

**MIDDLE SMITHFIELD TOWNSHIP
MONROE COUNTY, PENNSYLVANIA
RESOLUTION NO. 07-2024-2**

**A RESOLUTION OF THE MIDDLE SMITHFIELD TOWNSHIP BOARD OF
SUPERVISORS REQUESTING I-80/611 DELAWARE WATER GAP (DWG) ACTIONS**

WHEREAS, in 2025 Preliminary Engineering (PE) will be underway for five simultaneous I-80/611 DWG projects with no bi-state coordination or joint federal oversight: the I-80 Rockfall Mitigation and Retaining Wall Replacement Projects and 611 Rock-Slope Mitigation, Retaining Wall Repairs and Rehab Projects; and

WHEREAS, jurisdiction over the I-80/611 five mile DWG corridor (The DWG Corridor) is hyper complex in part because it traverses five municipalities, three counties, and two states in three different Metropolitan Planning Organization regions, contains two interstate toll bridges, roadways, and a railroad, owned and maintained by different agencies, and is represented by three different Congressional Districts and six different State Legislative Districts; and

WHEREAS, The DWG Corridor is well-documented as highly environmentally, culturally, and historically sensitive as part of the Delaware Water Gap National Recreation Area, The Middle Delaware National Wild and Scenic River, the Appalachian National Scenic Trail, New Jersey Worthington State Forest, which includes Sunfish Pond, a National Register of Historic Places-listed National Natural Landmark, the National Register of Historic Places-eligible Delaware, Lackawanna & Western Railroad, and is in the Natural Heritage Priority Program; and

WHEREAS, with over 55,000 vehicles per day traversing The DWG Corridor, the region and travelers depend on all lanes (3 East Bound and 3 West Bound) open, safe, and flowing, so any construction, lane closure or crash results in potentially life-threatening emergency services delays and negative impacts on residential villages, local infrastructure, businesses, employment, freight travel, recreation, and lifestyle; and

WHEREAS, despite over two years of the Pennsylvania Department of Transportation collaboration with the National Park Service (NPS) (December 2022-July 2024), the Special Use Permit for the closed PA 611 Point of Gap slope scaling emergency project was NOT approved due to the above-mentioned complexities, multiple federal laws including the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), and other related considerations; and

WHEREAS, since 2017 stakeholders have been active participants in every available DWG public involvement activity, have developed the opinion and have supporting records that demonstrate NJDOT did NOT provide early public input opportunity or timely updates, input has not been considered, and NJDOT presentations, materials, letters, and studies contained significant errors, omissions, and questionable representation of facts; and

WHEREAS, the federally recognized Lenape Tribal Nations have requested The Federal Highway Administration (FHWA) assist with eligibility determination for the Delaware Water Gap to

be designated a Traditional Cultural Property/Landscape, yet no such request has been made to determine eligibility as a National Natural Landmark and/or National Historic Landmark; and

WHEREAS, the Council on Environmental Quality (CEQ) oversees NEPA implementation, interpretation of regulations for NEPA procedural requirements, and helps to resolve disputes between Federal agencies and with other governmental entities and members of the public; and

WHEREAS, the Advisory Council on Historic Preservation (ACHP)'s responsibility is to administer the requirements of Section 106 of the National Historic Preservation Act (NHPA), a process that provides for the consideration of alternatives that promote preservation and offers the public and stakeholders the opportunity to influence federal decision-making; and

WHEREAS, Knowlton and Hardwick Townships have requests consultation with CEQ and ACHP related to the above-mentioned DWG projects, to help **expedite efficient integration of NEPA and Section 106, to ensure public input is considered, impacts adequately addressed, and reasonable alternatives considered expeditiously.**


NOW, THEREFORE, BE IT RESOLVED that Middle Smithfield Township


1. Continues to support and encourage every possible action to safely open and maintain all lanes of the I-80/611 DWG corridor, including any ongoing emergency projects.
2. Supports Knowlton and Hardwick Township's request for consultation with CEQ and ACHP, to help **expedite efficient integration of NEPA and Section 106, to ensure public input is considered, impacts adequately addressed, and reasonable alternatives considered expeditiously**
3. Expects a full NEPA Environmental Impact Statement/Study (EIS) for any planned DWG project for which an independent non-FHWA or NPS Lead Agency is appointed.
4. Requests FHWA determine eligibility of the DWG as a National Historic Landmark and National Natural Landmark.
5. Acknowledges and appreciates actions by Congressman Gottheimer, Congressman Kean, Congresswoman Wild, and Congressman Cartwright over the years and requests they, and our US Senators continue to assist by supporting this request every way possible.

Adopted, this 25th day of July, 2024 at a regularly scheduled meeting of the Board of Supervisors of the Township of Middle Smithfield.

**MIDDLE SMITHFIELD TOWNSHIP
BOARD OF SUPERVISORS**


Annette Atkinson, Chairwoman


Mark Oney, Vice Chairman


Michael J. Dwyer, Supervisor

ATTEST:


Township Secretary