

**From:** Peter Murray  
**To:** Hoffner, Kyra (LegHall); DorseyWalker, Sherry (LegHall); Sunset (Mailbox Resources)  
**Subject:** Joint Legislative Oversight and Sunset Meeting 23 March, 2023 1300 Room 112 Public Comment Agenda Item #4  
**Date:** Thursday, March 23, 2023 11:30:34 AM

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I would like to address the committee today during the public comment agenda item #4. In the allotted 2 minutes of time I would like to address the following, from the staff recommendations document:

Under legislation for EVs and any associated state roadway improvement legislation the following:

- Any gas/fuel stations on Delaware scenic byways receive funding to add electric charging stations or funding to convert the stations to an alternate use with state and federal funds being used to:

1. Remove any environmental hazards such as tanks and soil remediation and convert to rainwater permeable parking areas.
2. Convert the property to support the scenic byway as a rest stop and information center for the scenic area
  - a. Funding including grants, forgivable loans, and public financing support to convert the property to but not limited to locally owned and operated cafe's, rest areas for cars and bicycles.
  - b. Add solar electricity and hot water systems, bio digestion toilets, low energy use ductless HVAC and ceilings / porch overhead fans, LED lighting

Finding #1 The last known meeting of the Delaware Byway Advisory Board (“Advisory Board”) was in 2005. The Advisory Board held meetings to assist in the development of the Delaware Scenic and Historic Highways Program Guide and approval of the first established Delaware byway. The Advisory Board no longer meets, is not involved in the Delaware Byways program, and is no longer meeting a state need. Senate Bill 320 created the Advisory Board in 2000 through the Delaware Scenic and Historic Highways Program. The program was tasked with identifying, promoting, preserving, and enhancing Delaware’s roadways by identifying specific qualities related to scenic, historic, natural, cultural, recreational, and archaeological. These goals mirrored the federal National Scenic Byways Program managed by the United States Department of Transportation. Senate Bill 320 required the program be developed with the assistance of the Advisory Board, the membership of which included a wide range of expertise including local and county government, state agencies, planning organizations, environmental organizations, and advocacy groups. Senate Bill 320 did not outline specific duties or meeting requirements for the Advisory Board. To date, the Advisory Board’s statute has not been modified to include any additional requirements and only instructs the DelDOT Secretary to appoint an Advisory Board “to assist in and make recommendations regarding in the designation, development, operation, management and promotion of Delaware byways.” During the initial development of the program, the Advisory Board consulted with DelDOT’s planning division to create the Delaware Scenic and Historic Highways Program Guide (“program guide”) in 2001.<sup>6</sup> The program guide included 6 chapters defining the creation, organization, and ongoing management of any designated byways in Delaware. The program guide summarized the Advisory Board’s discussions regarding its vision, goals, and objectives for the program. The identified goals included: •

Goal 1: Evaluate and Designate State Scenic and Historic Highways. • Goal 2: Protect and/or enhance State Scenic and Historic Highways and their resources through a coordinated management program while ensuring the safe operation of these routes. • Goal 3: Benefit economic development through tourism and promote byway related educational and recreational opportunities. • Goal 4: Monitor and evaluate the implementation of the State Scenic and Historic Highways Program to ensure it continues to meet the needs of the State and its citizens.

Byways Coordinator and member of the BMO also ride bicycles on the byways in advance of the report, not just in a motorized vehicle:

Finding #5 In 2021, DelDOT revised its Delaware Byway program guide and updated expectations, duties, operations, and reporting requirements for the existing byways. The updated program guide closes the program to new nominations and no longer mentions the Advisory Board. DelDOT's revised program guide is currently in draft form and unavailable on its website. Under the draft 2021 Delaware Byways Program Guide, each BMO is required to monitor their CMP on an annual basis, providing a written status report to DelDOT's Byways Coordinator.<sup>19</sup> The written status report should include progress in implementation and the activities involved, any new funding information, accomplishments, and any changes to the CMP. Each BMO is required to submit this report on December 31 of every year. **Additionally, the Program Guide requires DelDOT's Byways Coordinator to ride each byway at least once a year with a member of the BMO in advance of the report's due date to assess current conditions and success in implementing the CMP.** Each BMO is also required to update their CMP every 5 years as a mechanism for meeting established milestones and ensuring that each BMO maintains active organizations that continue to lead, initiate, manage, and implement strategies and actions. As each BMO has individual concerns, needs, and goals, a statewide Advisory

Please advise on how to find room 112 and if masks are required. Comments will be limited to the allotted 2 min time and additional information can be provided to add to the public record.

Sincerely,

Peter

Peter Murray