent slopes
MeB	2,010	Matapeake Silt Loam, 2 to 5 percent slopes
MoA	1,630	Mattapex Fine Sandy Loam, 0 to 2 percent slopes
MoB	615	Mattapex Fine Sandy Loam, 2 to 5 percent slopes
MpA	3,855	Mattapex Loam, 0 to 2 percent slopes
MpB	865	Mattapex Loam, 2 to 5 percent slopes
MtA	4,560	Mattapex Silt Loam, 0 to 2 percent slopes
MtB	995	Mattapex Silt Loam, 2 to 5 percent slopes
SmA	505	Sassafras Loam, 0 to 2 percent slopes
SmB_2	385	Sassafras Loam 2 to 5 percent slopes, moderately eroded
SaA	7,435	Sassafras Sandy Loam, 0 to 2 percent slopes
SaB_2	13,560	Sassafras Sandy Loam, 2 to 5 percent slopes, moderately eroded
WoA	2,310	Woodstown Loam, 0 to 2 percent slopes
WoB	515	Woodstown Loam, 2 to 5 percent slopes
WdA	16,385	Woodstown Sandy Loam, 0 to 2 percent slopes
WdB	4,010	Woodstown Sandy Loam, 2 to 5 percent slopes

The Soil Conservation Service
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United States Department of Agriculture

Appendix C
Relocation Act

SUMMARY OF THE RELOCATION ASSISTANCE PROGRAM OF THE STATE HIGHWAY ADMINISTRATION OF MARYLAND

All State Highway Administration projects must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4601) as amended by Title IV of the Surface Transportation & Uniform Relocation Assistance Act of 1987 (P.L. 100-17), the Annotated Code of Maryland entitled "Real Property Article" Section 12-112 and Subtitle 2, Sections 12-201 to 12-212. The Maryland Department of Transportation, State Highway Administration, Office of Real Estate administers the Transportation Relocation Assistance Program in the State of Maryland.

The provisions of the Federal and State laws require the State Highway Administration to provide payments and services to persons displaced by a public project. The payments include replacement housing payments and moving costs. The maximum limits of the replacement housing payments are $22,500 for owner-occupants and $5,250 for tenant-occupants. Certain payments may also be made for increased mortgage interest costs and other incidental expenses. In order to receive these payments, the displaced person must occupy decent, safe and sanitary replacement housing. In addition to these payments, there are also moving expense payments to persons, businesses, farms and non-profit organizations. Actual but reasonable moving expenses for residences are reimbursed for a move of up to 50 miles or a schedule moving payment of up to $1,300 may be used.

In the event comparable replacement housing is not available within the monetary limits for owners and tenants to rehouse persons displaced by public projects or available replacement housing is beyond their financial means, replacement "housing as a last resort" will be utilized to accomplish the rehousing. Detailed studies must be completed by the State Highway Administration before relocation "housing as a last resort" can be utilized.

The moving cost payments to businesses are broken down into several categories, which include actual moving expense payments, reestablishment expenses limited to $10,000 or fixed payments "in lieu of" actual moving expenses of $1,000 to $20,000. Actual moving expenses may also include actual direct losses of tangible personal property and expenses for searching for a replacement site up to $1,000.

The actual reasonable moving expenses may be paid for a move by a commercial mover or for a self-move. Payments for the actual reasonable expenses are limited to a 50-mile radius unless the State determines a longer distance is necessary. The expenses claimed for actual cost moves must be supported by firm bids and receipted bills. An inventory of the items to be moved must be prepared in all cases. In self-moves, the State will negotiate an amount for payment, usually lower than the lowest acceptable bid. The allowable expenses of a self-move may include amounts paid for equipment hired, the cost of using the business vehicles or equipment, wages paid to persons who participate in the move, the cost of actual supervision of the move, replacement insurance for the personal property moved, costs of licenses or permits required and other related expenses.

In addition to the actual moving expenses mentioned above, the displaced business is entitled to receive a payment for the actual direct losses of tangible personal property that the business is entitled to relocate but elects not to move. These payments may only be made after an effort by the owner to sell the personal property involved. The costs of the sale are also reimbursable moving expenses.

If the business elects not to move or to discontinue the use of an item, the payment shall consist of the lesser of: the fair market value of the item for continued use at the displacement site, less the proceeds from its sale; or the estimated cost of moving the item.

If an item of personal property which is used as part of a business or farm operation is not moved and is promptly replaced with a substitute item that performs a comparable function at the replacement site, payment shall be of the lesser of: the cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or the estimated cost of moving and reinstalling the replaced item.

In addition to the moving payments described above, a business may be eligible for a payment up to $10,000 for the actual reasonable and necessary expenses of reestablishing at the replacement site. Generally, reestablishment expenses include certain repairs and improvements to the replacement site, increased operating costs, exterior signing, advertising the replacement location and other fees paid to reestablish. Receipted bills and other evidence of these expenses are required for payment. The total maximum reestablishment payment eligibility is $10,000.

In lieu of all moving payments described above, a business may elect to receive a fixed payment equal to the average annual net earnings of the business. This payment shall not be less than $1,000 nor more than $20,000. In order to be entitled to this payment, the State must determine that the business cannot be relocated without a substantial loss of its existing patronage; the business is not part of a commercial enterprise having more than three other establishments in the same or similar business that are not being acquired; and the business contributes materially to the income of a displaced owner during the two taxable years prior to the year of the displacement. A business operated at the displacement site solely for the purpose of renting to others is not eligible. Considerations in the State's determination of loss of existing patronage are the type of business conducted by the displaced business and the nature of the clientele. The relative importance of the present and proposed locations to the displaced business and the availability of suitable replacement sites are also factors.

In order to determine the amount of the "in lieu of" moving expenses payment, the average annual net earnings of the business is to b/e one-half of the net earnings, before taxes during the two taxable years immediately preceding the taxable year in which the business is relocated. If the two taxable years are not representative, the State may use another two-year period that would be more representative. Average annual net earnings include any compensation paid by the business to the

owner, owner's spouse, or dependents during the period. Should a business be in operation less than two years, the owner of the business may still be eligible to receive the "in lieu of" payment. In all cases, the owner of the business must provide information to support its net earnings, such as income tax returns, or certified financial statements, for the tax years in question.

Displaced farms and non-profit organizations are also eligible for actual reasonable moving costs up to 50 miles, actual direct losses of tangible personal property, search costs up to $1,000 and reestablishment expenses up to $10,000 or a fixed payment "in lieu of actual moving expenses of $1,000 to $20,000. The State may determine that a displaced farm may be paid a minimum of $1,000 to a maximum of $20,000, based upon the net income of the farm, provided that the farm has been relocated or the partial acquisition caused a substantial change in the nature of the farm. In some cases, payments "in lieu of" actual moving costs may be made to farm operations that are affected by a partial acquisition. A non-profit organization is eligible to receive a fixed payment or an "in lieu of" actual moving cost payment, in the amount of $1,000 to $20,000 based on gross annual revenues less administrative expenses.

A more detailed explanation of the benefits and payments available to displaced persons, businesses, farms and non-profit organizations is available in the "Relocation Assistance" brochure that will be distributed at the public hearing for this project and be given to displaced persons.

Federal and state laws require that the State Highway Administration shall not proceed with any phase of a project which will cause the relocation of any persons, or proceed with any construction project, until it has furnished satisfactory assurances that the above payments will be provided, and that all displaced persons will be satisfactorily relocated to comparable decent, safe and sanitary housing within their financial means, or that such housing is in place and has been made available to the displaced person.

Appendix D
Statewide Comparable Accident Data

1) Memorandum dated August 18, 1997
   Analysis of Accident Rates
   3 pages

2) Memorandum dated August 20, 1997
   Comparison of Statewide Accident Rates
   3 pages

3) Memorandum dated September 9, 1997,
   revised September 17, 1997
   US 113 Accidents
   8 pages

MEMORANDUM

To: Sue Rajan, SHA Project Planning

From: James Burnett, RK&K

Date: 8/18/97

RE: **US 113 - Analysis of Accident Rates**

Comparison of US 113 accident rates to Statewide Averages

The following paragraphs summarize the accident rate comparison for several different types of accidents for the dualized sections of US 113. It was written for a non-technical audience:

US 113 in Maryland can be divided into 4 distinct sections. The first, or southern-most section begins at US 13 and extends 9.89 miles north to the town of Snowhill, MD. This 9.89 mile section has two thru lanes in each direction and is currently divided by an 85± foot median that is planted with trees and shrubs. Then, for 16.10 miles north to the town of Berlin, MD, the roadway is one lane per direction with no median (this section is referred to as the "southern study area"). The only separation between vehicles are paint markings down the centerline of the road. For the next 4.40 miles north through Berlin, MD, US 113 is again two lanes per direction and divided, this time by a 28± foot grassy median, partially planted with trees (this area is known as "the area through Berlin"). Finally, for the next 7.45 miles north to the Delaware state line, the road is back to being one lane per direction separated by paint stripes only (this section is known as the "northern study area").

Throughout the 16 year period from January, 1980 thru December, 1995, there were a total of 505 reported accidents in the 7.45 mile "northern" section. Of these 505 accidents, 20 were fatalities, 257 involved injuries and 228 were property damage only. To determine how these volumes of accidents compared to other similar sections of roads throughout the state, they were converted into accident *rates.*

Accident rates simply show how many accidents occur per a given volume of traffic (usually expressed in terms of # of accidents per 100 million vehicle miles of travel). These accident rates can then be directly compared to statewide accident rates for roadways of similar width, # of lanes, access control, etc., to determine if there is a safety problem, and if so, what the extent of the problem is. In the "northern" section, the accident rate corresponding to the 505 total accidents was 159.4 acc/100MVMT. Likewise, the accident rate for the fatalities was 6.3, injury accidents was 81.1, and property damage accidents was 72.0 acc/100MVMT. These accident rates, along with the number and rates for all 4 sections of US 113, are shown in the following table (note that accident numbers and rates are also provided for several other important categories of accidents):

US 113, Maryland	16 Year Accident Comparison (1980 thru 1995) on US 113 in Maryland								RK&K Engineers August 18, 1997
Accident Type	Accident Rate for US 113 and **(Statewide Rate for a similar Section of Road)** *all rates in terms of #accidents/100MVMT								
	Log Miles of Sections								
	0.00-9.89		9.89-25.99 "southern Sect."		25.99-30.39 "Through Berlin"		30.39-37.84 "Northern Sect."		
Fatal Accidents	3.7*	**(2.0)**	2.7	**(2.5)**	1.6	**(1.8)**	6.3*	**(2.7)**	
Injury Accidents	48.9	**(69.8)**	33.9	**(74.6)**	66.6	**(89.4)**	81.1	**(79.6)**	
Property Damage Accidents	54.0	**(63.6)**	37.3	**(62.2)**	65.5	**(74.3)**	72.0	**(68.0)**	
Total Accidents	106.6	**(135.8)**	73.8	**(139.3)**	133.6	**(165.6)**	159.4	**(150.2)**	
Opposite Direction	1.4	**(1.9)**	6.8	**(9.5)**	1.1	**(2.1)**	17.0*	**(9.9)**	
Hit-Fixed-Object	55.4*	**(28.7)**	28.4	**(38.8)**	26.0	**(22.4)**	57.5*	**(45.6)**	
Angle	9.7	**(26.7)**	11.7	**(23.1)**	57.9*	**(29.3)**	25.6	**(22.4)**	
Sideswipe	3.2	**(9.7)**	2.5	**(6.4)**	6.5	**(9.1)**	8.2	**(6.9)**	
Rear-end	7.4	**(26.9)**	8.4	**(24.8)**	11.9	**(32.8)**	23.7	**(26.0)**	
Left Turn	1.4	**(13.8)**	1.8	**(9.3)**	18.4	**(22.2)**	7.9	**(9.2)**	

Several interesting relationships are revealed in the comparison of accident rates. First and most importantly, the "northern study area" (currently undivided, log mile 30.39 to 37.84) has experienced fatal accidents at a rate (6.3 acc/100MVMT) that is more than twice the statewide average rate (2.7 acc/100MVMT). This indicates that this section of US 113 has experienced more than twice the number of fatal accidents as other two lane undivided roads throughout the state of Maryland between 1980 and 1995. Upon closer investigation (not shown in table) it is evident that this sixteen (16) year fatal accident rate for US 113 represents twenty (20) fatal accidents that killed twenty-three (23) people. Fourteen (14) of the twenty (20) fatal accidents were opposite direction collisions, three (3) were angle collisions, and the remaining three were sideswipe, fixed object and pedestrian accidents. The overall (total) accident rate for opposite direction accidents on the northern section of US 113 (17.0 acc/100MVMT) is also dramatically higher than the statewide rate (9.9 acc/100MVMT).

In addition to the fatal and opposite direction accident rates being higher than the statewide averages in the "northern" section, most of the other accident rates are higher as well including injury accidents, property damage accidents, hit-fixed-object accidents (significantly higher than the statewide average), sideswipe accidents and angle accidents. The accident history of this section of US 113 clearly shows that there is a safety problem especially with opposite direction crashes.

The "southern study area" of US 113 (log miles 9.89 to 25.99) has a fatal accident rate (2.7 acc/100MVMT) that is somewhat higher than the statewide average (2.5 acc/100MVMT). This fatal accident rate for US 113 corresponds with six (6) opposite direction crashes, five (5) angle crashes, three (3) rear-end crashes, two (2) hit-fixed-object crashes, and one (1) pedestrian crash. With the exception of fatalities, all of the other categories of accidents including total accidents were below the statewide rates. This section of road experienced fewer accidents of all types (other than fatalities) than other similar roads in the state of Maryland between 1980 and 1995 (NOTE: other mitigating factors relating to roadway safety, such as driver expectancy, may warrant infrastructure improvements in this section because it could become the only remaining un-divided section of US 113 in the state of Maryland or Delaware).

The remaining two sections of US 113 in Maryland are both dualized (divided by a median). The southern-most section (log mile 0.00 to 9.89) had a fatal accident rate (3.7 acc/100MVMT) that was significantly higher than the statewide average rate (2.0 acc/100MVMT). In addition, the hit-fixed-object rate within that section of road (55.4 acc/100MVMT) was also significantly higher than the statewide rate (28.7 acc/100MVMT). Looking closer at this problem, it is evident that the high number of hit-fixed object accidents is also responsible for the high fatality rate in this section. Of the eight (8) fatal accidents that occurred between 1980 and 1995, five (5) were a result of hit-fixed-object crashes. The remaining categories of accidents were all below the statewide average rates.

The second dualized section of US 113 is located through Berlin, MD (log mile 25.99 to 30.39). Within this section, all categories of accidents were below the statewide average rates except for angle accidents. The historical rate on US 113 for angle accidents (57.9 acc/100MVMT) was significantly higher than the statewide average rate (29.3 acc/100MVMT).

Finally, the accident rates for all four sections were compared to determine what affect, if any, could be expected from dualizing the two remaining two-lane sections of US 113. This comparison indicates that a reduction in opposite direction collisions would be expected. In the two-lane sections of US 113, the accident rates were 6.8 and 17.0 acc/100MVMT, while the accident rates for the dualized sections were 1.4 and 1.1 acc/100MVMT. In the case of the northern section, where a majority of the total and fatal accidents are caused by opposite direction crashes, dualization would be desirable.

To summarize, when the historical accident experience of US 113 is compared to statewide average accident rates for roads with similar characteristics, it is evident that there is a large safety problem in the "northern" study area, especially for opposite direction crashes (many of which result in fatalities). In general, most other types of accidents are above the statewide accident rates as well, indicating that this section of road has a significant safety problem. In the "southern" study area, although the fatal accident rate is somewhat above the statewide average rate, all other categories of accidents are below the statewide rates.

It would have been desirable to compare the accident experience of the two dualized before and after dualization, however, this is not possible. Archived accident records were not kept by the state department of transportation that far back in time (dualization occurred in the mid 1970's). As a point of comparison, the state police typically destroy accident records after only five (5) years. Furthermore, accident recording procedures and forms have changed considerably over the past 20 years making a direct comparison of accident rates infeasible.

Memorandum

To: Sue Rajan, SHA Project Planning

From: James Burnett, RK&K

Date: 8/20/97

RE: **US 113 - Comparison of Statewide Accident Rates**

Comparison Among Statewide Accident Rates (Different Cross-Sections and Access Controls)

A comparison can be made between statewide accident rates for different types of roadways to determine the safety benefit of one cross-section versus another. Accident rates for two different roads were compared based on statewide averages from 1991 through 1995:

- (TC3) Rural Divided Highway, Partial Control of Access, 4 or more lanes
- (TC8) Rural Non-Divided Highway, No Control of Access, 2 lanes

US 113, Maryland — **RK&K Engineers**

Statewide Average Accident Comparison for Various Road Types in Maryland (1991-1995 data) — **August 20, 1997**

Accident Type	Statewide Accident Rates for Various Roadways *(1991 thru 1995)*	
	TC3 Rural Div. Highway, Partial Control, 4+ lanes	TC8 Rural Non-Div. Hwy., No Control, 2 lanes
Fatal Accidents	1.87	2.36
Injury Accidents	39.94	70.44
Property Damage Accidents	36.01	60.79
Total Accidents	77.83	133.59
Opposite Direction	1.03	9.18
Hit Fixed Object	22.13	41.42
Angle	18.17	18.24
Sideswipe	4.57	5.47
Rear-end	9.93	24.84
Left Turn	4.83	7.73

Based on the historical statewide averages, it is apparent that in most categories (fatal, injury, property damage, total, opposite direction and hit fixed object, rear-end, and left turn) dualization will significantly reduce accident rates. In the categories of angle and sideswipe accidents, little change would be expected from dualization.

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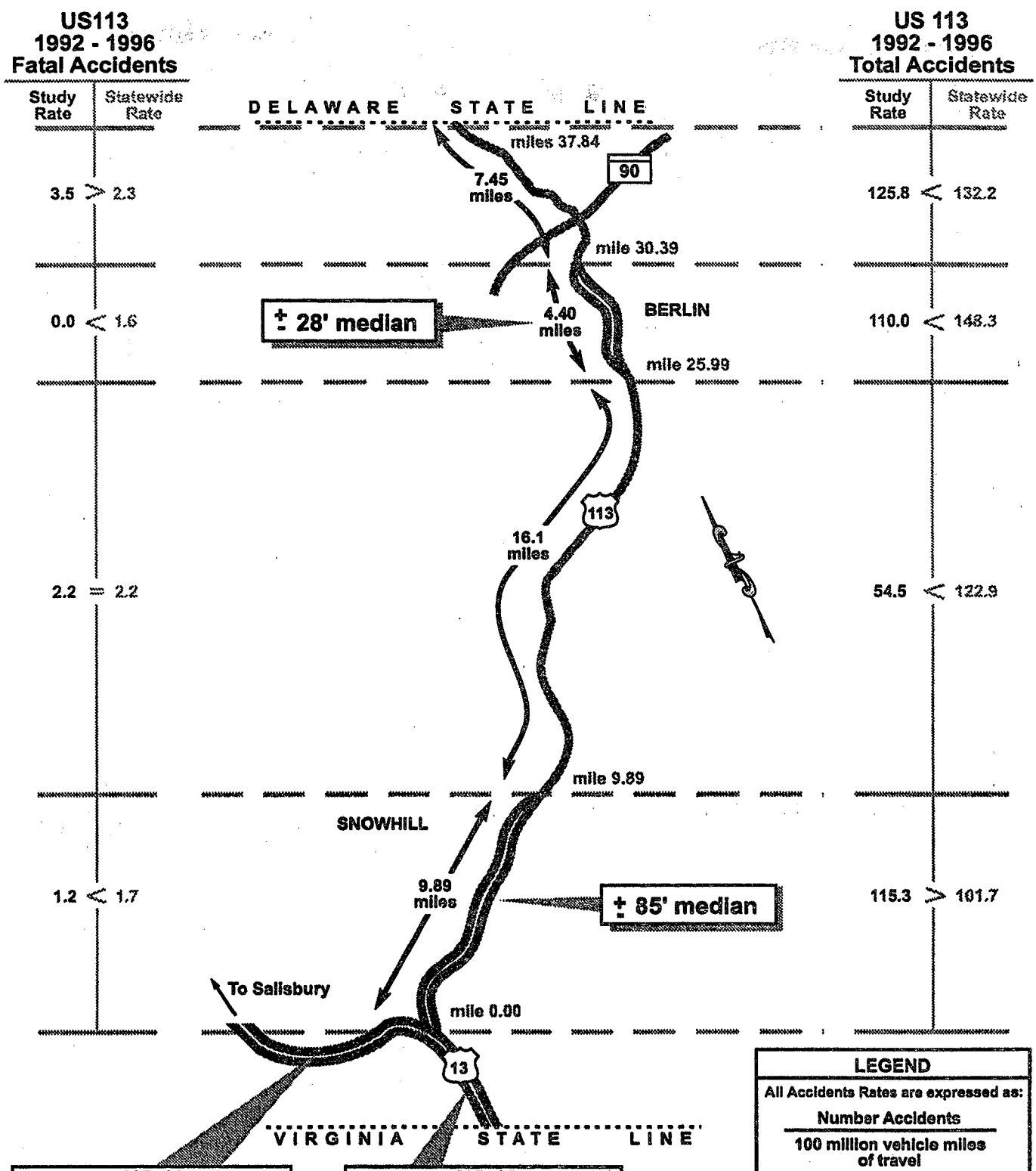


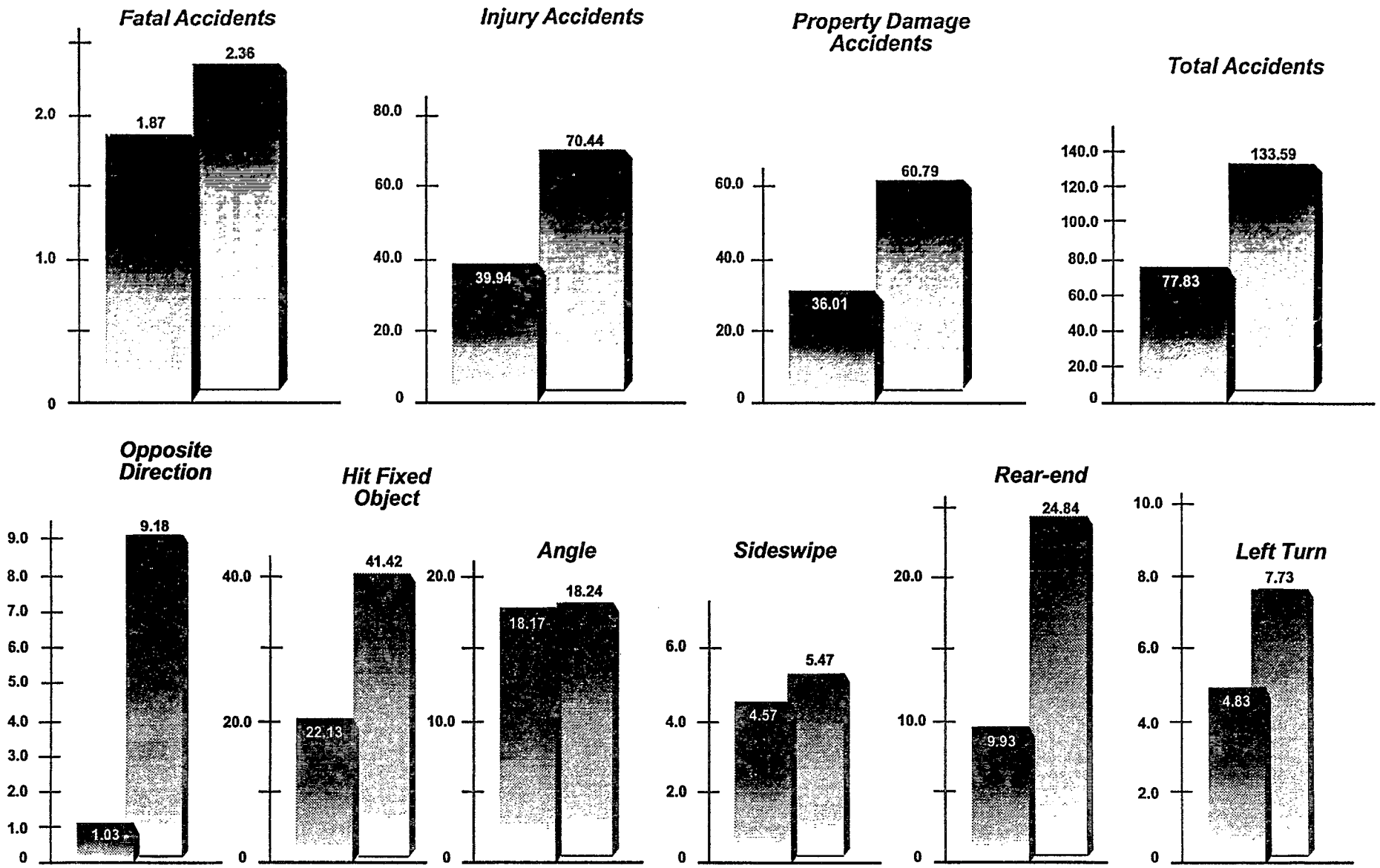
US 13 mile 3.91 to mile 22.68			
Divided Partial Control			
1992 - 1996			
Fatal Accidents		Total Accidents	
Study Rate	Statewide Rate	Study Rate	Statewide Rate
2.6	1.8	98.8	84.6

US 13 mile 0.00 to mile 3.91			
Divided No Control			
1992 - 1996			
Fatal Accidents		Total Accidents	
Study Rate	Statewide Rate	Study Rate	Statewide Rate
0.0	1.7	77.7	102.4

US 113 PLANNING STUDY

ACCIDENT RATE COMPARISONS

Maryland State Highway Administration | August 20, 1997 | Figure 1



DATA SOURCE:

Accident rates for all similar roadways in Marland (1991-1995)

LEGEND

- TC3: Rural Divided Highway, Partial Control of Access, 4 or more lanes
- TC8: Rural Non-Divided Highway, No Control of Access, 2 lanes

US 113 PLANNING STUDY

STATEWIDE ACCIDENT RATE COMPARISON

Maryland State Highway Administration | August 20, 1997 | Figure 2

MEMO

193-70-11

To: Sue Rajan, SHA
Cathy Maher, SHA

From: James Burnett, RK&K, LLP

Subject: **US 113 Accidents**

Date: September 9, 1997
Revised September 17, 1997 (SHA comments)

The following responses address the points raised by the resource agencies concerning the accident analyses for the US 113 Planning Study:

MD 90

- Provide an analysis (before and after) of the effect of headlight use and the installation of rumble strips and the passage of the headlight law. Use monthly accident data.

Response: Monthly accident data is not available from SHA, OOTS. Using SHA's annual data, the following relationships were found:

Signs were installed in October, 1981 that requested motorists to use headlights at all times on MD 90. In 1988, longitudinal rumble strips were installed along the shoulders and in the median to alert drivers of crossing the lane lines. In November, 1995, a law went into effect requiring the use of headlights at all times on MD 90.

There are no clear relationships in any specific type of accident or in the overall accident rate when compared to the dates of improvements mentioned above. After the headlight signs were installed in 1981, the overall accident rate remained almost constant. The number of opposite direction collisions dropped from 8 in 1981 to an average of 2.6 per year for the next six years, but then jumped to 7 and 8 vehicles per year in 1987 and 1988. It could, however, be argued that the 8 opposite direction accidents in 1981 was atypical, since there were only 3 in 1980.

After the headlight law was put into effect in 1995, the overall accident rate increased from 49.0 accidents per 100 million vehicle miles of travel (acc./100MVM) to 71.3 acc/100MVM. This is consistent with the historically widely fluctuating overall accident rate on MD 90. Between 1983 and 1996 the accident rate has ranged from 27.7 acc./100MVM to 84.0 acc./100MVM in a seemingly random pattern.

US 113 (entire length)

- Provide updated color figures for the entire section of US 113 using 1990-1996 accident data.

Response: 1992 through 1996 data is already available, therefore, the graphic was updated using these years (attached).

- Provide a discussion of the characteristics of the roadway and the relationship to accident rates

Response: The following paragraphs summarize the accident rate comparison for several different types of accidents for the dualized sections of US 113.

US 113 in Maryland can be divided into 4 distinct sections. The first, or southern-most section begins at US 13 and extends 9.89 miles north to the town of Snow Hill, MD. This 9.89 mile section has two thru lanes in each direction and is currently divided by an 85± foot median containing trees and shrubs. Then, for 16.10 miles north to the town of Berlin, MD, the roadway is one lane per direction with no median (this section is referred to as the Southern Study Area). The only separation between vehicles are paint markings down the centerline of the 24 foot wide road. For the next 4.40 miles north through Berlin, MD, US 113 is again two lanes per direction divided by a 28± foot grassy median, partially planted with trees (this area is known as "the area through Berlin"). Finally, for the next 7.45 miles north to the Delaware state line, the road is one lane per direction again, separated by paint stripes (this section is known as the Northern Study Area). It should be noted that the 4 lane, divided sections of US 113 are not study areas in this project but are included for comparison purposes.

Throughout the 5 year period from January, 1992 thru December, 1996, there were a total of 143 reported accidents in the 7.45 mile Northern Study Area. Of these 143 accidents, 4 were fatalities, 77 involved injuries and 62 were property damage only. To determine how these volumes of accidents compared to other similar sections of roads throughout the state, they were converted into accident *rates* (see section at end of memo about how accident rates are determined).

Accident rates simply show how many accidents occur per a given volume of traffic (usually expressed in terms of # of accidents per 100 million vehicle miles of travel). These accident rates can then be directly compared to statewide average accident rates for highways of similar # of lanes, divided / non-divided, access control, etc., to determine the relative safety hazards, and if so, what the extent of the problem is. In the Northern Study Area, the accident rate corresponding to the 143 total accidents was 125.8 acc/100MVM. Likewise, the accident rate for the fatalities was 3.5, injury accidents was 67.7, and property damage accidents was 54.5 acc/100MVM. These accident rates, along with the number and rates for all 4 sections of US 113, are shown in the following table (note that accident numbers and rates are also provided for several other important categories of accidents):

US 113, Maryland

RK&K Engineers
September 17, 1997

Table 1
5 Year Accident Comparison (1992 thru 1996)
on US 113 in Maryland

Accident Type	Accident Rate for Sections of US 113 Only And, (Statewide Average Accident Rate for a similar Section of Road) - - all rates in terms of #accidents/100MVM - -							
	US 113 - Log Miles of Sections							
	0.00-9.89 US 13 to Snow Hill		9.89-25.99 Southern Study Area		25.99-30.39 "Through Berlin"		30.39-37.84 Northern Study Area	
Fatal Accidents	1.2	(1.7)	2.2	(2.2)	0.0	(1.6)	3.5	(2.3)
Injury Accidents	52.3	(53.6)	28.4	(65.2)	56.3	(78.8)	67.7	(69.8)
Property Damage Accidents	61.8	(46.4)	23.9	(55.5)	53.7	(67.9)	54.4	(60.2)
Total Accidents	115.3	(101.7)	54.5	(122.9)	110.0	(148.3)	125.8	(132.3)
Opposite Direction	0.0	(1.5)	7.4	(8.5)	0.0	(2.0)	5.3	(8.9)
Hit-Fixed-Object	67.8*	(22.5)	20.3	(32.5)	23.0	(21.3)	43.1	(40.6)
Angle	4.8	(19.2)	9.6	(19.3)	52.9*	(26.0)	26.4*	(18.3)
Sideswipe	2.4	(6.4)	1.5	(5.1)	1.3	(12.3)	0.9	(5.5)
Rear-end	8.3	(23.7)	6.3	(23.1)	7.7	(43.5)	20.2	(24.8)
Left Turn	2.4	(9.2)	1.5	(7.6)	17.9	(17.6)	8.8	(7.8)

*accident rate is significantly higher than the statewide average accident rate for similar roads

Several interesting relationships are revealed in the comparison of accident rates. First and most importantly, the Northern Study Area (currently undivided, log mile 30.39 to 37.84) has experienced fatal accidents at a rate (3.5 acc/100MVM) that is higher than the statewide average rate (2.3 acc/100MVM) for the same 5 year time period. This indicates that this section of US 113 is experiencing a fatal accident rate per 100 million vehicle miles of travel (acc./100MVM) that is higher than the five year (1991-1995) weighted statewide average fatal accident rate. Upon closer investigation (not shown in table) it is evident that this five(5) year fatal accident rate for US 113 represents four (4) fatal accidents that killed four (4) people. Two (2) of the four (4) fatal accidents were angle collisions, one (1) was a hit-fixed object collision, and the remaining one was an opposite direction accidents. The accident rate for angle accidents in the northern section of US 113 (26.4 acc/100MVM) is also significantly higher than the statewide rate (18.3 acc/100MVM).

In addition to the fatal and angle accident rates being higher than the statewide averages in the "northern" section, the majority of the remaining accident categories have accident rates that are very close to the statewide average rates. The accident history of this section of US 113 clearly shows that there is a safety problem especially with angle and hit-fixed-object crashes.

The Southern Study Area of US 113 (log miles 9.89 to 25.99) had the same fatal accident rate (2.2 acc/100MVM) as the statewide average. This fatal accident rate for US 113 corresponds with three (3) opposite direction crashes, two (2) angle crashes, and one (1) rear-end crash. The accident rate per 100MVM for all categories of accidents is consistent with or below the statewide rates for this section. There are, however, other mitigating factors relating to roadway safety, such as driver expectancy, that may warrant infrastructure improvements in this section because it could become the only remaining un-divided section of US 113 in the state of Maryland.

The remaining two sections of US 113 in Maryland are both dualized (divided by a median). The southern-most section (log mile 0.00 to 9.89) had a fatal accident rate (1.2 acc/100MVM) that was lower than the statewide average rate (1.7 acc/100MVM). However, the hit-fixed-object rate within that section of road (67.8 acc/100MVM) was significantly higher than the statewide rate (22.5 acc/100MVM). The high number of hit-fixed object accidents indicates a possible roadside design or clearzone problem. The wide median in this section is planted with numerous trees that historically have been involved in several fatalities. While the overall accident rate for the section (115.3 acc./100MVM) was higher (not significantly higher) than the statewide average rate (101.7 acc./100MVM), the rates for the remaining categories of accidents were all below the statewide average rates.

The second dualized section of US 113 is located through Berlin, MD (log mile 25.99 to 30.39). Within this section, all categories of accidents were below the statewide average rates except for angle accidents. The rate between 1992 and 1996 on US 113 in this section for angle accidents (52.4 acc/100MVM) was significantly higher than the statewide average rate (26.0 acc/100MVM).

Finally, the accident rates for all four sections were compared to determine what effect, if any, could be expected from dualizing the two remaining two-lane sections of US 113. This comparison indicates that a reduction in opposite direction collisions would be expected. In the two-lane sections of US 113, the opposite-direction accident rates were 7.4 and 5.3 acc/100MVM, while the opposite direction accident rates for the two dualized sections were both 0.0 acc/100MVM.

- Provide a breakdown of the number of fatal accidents by type (bus, truck, farm, etc.)

Response: Between 1980 and August of 1997, there were 53 fatal accidents on US 113 in Maryland. Twenty (20) of these 53 collisions (38%) involved tractor trailers or heavy trucks, 26 of 53 (49%) involved passenger cars or light trucks only, four (4) of 53 (8%) involved pedestrians or bicycles, two (2) out of 53 (4%) involved a motorcycle, one (1) out of 53 (2%) involved a transit bus, and none of the fatal accidents involved farm equipment.

In terms of fault, 45 of the 53 fatal collisions (85%) were caused by passenger cars or light trucks, 4 of 53 (8%) were caused by bicycles or pedestrians, 3 of 53 (6%) were caused by tractor trailers or heavy trucks, and the remaining one (1) accident (2%) was caused by a motorcyclist.

Finally, 16 of the 53 fatal collisions (30%) between 1980 and August of 1997 were alcohol related and all sixteen of them were caused by drivers of passenger cars or light trucks.

In terms of overall accident experience, the accident summaries provided by SHA only differentiate between truck accidents and non truck accidents. Between 1980 and 1996, trucks constituted 8.4% of all vehicles involved in collisions on US 113 in Maryland. Between 1992 and 1996, trucks constituted 7.1% all vehicles involved in collisions on US 113 in Maryland.

- Provide a discussion on the effect that the speed limit changes have had on accident rates

Response: The first speed limit change on US 113 was reported by SHA to have occurred on August 18, 1978 when the speed limit decreased from 50 mph to 40 mph from MD 589 (log mile 33.30) to Shingle Landing Road (log mile 34.39). Because we have no accident data before 1980, a before / after comparison is not possible.

On December 20, 1982, the speed limit was increased from 50 mph to 55 mph from MD 394 (log mile 9.89) to south of Germantown (log mile 26.00). The year after the speed limit was increased, the accident rate dropped by 44%. Accident trends show that for the three years before the change was made, the overall accident rate for this section averaged 90.7 acc./100MVM. The average rate for the thirteen following years averaged 76.0 acc./100MVM. Based on these relationships alone, it does not appear that the speed limit increase had a significant effect on accident rates. However, with only 3 years of accident data available for the time period before the change, the margin of error for the comparison could be very high.

In 1989, the speed limit was increased from 50 mph to 55 mph from south of Germantown (log mile 26.00) to the end of the dualized section (log mile 30.23). Accident trends show that in the year immediately following the change, the overall accident rate rose from 129.4 to 159.7 acc./100MVM. However, for the 10 years preceding the change, the average accident rate was 162.6 acc./100MVM while the average rate for the 6 years following the change was 108.1 acc./100MVM. Clearly, there are other factors influencing the accident trends on this section of roadway.

US 50 through Vienna

- Compare accident data before and after dualization

Response: Accident data for those dualized sections of US 113 prior to dualization is no longer available. Dualization on those sections occurred in the early 1970's.

To determine the possible effects that dualization would have on the safety of US 113, another, similar dualized roadway was chosen (US 50 through Vienna, MD) and the accident experiences of both roads were compared.

US 50 through Vienna, MD passes through Dorcester and Wicomico Counties. US 50 in Dorcester County (log mile 15.31 to 17.15) is classified as a rural, four lane divided road while US 50 in Wicomico County (log mile 0.00 / county line to 4.53) is classified as a four lane divided road that is 84% rural and 16% urban. Therefore, the statewide average accident rates are slightly different for each County. The following table summarizes the accident experience on US 50 through Vienna between 1992 and 1996:

US 113, Maryland

RK&K Engineers
September 17, 1997

Table 2
5 Year Accident Comparison (1992 thru 1996)
on US 50 through Vienna, Maryland

Accident Type	Accident Rate for Sections of US 50 Only And, (Statewide Average Accident Rate for a similar Section of Road) - - all rates in terms of #accidents/100MVM - -			
	Log Mile 15.31 to 17.15 Dorcester County	Statewide Average	Log Mile 0.00 to 4.53 Wicomico County	Statewide Average
Fatal Accidents	1.8	(1.7)	2.2	(1.6)
Injury Accidents	36.2	(54.1)	42.4	(66.3)
Property Damage Accidents	36.2	(46.7)	28.8	(57.1)
Total Accidents	74.3	(102.4)	73.4	(125.1)
Opposite Direction	3.6*	(1.5)	1.4	(1.8)
Hit-Fixed-Object	27.2	(22.5)	25.9	(22.1)
Angle	0.0	(19.2)	8.6	(22.3)
Sideswipe	5.4	(6.4)	3.6	(9.2)
Rear-end	19.9	(24.1)	13.7	(34.0)
Left Turn	0.0	(9.3)	6.5	(13.4)

*accident rate is significantly higher than the statewide average accident rate for similar roads

The local accident rates on US 50 were averaged together to create a single rate for each accident category. The average rates can be used to approximate what the accident rates on the 2 lane sections of US 113 would have been between 1992 and 1996 if they were dualized. Table 3 on the following page compares the average accident rate of US 50 through Vienna, Maryland with the actual accident rates on the 2 lane sections of US 113 in Maryland. The corresponding number of predicted accidents is provided in Table 4 on the following page.

Based on this comparison, it is apparent that if the northern section of US 113 had been dualized there would have been approximately 50% fewer fatal collisions, 42% fewer injury accidents, 40% fewer property damage accidents and 41% fewer total accidents. Within each category of collision, there would have been 50% fewer opposite direction collisions, 39% fewer hit-fixed-object collisions, 83% fewer angle collisions, 24% fewer angle collisions, and 60% fewer left turn accidents. There would have been a five fold increase in sideswipe collisions; Sideswipe accidents, however, would represent 6% of the total predicted accidents.

In the southern study area, it is evident that if US 113 were to be dualized, there would have been approximately 16% fewer fatal accidents, 65% fewer opposite direction collisions, and 54% less angle accidents. All of the other categories of accidents would most likely have increased.

US 113, Maryland

RK&K Engineers
September 17, 1997

Table 3
5 Year Accident Comparison (1992 thru 1996 between US 50 and US 113 in Maryland

Accident Type	Accident Rates - - all rates in terms of #accidents/100MVM - -		
	Average Accident Rate US 50 through Vienna, MD	Actual Accident Rate US 113 in MD Log mile 9.89-25.99	Actual Accident Rate US 113 in MD Log mile 30.39-37.84
Fatal Accidents	2.0	2.2	3.5
Injury Accidents	39.3	28.4	67.7
Property Damage Accidents	32.5	23.9	54.4
Total Accidents	73.8	54.5	125.8
Opposite Direction	2.5	7.4	5.3
Hit-Fixed-Object	26.5	20.3	43.1
Angle	4.3	9.6	26.4*
Sideswipe	4.5	1.5	0.9
Rear-end	16.8	6.3	20.2
Left Turn	3.2	1.5	8.8

US 113, Maryland

RK&K Engineers
September 17, 1997

Table 4
5 Year Accident Comparison (1992 thru 1996) between US 50 and US 113 in Maryland

Accident Type	US 113 - Historical and Predicted # of Accidents (1992-1996) based on US 50 accident rates			
	(mile 9.89-25.99)		(mile 30.39-37.84)	
	Actual # of Acc.	Predicted # of	Actual # of Acc.	Predicted # of
Fatal Accidents	6	5	4	2
Injury Accidents	77	106	77	45
Property Damage	65	88	62	37
Total Accidents	148	199	143	89
Opposite Direction	20	7	6	3
Hit-Fixed-Object	55	72	49	30
Angle	26	12	30	5
Sideswipe	4	12	1	5
Rear-end	17	46	23	19
Left Turn	4	9	10	4

- Provide an explanation of how statewide accident rates are calculated and how they are compared to statewide rates:

Response: Accident rates are calculated by dividing the number of accidents (in a specific time period) by the traffic volume over a defined length of road (in the same time period). Usually, accident rates are expressed in terms of # of accidents per 100 million vehicle miles traveled *(acc/100MVM)*. For example, suppose the following traffic and accident characteristics were given, the accident rate would be calculated using the formula as shown:

Length of roadway segment:	8 miles
Average Daily Traffic (ADT) 1985-1990:	4,500 vehicles
# of fixed object accidents 1985-1990:	37 accidents

$$Accident\ rate = \frac{37\ accidents}{(4{,}500\ vehicles) \times (365\ days) \times (6\ years) \times (8\ miles)} \times 100{,}000{,}000 = 46.9\ acc/100MVMT$$

Statewide average rates are calculated using the same formula. The only difference being that *every* state maintained section of highway throughout the state having the same characteristics is included.

Statewide average accident rates are calculated for a variety of roadway cross-sections, access control, and regional locations found throughout the state. Separate statewide accident rates are calculated for most combinations of these characteristics as follows:

- number of lanes (2 lane, 4 or more lanes)
- median type (divided, undivided)
- access control (no control, partial control, full control)
- region (urban, rural)

For example, the statewide average accident rate for 2 lane, undivided roads with no control of access in rural regions are found by taking the average traffic, total mileage and total accident experience for every state maintained 2 lane, rural, undivided highway in Maryland that has no control of access.

A comparison of the statewide accident rate with the accident rate for a single section of highway provides a statistical indication of the safety history of that highway as compared to all other similar state maintained highways throughout Maryland.

- Compare the statewide accident rates for TC3 and TC8 (the color figure) and show which rates are statistically significantly higher.

Response: Statewide accident rates for typical roadway sections cannot be compared with one another in this manner. Statistical significance (using the Morin's Upper Control Limit) is based on the vehicle miles traveled for a subject roadway as compared to the statewide rate for the *same* type of road. This type of comparison is not valid between two different overall statewide rates.

Appendix E

Fish and Wildlife Species in Worcester County

Appendix E-1: Freshwater Fish of Worcester County

Common Name	Scientific Name
Sea Lamprey	*Pettromyzon marinus*
Least Brook Lamprey	*Lampetra aepytera*
American Eel	*Anguilla rostrata*
Atlantic Sturgeon	*Acipenser oxyrhynchus*
Longnose Gar	*Lepisoseus osseus*
Bowfin	*Amia calva*
Blueback Herring	*Alosa aestivalis*
Alewife	*A. pseudoharengus*
Hickory Shad	*A. medioris*
American Shad	*A. sapidissima*
Gizzard Shad	*Dorosma cepedianum*
Eastern Mudminnow	*Umbra pygmaea*
Grass Pickerel	*Esox americanus*
Chain Pickerel	*E. niger*
Common Carp	*Cyprinus carpio*
Goldfish	*Carassius auratus*
Golden Shiner	*Notemigonus crysoleucas*
Rosyside Dace	*Clinostomus funduloides*
Blacknose Dace	*Rhinichthys atraulus*
Eastern Silvery Minnow	*Hybognathus regius*
Common Shiner	*Luxilus cornutus*
Satinfin Shiner	*Cyprinella analostana*
Fathead Minnow	*Pimephales promelas*
Ironcolor Shiner	*Notropis chalybaeus*
Swallowtail Shiner	*N. pocne*
Bridle Shiner	*N. bifrenatus*
Spottail Shiner	*N. hudsonius*
White Sucker	*Catostomus commersoni*
Creek Chubsucker	*Erimyzon oblongus*
White Catfish	*Ameiutus catus*
Yellow Bullhead	*A. natalis*
Brown Bullhead	*A. nebulosus*
Tadpole Madtom	*Noturus gyrnus*
Margined Madtom	*N. insgnis*
Pirate Perch	*Aphredoderus sayanus*
Banded Killfish	*Fundulus diaphanus*
Mummichog	*F. heteroclitus*
Rainwater Killfish	*Lucania parva*
Mosquitofish	*Gambusia affinis*
Inland Silverside	*Menidia beryllina*

Common Name	Scientific Name
Fourspine Stickleback	*Apeltes quaracus*
Threespine Stickleback	*Gasterosteus aculeatus*
Slimy Sculpin	*Cottus cognatus*
Mottled Sculpin	*C. bairdi*
White Perch	*Monroe americanus*
Striped Bass	*M. saxatilis*
Black Crappie	*Pomoxis nigromaculatus*
White Crappie	*P. annularis*
Mud Sunfish	*Acantharchus pomotis*
Banded Sunfish	*Enneacanthus obesus*
Bluespotted Sunfish	*E. gloriosus*
Blackbanded Sunfish	*E. chaetodon*
Largemouth Bass	*Micropterus salmoides*
Pumpkinseed	*Leponis gibbosus*
Redbreast Sunfish	*L. aurtus*
Bluegill	*L. macrochirus*
Yellow Perch	*Perca flavescens*
Tessellated Darter	*Etheostoma olmstedi*
Swamp Darter	*E. Fusiforme*

Sources: Lawrence, Page M. and Brooks M. Burr. 1991. A Field Guide to Freshwater Fishes. Peterson Field Guide Series. New York, NY: Houghton Mifflin Company.

McIninch, S. P. 1994. The Freshwater Fishes on the Delmarva Peninsula. Doctoral Dissertation. Princess Anne,MD: Univ. Of Maryland, Eastern Shore Campus.

Thompson, Peter. 1985. Thompson's Guide to Freshwater Fishes. New York, NY: Houghton Mifflin Company.

Appendix E-2: Amphibians of Worcester County

Common Name	Scientific Name
Marbled Salamander	*Ambystoma opacum*
Eastern Tiger Salamander	*A. tigrinum tigrinum*
Four-toed Salamander	*Hemidactylium scutatum*
Red-backed Salamander	*Plethodon ciereus cinereus*
Eastern Mud Salamander	*Pseudotriton montanus montanus*
Eastern Spadefoot	*Scaphiopus holbrooki holbrooki*
American Toad	*Bufo americanus americanus*
Fowler's Toad	*B. woodhousei fowleri*
Northern Cricket Frog	*Acris crepitans crepitans*
Green Treefrog	*Hyla cinerea*
Northern Spring Peeper	*H. crucifer crucifer*
Southern Gray Treefrog	*H. chrysoscelis*
Eastern Narrow-mouthed Toad	*Gastrophryne carolinensis*
Bullfrog	*Rana catesbeiana*
Carpenter Frog	*R. virgatipes*
Green Frog	*R. clamitans*
Southern Leopard Frog	*R. utricularia utricularia*
Pickerel Frog	*R. palustris*
Woodfrog	*R. sylvatica sylvatica*

Sources: Conant, Roger and Joseph T. Collins. 1991. A Field Guide to Reptiles and Amphibians. Peterson Field Guide Series. New York, NY: Houghton Mifflin Company.

Harris, Herbert S. Jr. 1975. "Distributional Survey (Amphibia/Reptilia): Maryland and the District of Columbia." Bulletin of the Maryland Herptological Society, Volume 11, Number 3. Baltimore, MD: Maryland Herptological Society.

Appendix E-3: Reptiles of Worcester County

Common Name	Scientific Name
Northern Fence Lizard	*Sceloporus undulatus hyacinthinus*
Ground Skink	*Leiolopisma laterale*
Five-lined Skink	*Eumeces fasiciatus*
Broad-headed Skink	*E. laticeps*
Eastern Worm Snake	*Carphis amoenus amoenus*
Ringneck Snake	*Diadophis punctatus punctatus/edwardsi*
Eastern Hognose Snake	*Heterodon platyrhinos*
Rough Green Snake	*Opheodrys aestivus*
Northern Black Racer	*Coluber constrictor constrictor*
Black Rat Snake	*Elaphe obsolata obsolata*
Eastern King Snake	*Lampropeltis getulus getulus*
Coastal Plain Milk Snake	*L. triangulum temporalis*
Northern Water Snake	*Natrix sipedon sipedon*
Northern Brown Snake	*Storeia dekayi dekayi*
Northern Red-bellied Snake	*S. occipitomaculata occipitomaculata*
Eastern Earth Snake	*Virginia valeriae valeriae*
Eastern Ribbon Snake	*Thamnophis sauritus sauritus*
Eastern Garter Snake	*T. sirtalis sirtalis*
Northern Copperhead	*Agkistrodon contorix mokasen*
Stinkpot	*Sternoterus odoatus*
Eastern Mud Turtle	*Kinosternon subrubrum subrubrum*
Common Snapping Turtle	*Chelydra serpentina serpentina*
Spotted Turtle	*Clemmys guttata*
Eastern Box Turtle	*Terrapene carolina carolina*
Northern Diamondback Terrapin	*Malaclemys terrapin terrapin*
Eastern Painted Turtle	*Chrysemys picta picta*
Red-bellied Turtle	*C. rubriventris*
Atlantic Green Turtle	*Chelonia mydas mydas*
Atlantic Loggerhead	*Caretta caretta caretta*

Sources: Conant, Roger and Joseph T. Collins. 1991. A Field Guide to Reptiles and Amphibians. Peterson Field Guide Series. New York, NY: Houghton Mifflin Company.

Harris, Herbert S. Jr. 1975. "Distributional Survey (Amphibia/Reptilia): Maryland and the District of Columbia." Bulletin of the Maryland Herptological Society, Volume 11, Number 3. Baltimore, MD: Maryland Herptological Society.

Appendix E-4: Birds of Worcester County

Common Name

LOONS - GREBES

Red-throated Loon
Common Loon
Pied-billed Grebe
Horned Grebe
Red-necked Grebe

SHEARWATERS - STORM PETRELS

Northern Fulmar
Cory's Shearwater
Greater Shearwater
Sooty Sherwater
Manx Sherwater
Wilson's Storm-Petrel
Leach's Storm-Petrel

GANNET - PELICANS - CORMORANTS

Northern Gannet
Brown Pelican
Great Cormorant
Double-crested Cormorant

BITTERNS - HERONS - IBISES

American Bittern
Least Bittern
Great Blue Heron
Great Egret
Snowy Egret
Little Blue Heron
Tricolored Heron
Cattle Egret
Green-backed Heron
Black-crowned Night-heron
Yellow-crowned Night-Heron
White Ibis
Glossy Ibis

Common Name

SWANS - GEESE - DUCKS

Fulvous Whistling-Duck
Tundra Swan
Mute Swan
Greater White-fronted Goose
Snow Goose
Brant
Canada Goose
Wood Duck
Green-winged Teal
American Black Duck
Mallard
Northern Pintail
Blue-winged Teal
Northern Shoveler
Gadwall
Eurasian Wigeon
American Wigeon
Canvasback
Redhead
Ring-necked Duck
Greater Scaup
Lesser Scaup
Common Eider
King Eider
Harlequin Duck
Oldsquaw
Black Scoter
Surf Scoter
White-winged Scoter
Common Goldeneye
Bufflehead
Hooded Merganser
Common Merganser
Red-breasted Merganser
Ruddy Duck

Common Name

VULTURES - HAWKS - FALCONS

Black Vulture
Turkey Vulture
Osprey
Bald Eagle
Northern Harrier
Sharp-shinned Hawk
Cooper's Hawk
Red-shouldered Hawk
Broad-winged Hawk
Red-tailed hawk
Rough-legged Hawk
Golden Eagle
American Kestrel
Merlin
Peregrine Falcon

QUAIL - RAILS - COOT

Northern Bobwhite
Black Rail
Clapper Rail
King Rail
Virginia Rail
Sora
Common Moorhen
American Coot

PLOVERS - SANDPIPERS

Black-bellied Plover
Lesser Golden-Plover
Wilson's Plover
Semipalmated Plover
Piping Plover
Killdeer
American Oystercatcher
American Avocet
Greater Yellowlegs
Lesser Yellowlegs
Solitary Sandpiper

Common Name

Willet
Spotted Sandpiper
Upland Sandpiper
Whimbrel
Hudsonian Godwit
Marbled Godwit
Ruddy Turnstone
Red Knot
Sanderling
Semipalmated Sanderling
Western Sandpiper
Least Sandpiper
White-rumped Sandpiper
Pectoral Sandpiper
Purple Sandpiper
Dunlin
Curlew Sandpiper
Stilt Sandpiper
Buff-breasted Sandpiper
Ruff
Short-billed Dowitcher
Long-billed Dowitcher
Common Snipe
American Woodcock
Wilson's Phalarope
Red-necked phalarope

JAEGERS - GULLS - TERNS - AUKS

Pomarine Jaegar
Parasitic Jaegar
South Polar Skua
Laughing Gull
Little Gull
Common Black-headed Gull
Bonaparte's Gull
Ring-billed Gull
Herring Gull
Iceland Gull
Lesser Black-backed Gull
Glaucous Gull

Common Name

Great Black-backed Gull
Gull-billed Tern
Caspian Tern
Royal Tern
Sandwich Tern
Common Tern
Forster's Tern
Least Tern
Black Tern
Black Skimmer
Dovekie
Razorbill
Atlantic Puffin

DOVES - CUCKOOS - OWLS - SWIFTS - HUMMINGBIRD

Rock Dove
Mourning Dove
Black-billed Cuckoo
Yellow-billed Cuckoo
Barn Owl
Eastern Screech-Owl
Great Horned Owl
Long-eared Owl
Short-eared Owl
Northern Saw-whet Owl
Common Nighthawk
Whip-poor-will
Chuck-will's-window
Chimney Swift
Ruby-throated Hummingbird
Belted Kingfisher

WOODPECKERS - FLYCATCHERS

Red-headed Woodpecker
Red-bellied Woodpecker
Yellow-bellied Sapsucker
Downy Woodpecker
Hairy Woodpecker
Pileated Woodpecker
Northern Flicker

Common Name

Olive-sided Flycatcher
Eastern Wood-Pewee
Yellow-bellied Flycatcher
Acadian Flycatcher
Willow Flycatcher
Least Flycatcher
Eastern Phoebe
Great Crested Flycatcher
Western Kingbird
Eastern Kingbird

LARKS - SWALLOWS - JAYS - CROWS

Horned Lark
Purple Martin
Tree Swallow
Northern Rough-winged Swallow
Bank Swallow
Cliff Swallow
Barn Swallow
Blue Jay
American Crow
Fish Crow

TITMICE - NUTHATCHES - WRENS

Carolina Chickadee
Tufted Titmouse
Red-breasted Nuthatch
White-breasted Nuthatch
Brown-headed Nuthatch
Brown Creeper
Carolina Wren
House Wren
Winter Wren
Sedge Wren
Marsh Wren

KINGLETS - THRUSHES - THRASHERS

Golden-crowned Kinglet
Ruby-crowned Kinglet

Common Name

Blue-gray Gnatcatcher
Eastern Bluebird
Veery
Gray-cheeked Thrush
Swainson's Thrush
Hermit Thrush
Wood Thrush
American Robin
Gray Catbird
Northern Mockingbird
Brown Thrasher

WAXWINGS - SHRIKES - STARLING

Water Pipit
Cedar Waxwing
Loggerhead Shrike
European Starling

VIREOS - WOOD WARBLERS

White-eyed Vireo
Solitary Vireo
Yellow-throated Vireo
Warbling Vireo
Philadelphia Vireo
Red-eyed Vireo
Blue-winged Warbler
Golden-winged Warbler
Tennessee Warbler
Orange-crowned Warbler
Nashville Warbler
Northern Parula
Yellow Warbler
Chestnut-sided Warbler
Magnolia Warbler
Cape May Warbler
Black-throated Blue Warbler
Yellow-rumped warbler
Black-throated Green Warbler
Blackburnian Warbler
Yellow-throated Warbler

Common Name

Pine Warbler
Prairie Warbler
Palm Warbler
Bay-breasted Warbler
Blackpoll Warbler
Cerulean Warbler
Black-and-white Warbler
American Redstart
Prothonotary Warbler
Worm-eating Warbler
Swainson's Warbler
Ovenbird
Northern Waterthrush
Louisiana Waterthrush
Kentucky Warbler
Connecticut Warbler
Mourning Warbler
Common Yellowthroat
Hooded Warbler
Wilson's Warbler
Canada Warbler
Yellow-breasted Chat

TANAGERS - SPARROWS

Summer Tanager
Scarlet Tanager
Northern Cardinal
Rose-breasted Grosbeak
Blue Grosbeak
Indigo Bunting
Dickcissel
Rufous-sided Towhee
American Tree Sparrow
Chipping Sparrow
Clay-colored Sparrow
Field Sparrow
Vesper Sparrow
Lark Sparrow
Savannah Sparrow
Grasshopper Sparrow

Common Name

Sharp-tailed Sparrow
Seaside Sparrow
Fox Sparrow
Song Sparrow
Lincoln's Sparrow
Swamp Sparrow
White-throated Sparrow
White-crowned Sparrow
Dark-eyed Junco
Lapland Longspur
Snow Bunting

BLACKBIRDS - FINCHES

Bobolink
Red-winged Blackbird
Eastern Meadowlark
Yellow-headed Blackbird
Rusty Blackbird
Boat-tailed Grackle
Common Grackle
Brown-headed Cowbird
Orchard Oriole
Northern Oriole
Purple Finch
House Finch
Red Crossbill
Pine Siskin
American Goldfinch
Evening Grosbeak
House Sparrow

Sources: National Geograhic Society. 1987. Field Guide to the Birds of North America. Washington, DC: National Geograhic Society.

Perterson, Roger Tory. 1980. A Field Guide to the Eastern Birds. Peterson Field Guide Series. New York, NY: Houghton Mifflin Company.

Robbins, Chandler and Eriek Blum. 1996. Atlas of the Breeding Birds of Maryland and the District of Columbia. Pittsburgh, PA: Univ. Of Pittsburgh Press.

Appendix E-5: Mammals of Worcester County

Common Name	Scientific Name
Masked Shrew	*Sorex cinereus fontalis*
Pygmy Shrew	*Microsorex hoyi winnemana*
Short-tailed Shrew	*Blarina brevicauda kirtlandi*
Least Shrew	*Cryptotis parva*
Eastern Mole	*Scalopus aquaticus aquaticus*
Star-nosed Mole	*Condylura cristata cristata*
Little Brown Myotis	*Myotis lucifugus lucifugus*
keen's Myotis	*M. keenii septentrionalis*
Silver-haired Bat	*Lasionycteris noctivagans*
Eastern Pipstrelle	*Pipistrellus subflavus subflavus*
Big Brown Bat	*Eptesicus fucus fucus*
Red Bat	*Lasiurus borealis borealis*
Hoary Bat	*L. cinereus cinereus*
Evening Bat	*Nycticeius humeralis humeralis*
Eastern Cottontail	*Sylvilagus floridanus mallurus*
Eastern Chipmunk	*Tamias striatus fisheri*
Woodchuck	*Marmota momax momax*
Gray Squirrel	*Sciurus carolinensis pennsylvanicus*
Delmarva Fox Squirrel	*S. Niger cinereus*
Southern Flying Squirrel	*Glaucomys volans volans*
Marsh Rice Rat	*Oryzomys palustris palustris*
White-footed Mouse	*Peromyscus leucopus noveboracensis*
Meadow Vole	*Microtus pennsylvanicus nigrans*
Pine Vole	*Pitymys pinetorum scalosoides*
Muskrat	*Ondatra zibethicus macrodon*
Southern Bog Lemming	*Synaptomys cooperi stonei*
Nutria	*Myocastor coypus*
Norway Rat	*Rattus norvegicus*
House Mouse	*Mus musculus*
Meadow Jumping Mouse	*Zapus hudsonius americanus*
Coyote	*Canis latrans*
Red Fox	*Vulpes vulpes fulva*
Raccoon	*Procyon lotor lotor*
Long-tailed Weasel	*Mustela frenata noveboracensis*
Mink	*M. Vison*
River Otter	*Lutra canadensis lataxina*
Sika Deer	*Cervus nippon*
White-tailed Deer	*Odocoileus virginanus borealis*

Sources: Burt, William H. and Richard P. Grossenheider. 1980. A Field Guide to the Mammals. Peterson Field Guide Series. New York: NY. Houghton Mifflin Company.

Paradiso, John L. 1969. "Mammals of Maryland." North American Fauna, Number 66. Washington: DC. US Fish and Wildlife Service.

Appendix F
Memorandum of Agreement

APPENDIX F
MEMORANDUM OF AGREEMENT

Page F-2 Memorandum Of Agreement Among The Federal Highway Administration, And The Maryland State Historic Preservation Officer, And Submitted To The Advisory Council On Historic Preservation Pursuant To 365 CFR § 800.6(a) Regarding U.S. Route 113 From Snow Hill To The Delaware Line

Page F-7 US 113 Memorandum of Agreement Coordination Meeting Dated December 16, 1997

Page F-12 Federal Highway Administration letter to Advisory Council on Historic Preservation Dated December 19, 1997

MEMORANDUM OF AGREEMENT
AMONG THE FEDERAL HIGHWAY ADMINISTRATION,
AND THE MARYLAND STATE HISTORIC PRESERVATION OFFICER,
AND SUBMITTED TO THE
ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR § 800.6(a)
REGARDING U.S. ROUTE 113 FROM SNOW HILL TO THE DELAWARE LINE

WHEREAS, the Federal Highway Administration (FHWA) proposes to assist the Maryland State Highway Administration (SHA) with construction of U.S. Route 113 from Snow Hill to the Delaware Line; and,

WHEREAS, after detailed study of various alternates, the FHWA has selected for construction Alternate 3S (34' median) in the Southern Study Area and the Combination Alternate 3N/4N Modified (34' median) in the Northern Study Area; and,

WHEREAS, the FHWA has determined that the project will have an adverse effect upon St. Martin's Church (WO-23), a property listed in the National Register of Historic Places, and on which the Maryland Historical Trust holds an historic preservation easement; and the project may have an effect on archeological properties eligible for inclusion in the National Register of Historic Places; and has consulted with the Maryland State Historic Preservation Officer (MD SHPO) pursuant to 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act (16 USC 470f); and,

WHEREAS, the SHA and the St. Martin's Church Foundation, Inc. (Foundation) have participated in the consultation, and have been invited to concur in this Memorandum of Agreement (MOA);

NOW, THEREFORE, FHWA and the MD SHPO agree, upon acceptance by the Advisory Council on Historic Preservation (Council), that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

The FHWA will ensure that the following measures are carried out:

I. St. Martin's Church (WO-25)

SHA shall work cooperatively with the MD SHPO and the Foundation to implement the mitigation measures for St. Martin's Church (Church) stipulated below.

A. **Access, Parking Lot, and Pathway:** SHA shall provide new entry from US 113 to the Church via the planned access road on the west side of US 113. SHA shall design and construct a parking area with a connecting accessible pathway to the Church in a location outside and/or within the church boundaries, mutually agreed to by MD SHPO, SHA, and the Foundation. SHA shall ensure that the design and location for the parking lot and pathway is developed in consultation with the MD SHPO and Foundation and is compatible with the historic and architectural qualities of the Church and its setting in terms of scale, massing, color and materials and that the design and specifications for the improvements are submitted to the MD SHPO and Foundation for approval.

B. **Traffic Controls:** SHA shall retain the traffic signal at corner of U.S. 113 and Racetrack Road (MD Route #598). SHA shall maintain the speed limit in vicinity of church at 55 m.p.h. within the vicinity of the Churc

C. **Historic Markers and Monuments:** SHA shall provide historic markers for the Church on US 113 within appropriate distances from the property. SHA shall also furnish a monument related to the Church's history and consult with the MD SHPO and the Foundation to determine the appropriate siting and content for that monument.

D. **Median Design and Landscaping:** SHA shall ensure that the design for the median barrier and landscapin for US 113 along the Church property is compatible with the historic and architectural qualities of the Chur and is sensitive to the Church's scenic viewshed. SHA shall submit the design to the MD SHPO and Foundation for review and comment.

E. **Fence:** SHA shall construct a fence which is compatible with the historic character and setting of the Chur to mark the eastern and southern boundary of the Church property, subject to the review and approval of the Maryland Historical Trust for easement purposes. SHA shall submit the proposed fencing plan to the MD SHPO and the Foundation for review and approval.

F. **Archeology:** SHA shall coordinate with the MD SHPO to consider the effects of proposed Church mitiga measures on archeological properties. If deemed necessary by the consultation, SHA shall prepare and implement a program for the identification, evaluation, and treatment of archeological properties within the area that will be directly impacted by the proposed measure.

G. **Maryland Historical Trust Easement Approval:** Any proposed changes or alterations within the current boundary of the Church property shall require the approval of the Director of the Maryland Historical Trus (Trust), pursuant to the terms of the perpetual historic preservation easement the Trust holds on the propert The MD SHPO shall coordinate the review of any proposed mitigation measures on the easement property with the Trust's Easement Committee review

II. Identification, Evaluation, and Treatment of Archeological Resources

A. **Identification:** In consultation with the MD SHPO, SHA shall complete and report archeological identification efforts for the selected alternates in those portions of the area of potential effect (APE) subject to ground disturbance for which surveys have not been completed (including those areas where access was denied during initial survey efforts, proposed wetland mitigation sites, storm water management areas, etc.), in order to identify archeological resources potentially eligible for inclusion in the National Register of Historic Places. All work shall be accomplished in accordance with the performance standards outlined in Stipulation V below.

B. **Evaluation:** In consultation with the MD SHPO, SHA shall evaluate the National Register eligibility of recorded archeological sites that might be impacted by the selected alternates, in accordance with 36 CFR § 800.4 and using the criteria outlined in Bulletin 15, *Guidelines for Applying the National Register Criteria for Evaluat* published by the National Park Service. Previously completed Phase I investigations indicate that ten potentially significant archeological sites will be impacted by Alternate 3S: 18WO181, 18WO183, 18WO184, 18WO185, 18WO190, 18WO191, 18WO196, 18WO201, 18WO203, and 18WO204. Two potentially significant archeolog sites will be impacted by the Combination Alternate 3N/4N Modified: 18WO193, and 18WO212. SHA shall evaluate the National Register eligibility of these 12 previously identified archeological sites, along with any sites identified by additional survey efforts performed under Stipulation II.A above. All work shall be accomplished in accordance with the performance standards outlined in Stipulation V below.

C. **Treatment:** If archeological evaluation identifies properties eligible for inclusion in the National Register of Historic Places, SHA shall develop a plan for their avoidance, protection, recovery, or destruction without recovery, and public education/interpretation in consultation with the MD SHPO. SHA shall submit the treatment plan to the MD SHPO for a 30 day review period. Unless the MD SHPO objects within 30 days after receipt of the plan, SHA shall ensure that it is implemented prior to and in coordination with project ground disturbing activities within or immediately adjacent to the site area(s).

Should data recovery investigations be warranted, the SHA shall ensure that a data recovery plan is developed in consultation with the MD SHPO, consistent with the performance standards outlined in Stipulation V below. The plan shall specify, at a minimum:

a) the property, properties, or portions of properties where data recovery is to be carried out, and any property that will be destroyed without data recovery;

b) research questions to be addressed through data recovery, with an explanation of their relevance and importance; the research methods to be used, with an explanation of their relevance to the research questions; and, the methods to be used in analysis, data management, and data dissemination, including a schedule;

c) proposed disposition of recovered materials and records;

d) proposed methods for involving the interested public in the data recovery, and for disseminating the results of the work to the interested public; and, a proposed schedule for the submission of progress reports to the MD SHPO.

SHA and the MD SHPO will meet on-site to evaluate the success of the fieldwork phase of any data recovery program, near the end of the fieldwork efforts. SHA shall submit a management summary to the MD SHPO documenting the completion of fieldwork for 15 day review. Upon receipt of the written concurrence from the MD SHPO, SHA may proceed with construction activities in the site areas concurrently with completion of the remaining laboratory, analyses, and reporting phases of the data recovery work.

D. **Reporting:** SHA shall document the results of archeological survey, evaluation, and mitigation in archeological reports responsive to contemporary professional standards, and in accordance with the performance standards outlined in Stipulation V below. SHA shall provide the MD SHPO with an opportunity to provide review and comment on all draft reports, and all comments shall be addressed by final reports. SHA shall ensure that all final archeological reports resulting from actions pursuant to this agreement will be provided to the MD SHPO, National Park Service, and other repositories as appropriate.

III. Additional Historic Properties to be Considered

Prior to the selection of sites for wetland mitigation or other ancillary activities associated with construction of the project, SHA shall consult with the MD SHPO to assess the effect on historic properties. If indicated, SHA shall undertake a survey adequate to identify and evaluate for National Register eligibility any historic properties which may be affected by these activities. In consultation with the MD SHPO, SHA shall apply the National Register criteria to each potentially eligible property identified in the survey(s). For each historic property identified, SHA, in consultation with the MD SHPO, shall then apply the Criteria of Effect and Adverse Effect (36 CFR 800.9).

If the effect is not adverse, SHA shall obtain the MD SHPO's concurrence, and the action may proceed as proposed. If the potential for an adverse effect to historic properties is found, SHA shall consult with the MD SHPO to seek ways to avoid or reduce the effects on historic properties by relocating or modifying the proposed action. If the avoidance of adverse effects proves unfeasible or impractical, the SHA and the MD SHPO shall consult to develop and implement a treatment plan in accordance with 36 C.F.R. 800.5e. All work shall be accomplished in

accordance with the performance standards outlined in Stipulation V below.

IV. Unanticipated Discoveries of Archeological Resources

In the event that previously unidentified archeological resources are discovered during ground disturbing activities within the APE, SHA shall halt construction work involving subsurface disturbance in the area of the resource and in the surrounding area where further subsurface remains can reasonably be expected to occur. SHA shall immediately notify the MD SHPO of the discovery.

SHA and the MD SHPO, or an archeologist approved by them, shall immediately inspect the work site an determine the area and nature of the affected archeological resource. Construction work may then continue in the area outside the archeological resource as defined by SHA and the MD SHPO.

Within three working days of the original notification of discovery, SHA, in conjunction with the MD SHPO, shall determine the National Register eligibility of the resource.

If the resource is determined eligible for the National Register, SHA shall prepare a plan for its avoidance, protection, recovery, of destruction without recovery. Such a plan shall be approved by the MD SHPO prior to implementation.

Work in the affected area shall not proceed until either:

- The development and implementation of appropriate data recovery or other recommended mitigation measures, or
- The determination is made that the located remains are not eligible for inclusion on the National Regis

Any disputes over the evaluation or treatment of previously unidentified archeological resources will be resolved using the process provided for in Stipulation V, Section D of this Agreement.

V. Administration

A. **Professional Qualifications:** SHA shall ensure that all archeological work carried out pursuant to this agreement is conducted by or under the direct supervision of a person or persons meeting at a minimum the Secret of the Interior's Professional Qualifications Standards (48 FR 44738-9) for Archeologists. All architectural work shall be carried out by or under the direct supervision of a person or persons meeting at a minimum the Secretary the Interior's Professional Qualification Standards (48 FR 44739) for Architectural History.

B. **Standards and Guidelines:** SHA shall ensure that all archeological work carried out pursuant to this agreement is done in accordance with the principles and standards contained in:

- Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* (48 44716-44742);
- Consulting About Archeology Under Section 106 (ACHP 1990);
- Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1994):
- Identification of Historic Properties: A Decisionmaking Guide for Managers (Advisory Council on Historic Preservation and the National Park Service: Washington D.C. 1988);
- Guidelines for Completing the Maryland Inventory of Historic Properties Form (Maryland Historical Trust 1991).

C. **Curation:** SHA shall ensure that all materials and records (including all recovered artifacts, documentati maps, and photographs) generated by the project for which clear title can be obtained shall

be submitted to the MD SHPO for curation in accordance with the Memorandum of Understanding for Curatorial Services between the Maryland State Highway Administration and the Maryland Historical Trust (1997).

D. **Dispute Resolution:** Should the MD SHPO object within 30 days to any documents submitted for review or actions proposed pursuant to this agreement, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall request the further comments of the Council pursuant to 36 CFR § 800.6(b). Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR § 800.6(c)(2) with reference only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this agreement that are not subjects of the dispute will remain unchanged.

Execution of the of this Memorandum of Agreement by FHWA and the MD SHPO, its subsequent acceptance by the Council and implementation of its terms, evidence that FHWA has afforded the Council an opportunity to comment on U.S. Route 113 from Snow Hill to the Delaware Line, Worcester County, Maryland, and its effects on historic properties, and that FHWA has taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: 1/16/98
Susan J. Binder, Division Administrator

MARYLAND STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: 1/5/97
J. Rodney Little, State Historic Preservation Officer

Concur:
MARYLAND STATE HIGHWAY ADMINISTRATION

By: _____ Date: 1/7/98
Parker F. Williams, Administrator

Concur:
ST. MARTIN'S CHURCH FOUNDATION, INC.

By: _____ Date: 12/3/97
William E. Esham III, President

Accepted for the ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: 2/6/98
John M. Fowler, Executive Director

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

MEMORANDUM

TO: Mr. Louis H. Ege, Jr.
Deputy Director
Office of Planning and
Preliminary Engineering

FROM: R. Suseela Rajan
Project Manager
Project Planning Division

DATE: December 16, 1997

SUBJECT: US 113 Memorandum of Agreement Coordination meeting

On December 4, 1997 representatives from the Federal Highway Administration, State Highway Administration, the Maryland Historical Trust, and the St. Martin's Church Foundation meet to go over mitigation measures for the MOA. Those in attendance were:

Ms. Anne Bruder, Maryland Historical Trust
Ms. Beth Cole, Maryland Historical Trust
Mr. William E. Esham, III, St. Martin's Church Foundation
Mr. Bruce Grey, State Highway Administration
Ms. Mary Huie, Federal Highway Administration
Ms. Catherine Maher, State Highway Administration

Phase I Archeology

The Phase I archeology studies for the wetland mitigation sites are underway. There are twelve sites being investigated that required Phase II investigations. Minor revisions to the first draft of the MOA for archeology were made. Charlie Hall is going to provide Beth Cole with additional text (see attached).

St. Martin's Church Property

William Esham is planning on approaching Perdue concerning a possible donation of land from Perdue to the church in January. The church Foundation is looking for donation of the area surrounding the church property. The area to the south could potentially be used as a parking lot (to be constructed by SHA) and the area to the north is being sought after because this area may potentially contain additional burial sites. The church wants to enlarge the buffer area surrounding the church.

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Charlie Hall offered to have his consultant archeological team look at the possible burial sites behind the church and provide and assessment for the area. Catherine Maher will investigate to find out whether a property owner contact letter was sent to the property owner. Mr. Hall will provide a letter to Mr. Esham informing him of the results of these investigations.

There is some concern as to whether the Perdue property has a legal access point and how these proposed changes would have an effect on this access. Mr. Esham will include these concerns in his correspondence with Perdue.

MOA Stipulations

The Maryland Historical Trust is developing the MOA for the St. Martin's Church property. As part of the stipulations under the mitigation agreement MHT had listed a number of possible stipulations that could be incorporated into the MOA. These preliminary stipulations were used as a basis for discussion.

Stipulations that will be included in the MOA:

The design of the mitigation including the parking lot, path, and handicapped access will be coordinated with SHA's Landscape Architecture Division. The design and the materials selected will be reviewed by MHT and the Church's Foundation.

Construction of a parking area for the church

Plans for a parking lot for the church were shown at the meeting. One plan showed a parking lot within the existing right-of-way along the eastern side of the service road. This parking location would not be feasible since Mr. Esham thought that this parking area was to far from the church. The other potential parking area is located to the south of the church property on Perdue property. The plans distributed at the meeting showed room for 22 spaces within this area. Mr. Esham indicated that the church was looking for approximately 50 spaces and asked that the parking lot be located within the church property if Perdue is unwilling to donate this land to the church. MHT stated that the location of the parking lot within church property would be acceptable. Further, Mary Huie (FHWA) stated that the construction of the parking lot on the property would not be a Section 4(f) impact since this is being implemented as part of mitigation and not as part of a transportation improvement. Mr. Esham and MHT expressed that they were not interested in a asphalt parking lot but that a more suitable material such as grasscrete or gravel would be more appropriate. Any alteration to the church property will require Easement Committee approval by MHT.

Construction of a path leading to the church

A path to the church will also be provided as part of the mitigation in the MOA. This path would be constructed of a similar material as the parking lot. Again., this would not be a Section 4(f) impact since this is being implemented as part of mitigation and not as part of a transportation improvement.

Median treatments in front of the church

Guardrail is to be used in the median throughout the project for safety reasons. The guardrail would be terminated prior to the US 113/MD 589 intersection and an impact

attenuator would be needed at the termination point. Because of the length of the left turn lanes at MD 589, the guardrail may end far enough down the road so as to not impact to the viewshed of the church. A more detailed analysis of the guardrail will be conducted to determine the most plausible design with regards to the impacts to the church. Impacts to the viewshed could also be lessened with the use of plantings. Designs for the median treatments in front of the church property will be reviewed by MHT. Potential guardrail treatments could include timber and this possibility will be further investigated by SHA.

Roadway Grading
There will be minimal or no changes to the grading of the roadway in the area of the church property.

Fence in front of church
The Church Foundation requested a split-rail type fence as part of the mitigation plan for the church. SHA agreed to provide a fence inside the eastern property line of the church.

Provide handicapped access
The church will develop a portable ramp for handicapped access. A permanent fixture such as a ramp or chairlift would not be necessary.

Retention of the traffic signal at Racetrack Road
The traffic signal at MD 589 will be retained as part of the future improvements.

Historical Signs
There will be signs placed along the roadway to mark the St. Martin's Church as a historic site in both travel directions along US 113. In addition, a historical monument will be created and placed at an appropriate location to be decided based upon coordination with MHT and the Foundation.

Landscaping Plan Review
A landscaping plan in the area of the church will be developed by SHA and submitted for review by MHT and the Church Foundation.

The following stipulations were proposed for inclusion in the MOA but will *not* be included in the MOA:

Reduction of the speed limit in the vicinity of the church
MHT suggested lowering the speed limit in front of the church. The speed limit at St. Martin's Church is currently 50 mph. The signal at Racetrack Road will be maintained thus providing for a somewhat slower pace for vehicles immediately in front of the church. However, SHA cannot agree to maintain slower speeds through the area as this will be incongruent with speeds throughout the rest of the corridor. The roadway will be designed for 60 mph. Drivers travel at a speed that is comfortable for the roadway conditions and speed limits are posted at the 80th percentile speed at which the drivers

would travel for this roadway. Posting the limits below this speed will cause additional safety hazards since some drivers will obey the posted speed while others will drive at a higher speed that is more appropriate for the roadway. A difference in speed will then result in a safety problem. The posted speed limit will be 50-55 mph which would conform to the posted speeds to the north and south of the area and is the typical speed for a four-lane principal arterial.

Reduction of the median from 34 feet to 20 feet
The median was reduced in some areas to limit the impacts to wetlands while maintaining a 34 foot median at all intersections. A reduced median width was considered only if the wetland was located away from an intersection. Since the church is located near the MD 589 intersection, a reduced median was not considered. Additionally, the room in the median may be necessary for a double left-turn bay. The left turn movement from southbound US 113 to MD 589 is a very heavy movement and the need for a double left at this intersection will be investigated in design. Even if a double left is not necessary at this time, it is prudent to leave this additional space for any future improvement since intersection improvements may be necessary as traffic volumes increase in the future.

Acquisition of property across the street from the church as a conservation/scenic easement to protect the rural setting and viewshed from the church
Mr. Esham stated that the owner of this property was a member of the church Foundation and felt that asking for donation of the property would not be appropriate since he has donated much to the Foundation already. The back of the church is currently located on a hill and over the roadway. A portion of the road is excluded from the viewshed of the church because of this topography.

Concerns about Noise and Vibration Impacts to the Church
Traffic volumes on US 113 are expected to increase over time regardless of the number of lanes provided. A two-lane highway would still operate below the roadway's capacity until the year 2020. The dualization is therefore not a capacity improvement and the intention of the widening is not to add capacity. The only function of the selected alternative will be to address the safety issues and the number of fatalities along the roadway. The roadway widening will occur on the east side of the roadway, away from the church. Therefore, approximately only half of the projected ADT will use the existing paved section of roadway as this portion of the proposed cross-section will be used for the southbound lanes. The additional northbound traffic will actually be moved further from the church. Hence, since the road will not be moved any closer to the church and the projected ADT is the same for both the build and no-build, there will be no net increase in traffic loads, noise, and vibrations as a result of these improvements.

Cumulative Effects
MHT mentioned that the wording used in the cumulative effects section with regards to historic resources was inappropriate. A cumulative effects analysis of historic structures should not be conducted on a county-wide basis but that an analysis of the northeastern portion of the county would be sufficient.

Development of the MOA

The MOA will be drafted by MHT and circulated. Including a draft MOA in the FEIS will satisfy MHT's requirements.

These minutes are based on the interpretation of the writer. If you have any additional questions or comments please call Mrs. Sue Rajan, Project Manager at (410) 545-8514 or Ms. Catherine Maher, Project Engineer at (410) 545-8544.

by: _____

Ms. Catherine Maher
Project Engineer
Project Planning Division

Attachment

cc:	Attendees	(w/attachment)
	Lorraine Strow	(w/attachment)
	John Zanetti	(w/attachment)
	David Wallace	(w/attachment)
	Joseph Kresslein	(w/attachment)
	Cynthia Simpson	(w/attachment)
	Rob Pearce	(w/attachment)
	Bill Kuhl	(w/attachment)
	Jim Wynn	(w/attachment)
	Lou Ege	(w/attachment)

U.S. Department
of Transportation

**Federal Highway
Administration**

Region 3
Maryland Division

The Rotunda
Suite 220
711 West 40th Street
Baltimore, Maryland 21211-2187

December 19, 1997

IN REPLY REFER TO:

Project No. WO720B11
US 113 Planning Study: From
Snow Hill, MD to Delaware State Line
Worcester County, MD

Mr. Donald L. Klima
Director, Planning and Project Review
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Attention: Ms. Mary Ann Naber

Dear Mr. Klima:

The Federal Highway Administration is proposing to upgrade the remaining two-lane sections of US 113 within Maryland, thereby improving safety and traffic operations along this 23.8 mile transportation link on the Delmarva peninsula. (Enclosure 1) The Maryland State Historic Preservation Officer (SHPO), in accordance with 36 CFR 800.5, has determined that the referenced undertaking will have an adverse effect on significant cultural resources. Therefore, in accordance with 36 CFR 800.8 (b), we wish to notify you that the St. Martin's Church is eligible for the National Register of Historic Places and invite the Advisory Council to participate in the Section 106 consultation process. A draft Memorandum of Agreement (MOA) is enclosed for your review and comment. (Enclosure 2)

St. Martin's Church, entered on the National Register on April 13, 1977, is situated on the west side of US 113 at the intersection with Race Track Road (MD 589), south of the community Showell. (Enclosure 3) It is also a Maryland Historical Trust (MHT) easement property. The church is significant as one of the few mid-18th century structures in Maryland. It is architecturally significant under Criterion C for its fine construction features and conveys a strong association with the early history of Worcester County. The present brick building was constructed in 1759 to replace an earlier Anglican structure. The church is set back from the US 113/MD 589 intersection and is buffered from US 113 by a row of coniferous trees.

The proposed alignment runs from southwest of MD 589 and crosses the existing roadway approximately 1800 feet south of the current intersection with MD 589. The alignment runs just east of the existing US 113 roadway. Beginning about 1200 feet south of MD 589 the proposed alignment transitions closer to the existing roadway until approximately 300 feet south of MD 589 where the proposed roadway would utilize the existing US 113 roadway as part of the proposed

- more -

alignment. Directly in front of the St. Martin's Church, the existing two lanes would be used for the two proposed southbound lanes for the dualized highway. The northbound lanes would be constructed to the east of the existing road. No property would be acquired from the St. Martin's Church property as a result of the highway improvements. The new roadway will not be any closer to the church than the existing roadway.

A service road is proposed as part of the improvements to provide access to the church property and a number of driveways south of the church that currently have access directly onto US 113. The service road would terminate just south of the church property, thus providing access while not affecting the property itself. From US 113 an entrance to this access road would be provided at a signalized intersection with MD 589. This access plan provides for more safety for visitors to the church as the signalized intersection can be utilized. The current access to the church is by a turn directly off of US 113 onto a small dirt area on the church property. Turning into and out of this area under the current conditions is particularly precarious since there is limited sight-distance along the roadway and there is no room for acceleration.

No right-of-way will be acquired from the resource, however, the MHT has determined that the alignment will adversely affect the setting of the church. (Enclosure 4) The new roadway would be wider than the existing, and would have an adverse visual impact. This visual impact will likely occur due to the placement of the alignment in agricultural and forested land east of the resource. The MHT has determined that this visual effect will be adverse, because the increased width of the roadway will increase traffic loads and noise which would cause a change in the historic setting.

In a meeting with Mr. William Esham III, a representative of the St. Martin's Historical Foundation, a local organization involved in the preservation of St. Martin's Church, he expressed the organization's concerns regarding the property. He mentioned that he did not want to see any impact to the berm along the roadway toward the northern end of the property and that the pines on the property should not be impacted as these add to the character of the church. State Highway Administration's (SHA) proposed improvements will not affect either of these items of concern.

As mitigation for impacts to the church, Mr. Esham suggested that a parking lot for church visitors would be useful. A plan of the proposed parking lot is enclosed. (Enclosure 5) This parking lot could be placed at the end of the service road just south of the church property. Mr. Esham was hoping that possibly this land which is currently owned by Perdue Farms could be donated to the church.

- more -

We welcome your review and comments and request your review of our determination within 30 days of receipt of this letter. If you require additional information or clarification, please contact Ms. Mary Huie at (410)-962-4342, ext. 148. Thank you for your continued assistance.

Sincerely yours,

GEORGE K. FRICK, JR.

Susan Binder
Division Administrator

Enclosures (Photographs)

cc: Mr. Joe Kresslein, SHA
Ms. Cathy Maher, SHA
Ms. Sue Rajan, SHA
Ms. Lorraine Strow, SHA

Mhuie:jeh 12/19/97 s:\mhuie\dist_1\us113\achp.det

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APPENDIX G

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