



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**DELMAR Division – Delaware**

**300 South New St., Suite 2101  
Dover, Delaware 19904**

June 30, 2010

In Reply Refer To: HDA-DE

Secretary Carolann Wicks  
Delaware Department of Transportation  
800 Bay Road  
P.O. Box 778  
Dover, Delaware 19903

Dear Secretary Wicks:

In response to DelDOT's letter of June 17, 2010 regarding **the SR 1, Little Heaven Grade Separated Intersection Project in Kent County; State Contract 24-122-02 and Federal Contract KH-K008(6)**, we are approving the cited project as an Finding of No Significant Impact (FONSI) pursuant to 23 CFR 771.121. The FONSI signature page is attached. We are approving the enclosed Public Notice for the state clearinghouse and newspaper publication.

If you wish to discuss this project, please contact Dan Montag or Nick Blendy of my staff.

Sincerely yours,

H Hassan Raza  
Division Administrator

Enclosures:



cc: Natalie Barnhart, Chief Engineer, DelDOT  
Mike Williams, Manager, Public Relations, DelDOT  
Mike Simmons, Assistant Director, Transportation Solutions DelDOT  
Thad McIlvaine, Project Manager, Transportation Solutions DelDOT  
Robert McCleary, Assistant Director, Engineering Support DelDOT  
Terry Fulmer, Environmental Studies DelDOT  
Mike Hahn, Environmental Studies DelDOT  
Dan Montag, Area Engineer, FHWA DelMar  
Jeanette Mar, Environmental Program Manager FHWA DelMar  
Nick Blendy, Environmental Specialist, FHWA DelMar  
Project File

**DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
FINDING OF NO SIGNIFICANT IMPACT  
FOR  
SR 1/LITTLE HEAVEN GRADE SEPARATED INTERSECTION PROJECT  
SUSSEX COUNTY, DELAWARE**

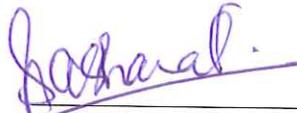
The Federal Highway Administration (FHWA) has determined that the Selected Alternative will have no significant effect on the natural and human environment. This Finding of No Significant Impact (FONSI) is based on the project's Environmental Assessment/Section 4(f) Evaluation dated June 2010 approved by FHWA on June 16, 2010. These documents have been independently evaluated by FHWA including a Section 4(f) Legal Sufficiency Determination by Eastern Legal Services and determined the documents adequately and accurately discuss the identified Purpose and Need, and environmental and cultural resources and resulting impacts of the Little Heaven Project, along with appropriate mitigation measures. The documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

This FONSI determination is based on the following:

- 1) The project is consistent with the DelDOT SR 1 Corridor Capacity Preservation Program and supports the project needs of traffic safety and preserve roadway capacity.
- 2) The project provides interconnection of local roadways, separates local and through traffic, maintains access for emergency response vehicles and is the best alternative for addressing safety concerns and maintaining community cohesiveness.
- 3) A Section 106 Memorandum of Agreement (MOA) has been executed to address and mitigate the identified cultural resources adverse effects.
- 4) The Selected Alternative C is the least harm alternative per 23 CFR 774. A Section 4(f) Evaluation has been prepared and approved for the historic Mt. Olive resource. Two *di minimis* 4(f)'s have been processed with written concurrence from the DE SHPO.

6/30/10

Date



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Basharat Siddiqi  
Assistant Division Administrator



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Memorandum

Subject: Final Section 4(f) Evaluation  
SR-1, Little Heaven Grade Separated Intersection

Date: June 30, 2010

From: Attorney-Advisor  
Eastern Legal Services

In Reply Refer To: HCC-EA

To: Nelson Castellanos  
Hassan Raza  
Division Administrator  
DELMAR Division

THRU: Jeanette Mar  
Environmental Coordinator

I have reviewed the Final Section 4(f) Evaluation for the above-named project, which would improve traffic safety and relieve traffic congestion along SR-1 and at SR-1's roadway crossings in Kent County, Delaware.

The Final Section 4(f) Evaluation adequately demonstrates the purpose and need for the project and that the Preferred Alternative (Alternative C) would best meet that need. Additionally, the Final Section 4(f) Evaluation adequately demonstrates that there exists no prudent and feasible alternative to the Preferred Alternative's use of land from certain historic properties, and that all possible planning has been undertaken to minimize harm to those properties. Therefore, pursuant to the provisions of 23 C.F.R. §774.7(d), I hereby find the Final Section 4(f) to be legally sufficient.

/s/

Lavinia Thomas



Delaware Department of Transportation  
Carolann Wicks, P.E.  
Secretary

## **SR 1, Little Heaven Grade Separated Intersection Project**

### **Approval of Location and Finding of No Significant Impact**

#### **Kent County, Delaware**

The Delaware Department of Transportation (DelDOT) and the Federal Highway Administration (FHWA) are undertaking a project that involves the construction of a grade separated intersection at SR 1 and Little Heaven in Kent County, Delaware. The purpose of the project is to improve traffic operations, safety and roadway conditions within the project area.

The project area extends 2.73 miles along SR 1 from south of Barratts Chapel Road (K371) to north of Mulberrie Point Road (K373). The project includes the construction of new SR 1 northbound lanes and a service road east of SR 1 from Barratts Chapel Road to Mulberrie Point Road in Little Heaven. The existing SR 1 northbound lanes will be converted to SR 1 southbound lanes, and the existing SR 1 southbound lanes will be converted to a service road. Both directions of SR 1 will be elevated at the intersection at Bowers Beach Road (K18) by the construction of a grade separation, which will provide access to and from the service roads on either side of SR 1.

DelDOT and the FHWA, in accordance with the Federal requirements of the 23 CFR 771.121(b), are hereby notifying the public of the issuance of a Finding of No Significant Impact (FONSI) for the project. The FONSI has been prepared in accordance with the National Environmental Policy Act to document and support FHWA's determination that the Selected Alternate would not have a significant effect on the human and natural environment. Copies of the FONSI documentation are available at the DelDOT Administrative Building at 800 Bay Road, Dover, DE. Interested parties may also obtain a copy of the document by contacting DelDOT Public Relations at 1-800-652-5600 or 302-760-2080 (in DE) or by viewing the web link at:

[http://www.deldot.gov/information/projects/little\\_heaven/pages/project\\_info.shtml](http://www.deldot.gov/information/projects/little_heaven/pages/project_info.shtml).

Office of Public Relations  
Delaware Department of Transportation  
P.O Box 778  
Dover, Delaware 19903

# **PUBLIC NOTICE**