

# WILMAPCO Council

## Action Item Summary Sheet

Meeting Date: February 7, 2023

**Action Item #5 : To Amend the FY 2023-2026 Transportation Improvement program (TIP)**

**Description/Summary of Item:**

DeIDOT has requested that the TIP be amended to include deferred funding for the US 40 & SR 896 Improvements project.

Current Funding (\$s x 1,000) as modified 12/8/22

Phase	FY 2023	FY 2024	FY 2025	FY 2026	TOTAL
PE – 80% FHWA	650.0	816.6			1,466.6
ROW—100% ST	1,950.0				1,950.0
C—100% FHWA (20% TC)			22,500.0	22,000.0	44,500.0
<b>TOTAL</b>	<b>2,600.0</b>	<b>816.6</b>	<b>22,500.0</b>	<b>22,000.0</b>	<b>47,916.6</b>

Draft Amended Funding (\$s x 1,000)

Phase	FY 2023	FY 2024	FY 2025	FY 2026	TOTAL
PE – 80% FHWA	650.0	816.6			1,466.6
ROW—100% ST	1,950.0				1,950.0
C—100% FHWA (20% TC)					0.0
<b>TOTAL</b>	<b>2,600.0</b>	<b>816.6</b>	<b>0.0</b>	<b>0.0</b>	<b>3,416.6</b>

**Summary of Action Taken by PAC:** None

**Summary of Action Taken by TAC:**

The TAC recommended approval at their January 19, 2023 meeting.

**Summary of Action Taken by Subcommittee/Task Force (if applicable):**

The Air Quality Subcommittee reviewed this via email and found that it would not trigger a revised conformity analysis.

**WILMAPCO Staff Recommendations:**

The WILMAPCO staff recommends that Council amend the TIP to include deferred funding for the US 40 & SR 896 Improvements project.

## DRAFT

### 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

**Michael Kline**  
Mayor of North East

**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

**WILMAPCO Executive Director**  
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## RESOLUTION BY THE WILMINGTON AREA PLANNING COUNCIL (WILMAPCO)

### AMENDING THE FY 2023-2026 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 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 deferred funding for the US 40 and SR 896 Improvements 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:** 1/17/23

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

**Sponsoring Agency:** DelDOT

**Project Name:** US40 & SR896 Improvements (T201611901)

**Project Category:** Road Systems

**Project Description:** This project will construct a grade separated interchange at the intersection of US 40 and SR 896 in order to improve safety and traffic operations at the intersection.

**Project Justification:** This intersection is in need of both safety and operational improvements. The US 40 Corridor Monitoring Program shows large peak hour volumes and substantial congestion. Traffic conditions will likely deteriorate further with proposed development in the area. This location was also noted in the 2011 Hazard Elimination Program Report.

**Funding:** Federal \$1,180.2 State \$286.4 Other \$0 Total \$3,416.6

Funding	Phase	FY23 SPEND	FY 24 SPEND	FY 25 SPEND	FY 26 SPEND	Total
80% FHWA	PE	\$650.0	\$816.6	\$0	\$0	\$1,466.6
100% State	ROW	\$1,950.0	\$0	\$0	\$0	\$1,950.0
100% FHWA (20% TC)	C	\$0	\$0	\$0	\$0	\$0
Total		\$2,600.0	\$816.6	\$0	\$0	\$3,416.6

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 (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 & SR896 Improvements (T201611901)

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

\_\_\_\_\_ Public workshops/meetings  
Number of public workshops/meetings:  
Format:  
Location(s):  
Number of attendees:  
Main issue raised:  
Consensus of meeting:

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

- |  |  |
|--|--|
| _____ Strong support, few concerns           | _____ Some opposition, many concerns raised        |
| _____ Some support, but some concerns raised | _____ Strong opposition, major problems identified |
| _____ Mixed, equal support and opposition    |  |

Unresolved issues identified:

\_\_\_\_\_ Citizen Advisory/Steering Committee  
\_\_\_\_\_ Survey  
Number surveyed: \_\_\_\_\_  
Results: \_\_\_\_\_  
\_\_\_\_\_ Elected officials briefings  
\_\_\_\_\_ Other \_\_\_\_\_

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

\_\_\_\_\_ Web page  
\_\_\_\_\_ Legal notice  
\_\_\_\_\_ Videos  
\_\_\_\_\_ Radio/television  
\_\_\_\_\_ Other CTP and MPO Hearings \_\_\_\_\_

\_\_\_\_\_ Publications  
\_\_\_\_\_ Newsletter/brochure  
\_\_\_\_\_ Flyers

Distribution: \_\_\_\_\_

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

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

US 40 & SR 896 Improvements

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		
T201611901	PE	80% FHWA	1,760.0	8,800.0		400.0	Y001											400.0
T201611901	ROW	100% STATE	2,000.0	2,000.0														
T201611901	C	100% FHWA (20% TOLL CREDIT)		62,500.0														
<b>Total</b>			<b>3,760.0</b>	<b>73,300.0</b>		<b>400.0</b>												<b>400.0</b>

Y001, Y002 - National Highway Performance Program (NHPP)

\*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
T201611901	PE	80% FHWA	8,800.0	130.0	520.0		156.4	660.2									
T201611901	ROW	100% STATE	2,000.0	1,950.0													
T201611901	C	100% FHWA (20% TOLL CREDIT)	62,500.0												5,000.0	25,000.0	
<b>Total</b>			<b>73,300.0</b>	<b>2,080.0</b>	<b>520.0</b>		<b>156.4</b>	<b>660.2</b>							<b>5,000.0</b>	<b>25,000.0</b>	