

## RESOLUTION BY THE WILMINGTON AREA PLANNING COUNCIL (WILMAPCO)

### AMENDING THE FY 2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM, NEW CASTLE COUNTY ELEMENT

**WILMAPCO Council:**

**John Sisson, Chair**  
*Delaware Transit Corporation  
Chief Executive Officer*

**David L. Edgell**  
*Delaware Office of State Planning  
Coordination, Director*

**Danielle Hornberger**  
*Cecil County Executive*

**Nicole Majeski**  
*Delaware Dept. of Transportation  
Secretary*

**Matthew Meyer**  
*New Castle County Executive*

**Heather Murphy**  
*Maryland Dept. of Transportation  
Director, Office of Planning and Capital  
Programming*

**Michael S. Purzycki**  
*Mayor of Wilmington*

**Eric Scott Thompson**  
*Mayor of Elsmere*

**Vacant**  
*Cecil County Municipalities*

**WILMAPCO Executive Director**  
*Tigist Zegeye*

**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 Infrastructure Investment and Jobs Act (IIJA), 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 2023-2026 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 IIJA and Clean Air Act and Amendments (CAAA) of 1990 requirements; and;

**WHEREAS**, the amendment to the FY 2023-2026 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 2023-2026 Transportation Improvement Program to include revised funding for the US40, Salem Church Road to Walther Road project.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
John Sisson, Chairperson  
Wilmington Area Planning Council



Partners with you in transportation planning

## 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:** 3/5/2024

**TIP to be Amended:** FY2023-FY2026

**Sponsoring Agency:** DelDOT

**Project Name:** US40, Salem Church Road to Walther Road (T201611902)

**Project Category:** Road Systems

**Project Description:** This project is proposing to add an additional lane in each direction along US40 from Salem Church Road to Walther Road. There will also be pedestrian and bicycle improvements with the addition of a multi-use path for the length of the project.

**Project Justification:** This project was identified as part of the Route 40 Corridor 20-Year Transportation Plan. The plan was adopted on June 19, 2000 to detail highway, transit, and bicycle and pedestrian improvements that are, or will be, needed to address already planned growth and development and to enhance the quality of life in the Route 40 Corridor.

**Funding:** Federal \$11,535.9 State \$2,117.2 Other \$0 Total \$13,653.1

Funding	Phase	FY23 SPEND	FY 24 SPEND	FY 25 SPEND	FY 26 SPEND	Total
80% FHWA	PE	\$215.4	\$429.5	\$25.0	\$0	\$669.9
100% STATE	ROW	\$962.5	\$491.6	\$529.1	\$0	\$1,983.2
100% FHWA (20% TC)	C	\$0	\$500.0	\$5,000.0	\$5,500.0	\$11,000.0
Total		\$1,177.9	\$1,421.1	\$5,554.1	\$5,500.0	\$13,653.1

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? **Yes**  
(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 (I).”

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:

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# Transportation Improvement Program Submission/Amendment Description of Public Participation

**Project Name:** US40, Salem Church Road to Walther Road (T201611902)

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

  2   Public workshops/meetings

Number of public workshops/meetings: 2

Format:

1. Virtual Workshop May 18 – June 17, 2020 with live Q&A 4:00 PM to 7:00 PM on June 4, 2020
2. Virtual Workshop September 30, 2020 – Raven Glen Civic Association

Location(s): Both virtual workshops

Number of attendees: 10 attendees for the first workshop with a live presentation on 6/4/2020 and 10 from the 9/30/2020 meeting

Main issue raised: The team presented the project update, reviewed proposed improvements, and presented anticipated design and construction schedule. The main concern from the meetings were impacts to properties, existing trees/landscaping, and traffic noise.

Consensus of meeting: Overall there was general support for the project.

Overall, the public support for the project was (check one):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Strong support, few concerns | <input type="checkbox"/> Some opposition, many concerns raised        |
| <input type="checkbox"/> Some support, but some concerns raised  | <input type="checkbox"/> Strong opposition, major problems identified |
| <input type="checkbox"/> Mixed, equal support and opposition     |   |

Unresolved issues identified: none

Citizen Advisory/Steering Committee

Survey

Number surveyed: \_\_\_\_\_

Results: \_\_\_\_\_

Elected officials briefings

Other This project has been a part of the Route 40 Plan published in 2000. And is included in yearly US 40 Corridor Monitoring and Triggering Report. These are posted yearly on the DeIDOT website and are presented to the US 40 Steering Committee every year.

**How was the public notified about the project?**

- |   |  |                     |
|---|--|---------------------|
| <input checked="" type="checkbox"/> Web page                    | <input type="checkbox"/> Publications        | Distribution: _____ |
| <input type="checkbox"/> Legal notice                           | <input type="checkbox"/> Newsletter/brochure |                     |
| <input type="checkbox"/> Videos                                 | <input type="checkbox"/> Flyers              |                     |
| <input type="checkbox"/> Radio/television                       |  |                     |
| <input checked="" type="checkbox"/> Other CTP and MPO Hearings: |  |                     |

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

The project has not changed as a result of the public comments during the meetings. However, as the right of way acquisitions have progressed, the design has changed slightly when coordinating with individual property owners and their impacts.

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

This project has been a part of the Route 40 plan. Because of this, many of the long term property owners along the corridor have been aware of the project for over 20 years.

US 40, Salem Church Road to Walther Road

PROJECT AUTHORIZATION SCHEDULE  
 IN (\$000)

PROJECT NUMBER	PHASE	FUNDING SOURCE	STATE AUTH (Prior to FY23)	CURRENT ESTIMATE	FY 2023			FY 2024			FY 2025			FY 2026			STATE TOTAL	FEDERAL TOTAL
					STATE	FEDERAL	FUND TYPE	STATE	FEDERAL	FUND TYPE	STATE	FEDERAL	FUND TYPE	STATE	FEDERAL	FUND TYPE		
T201611902	PE	80% FHWA	495.0	2,849.2		160.0	Y001		139.3	Y001							299.3	
T201611902	ROW	100% STATE	2,000.0	2,000.0														
T201611902	C	100% FHWA (20% TOLL CREDIT)		27,000.0		—	Y460		6,000.0	Y460*		4,000.0	Y460*		5,500.0	Y460*	15,500.0	
<b>Total</b>			<b>2,495.0</b>	<b>31,849.2</b>		<b>160.0</b>			<b>6,139.3</b>			<b>4,000.0</b>		<b>5,500.0</b>			<b>15,799.3</b>	

Y001 - National Highway Performance Program (NHPP)  
 Y460 - National Highway Freight Program (NHFP)  
 Y230 - Surface Transportation Block Grant Program (STBG)

\* AC Conversion

PROJECT FUNDING SCHEDULE  
 IN (\$000)

PROJECT NUMBER	PHASE	FUNDING SOURCE	CURRENT ESTIMATE	FY 2023			FY 2024			FY 2025			FY 2026			FY 2027	FY 2028
				STATE	FEDERAL	OTHER	STATE	FEDERAL	OTHER	STATE	FEDERAL	OTHER	STATE	FEDERAL	OTHER	TOTAL	TOTAL
T201611902	PE	80% FHWA	2,849.2	43.1	172.3		86.1	343.4		5.0	20.0						
T201611902	ROW	100% STATE	2,000.0	962.5			491.6			529.1							
T201611902	C	100% FHWA (20% TOLL CREDIT)	27,000.0					500.0			5,000.0		5,500.0		8,500.0	7,500.0	
<b>Total</b>			<b>31,849.2</b>	<b>1,005.6</b>	<b>172.3</b>		<b>577.7</b>	<b>843.4</b>		<b>534.1</b>	<b>5,020.0</b>		<b>5,500.0</b>		<b>8,500.0</b>	<b>7,500.0</b>	