DRAFT

RESOLUTION

BY THE WILMINGTON AREA PLANNING COUNCIL (WILMAPCO)

AMENDING THE FY 2019-2022
TRANSPORTATION IMPROVEMENT PROGRAM,
NEW CASTLE COUNTY ELEMENT

WHEREAS, the Wilmington Area Planning Council (WILMAPCO) has been designated the Metropolitan Planning Organization for Cecil County, Maryland and New Castle County, Delaware by the Governors of Maryland and Delaware, respectively; and

WHEREAS, the United States Department of Transportation’s (USDOT) Regulations of Fixing America’s Surface Transportation (FAST), Metropolitan Planning Requirements, require that, in air quality non-attainment areas, the MPO, in cooperation with participants in the planning process, develop and, at least every four years, updates the Transportation Improvement Program (TIP); and

WHEREAS, the WILMAPCO TIP format incorporates a four-year period for the listing of priority projects to be implemented, as well as a list of program development projects; and

WHEREAS, the amendment to the FY 2019-2022 TIP has undergone appropriate community and technical reviews; and

WHEREAS, the amendment to the TIP has been determined to be air quality conforming in accordance with FAST and Clean Air Act and Amendments (CAAA) of 1990 requirements; and;

WHEREAS, the amendment to the FY 2019-2022 TIP have been found to be financially constrained, as directed by 23 CFR 450.326, and consistent with the Regional Transportation Plan;

NOW, THEREFORE, BE IT RESOLVED that the Wilmington Area Planning Council does hereby amend the FY 2019-2022 Transportation Improvement Program to include revised funding for the SR 299: SR 1 – Catherine Street project.

Date: ____________________________

John Sisson, Chairperson
Wilmington Area Planning Council
TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT FORM

This form must be completed and all questions must be answered in order to process this request.

**Date of Submission:** 4/18/19

**TIP to be Amended:** FY2019-FY2022

**Sponsoring Agency:** DelDOT

**Project Name:** SR299, SR 1 to Catherine Street – T201012001

**Project Category:** Road Systems

**Project Description:** SR 299 will be widened to two lanes in each direction from SR 1 to Cleaver Farm Road, and a two way center lane turn lane will be added from Cleaver Farm Road to Catherine Street, along with pedestrian and bicycle improvements.

**Project Justification:** This project is a result of the East Middletown Master Planning effort that was performed by DelDOT and was ultimately adopted by the Town of Middletown Council.

**Funding:**

Federal $24,723,174  State $5,940,000  Other $0  Total $30,663,174

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1. Does this project require a new conformity determination? No
   (Section 51.400)(C2) “A TIP amendment requires a new conformity determination for the entire TIP before
   the amendment is approved by the MPO, unless it merely adds or deletes exempt projects listed in (Section
   51.460).”

2. Is this project regionally significant? Yes
   (Section 450.324)(f)(3) “The TIP shall include…all regionally significant transportation projects for which
   an FHWA or the FTA approval is required whether or not the projects are to be funded with title 23, U.S.C.,
   or Federal Transit Act funds, e.g., addition of an interchange to the Interstate System with State, local, and/or
   private funds, demonstration projects not funded under title 23, U.S.C., or the Federal Transit Act, etc.”

3. Has this project had the opportunity for public comment? No
   (Section 450.326) “…Public involvement procedures consistent with Section 450.316 (b)(1) shall be
   utilized in amending the TIP, except that these procedures are not required for TIP amendments that only
   involve projects of the type covered in Section 450.324 (1).”

4. Has this project been found to be financially constrained? Yes
   (Section 450.324)(e) “The TIP shall be financially constrained by year and include a financial plan that
   demonstrates which projects can be implemented using current revenue sources (while the existing
   transportation system is being adequately operated and maintained. The financial plan shall be developed
   by the MPO in cooperation with the State and transit operator…”

   Please indicate funding sources by agency: DelDOT, FHWA

5. Is this project consistent with the WILMAPCO Metropolitan Transportation Plan? Yes
   (Section 450.324)(f)(2) “The TIP shall include…only projects that are consistent with the transportation
   plan.”

   If not, is there a resolution to amend the Metropolitan Transportation Plan?_______

   Please provide any additional pertinent information below:

   Project construction cost has increased as a result of the updated Final Construction Engineers Estimate.
   The updated estimate reflects the final contractor estimate for the project as well as Construction
   Contingency, Construction Engineering, Utility, Traffic and Right-of-Way estimates. The previous
   estimate at Semi-Final only included the contractor estimated costs and was completed in July 2017.
Transportation Improvement Program Submission/Amendment

Description of Public Participation

Project Name: SR299, SR 1 to Catherine Street

Which techniques were used to seek public comment (please use additional pages if needed).

- [X] Public workshops/meetings
  Number of public workshops/meetings: __2__
  Format: Live public workshops
  Location(s): Brick Mill Elementary School, Middletown Fire Company
  Number of attendees: Brick Mill – 46, Middletown FC - unknown
  Main issue raised:
  Consensus of meeting: In favor of project.
  Overall, the public support for the project was (check one):
    - [X] Strong support, few concerns
    - ____ Some support, but some concerns raised
    - ____ Mixed, equal support and opposition
    - ____ Some opposition, many concerns raised
    - ____ Strong opposition, major problems identified

Unresolved issues identified: ____________________________

- _____ Citizen Advisory/Steering Committee
- _____ Survey
  Number surveyed: _______
  Results: ______________
- [X] Elected officials briefings - State Legislators and Town of Middletown officials
- [X] Other Briefing also conducted with Appoquinimink School District officials

How was the public notified about the project?

- [X] Web page
- ____ Publications ____________________________
- ____ Legal notice
- ____ Newsletter/brochure
- ____ Videos
- ____ Flyers
- ____ Radio/television
- ____ Other CTP and MPO Hearings

How has the project changed as a result of public comments?

The design now includes pedestrian facilities the entire length of the project. A sidewalk on the north side was previously included but a 10-ft multi-use path was added along the south side as a result of the first workshop.

Comment further on the quantity and quality of the public participation:

The project officially conducted one live workshop at Brick Mill Elementary school on December 2, 2015. The project was presented to the public a second time on April 8, 2019. This time at the request of New Castle County for their initial Middletown Library public workshop. The proposed library is located on the eastern edge of the project limits at the corner of Catherine St and SR299. The SR299 project will be constructing a shared storm water management pond on the library site to address portions of the SR299 project runoff and the new Middletown library site.

Much of the public involvement since September 2017 for the project has been with individual property owners and representatives of properties adjacent to the project for Real Estate purposes. The design team assists
the Real Estate staff in the acquisition process and are able to answer project related question and evaluate property owner requests for minor design adjustments.