

RESOLUTION NO. R 007 90

REQUESTING THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF A NEW BRIDGE OVER THE CHESAPEAKE AND DELAWARE CANAL

WHEREAS, the original Delaware Charter of the Chesapeake & Delaware Canal Company required the company to provide bridges at its expense and reserved the right of the State to require the construction of new bridges; and

WHEREAS, federal acquisition of the Chesapeake & Delaware Canal Company franchise and property for the purpose of enlarging the Canal in 1919 included acceptance of the company's legal obligations to the State of Delaware; and

WHEREAS, the Federal Government has continuously met the contractual obligation to construct and maintain public road bridges since acquiring the Canal and has specifically recognized its responsibility as recently as the Surface Transportation & Uniform Relocation Act of 1987 which directed the Corps of Engineers to review relevant documents regarding a new Canal crossing for the Delaware U. S. Route 13 Relief Route Project; and

WHEREAS, a funding commitment from the Federal Government for a new bridge is necessary at this time as the U. S. Route 13 Relief Route is already under construction, U. S. Department of Transportation approved projections demonstrate critical traffic increases in the near future requiring more highway lanes of crossing capacity than are currently provided, the existing federal St. George's Bridge cannot be modified to assume the traffic of the new highway, and the State of Delaware cannot bear a shutdown of half of the present St. George's Bridge capacity on Route 13 for rehabilitation before the U. S. Route 13 Relief Route is opened; and

WHEREAS, it is appropriate that the Federal Government accept the State of Delaware Department of Transportation's planning and scheduling for the new bridge, as the U. S. Department of

Transportation and other federal agencies have fully participated in, and approved, said planning; and

WHEREAS, there exists the need for an additional highway bridge crossing the Chesapeake & Delaware Canal near the St. George's Bridge irregardless of the U. S. Route 13 Relief Route Project for the following significant reasons: U. S. Route 13 is the primary north-south route between major eastern population centers and the Delmarva Peninsula, the St. George's Bridge carries thirty-three percent (33%) of the total traffic flow into and out of the Peninsula and sixty-six percent (66%) of the total traffic over the C & D Canal, traffic projections developed under the U. S. Department of Transportation approved process indicated that the St. George's Bridge will be overloaded after 1994, the existing St. George's Bridge cannot be modified to handle the projected traffic and its basic design makes it vulnerable to failure in Canal navigation accidents, and the Summit Bridge cannot handle the U. S. Route 13 projected traffic increases, as traffic on its northeastern-southwestern corridor will reach bridge capacity in the near future; and

WHEREAS, the State of Delaware is constructing the \$400 million U. S. Route 13 Relief Route and will finance the \$112 million federal bridge only with a commitment from the Federal Government to repay the State costs; and

WHEREAS, the federal C & D Canal cuts completely across the State of Delaware, and because the primary traffic carried by the Canal both originates and terminates outside the State, it is only fair that the cost of bridging the Canal continue to be borne by the Federal Government; and

WHEREAS, the residents of Sussex County, as well as the residents of Delaware, should not be forced to bear the full cost of the \$112 million bridge;

NOW, THEREFORE,

BE IT RESOLVED that the Sussex County Council hereby urges the Government of the United States of America to provide for the



construction and maintenance of a new bridge over the Chesapeake & Delaware Canal in keeping with its obligation to provide good and sufficient public highway bridges over the Chesapeake and Delaware Canal; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be delivered to The Honorable Samuel K. Skinner, Secretary of the United States Department of Transportation, and The Honorable Kermit H. Justice, Secretary of the Delaware Department of Transportation.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 007 90 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 6TH DAY OF FEBRUARY, 1990.

  
DORIS E. ROGERS  
CLERK OF THE COUNTY COUNCIL