

Correspondence: Kassab, Jacob G., 1972
August 24th

Memo from
J. G. Kassab

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Mr. Max Rosenn

For your information.

J.G.K.

August 24, 1972

Mr. George F. Fenton
Division Engineer
Federal Highway Administration
P. O. Box 1086
Harrisburg, Pennsylvania

Re: Luzerne County
L.R. 1052, Sections 1, 2 & 3
Cross Valley Expressway
Expedited Completion Schedule

Dear Mr. Fenton: *7/2 11/22*

The Pennsylvania Department of Transportation is herewith submitting data as requested by your office as to our desire and intent to expedite the engineering design, right-of-way acquisition and construction of the Cross Valley Expressway (L.R. 1052-1, 2 & 3) in Wilkes-Barre.

Prior to the flood of June 1972, the Department was anticipating the letting for Section 2 in early 1975, with no scheduled letting dates for Sections 1 and 3 due to the stage of development; that is, 4(f)/EIS involvements which make it nearly impossible to ascertain or to establish a letting date. Flood caused highway damage, property damage, displacements, and debris deposits which have resulted in unpredictable traffic movements, and major traffic jams have been encountered in the Wilkes-Barre and Kingston area primarily due to the North Street Bridge and several other bridges in the Wilkes-Barre area being out of service. This condition has brought to the Department's attention and the citizens of Wilkes-Barre area the need for additional transportation facilities such as the Cross Valley Expressway. This facility is included in the adopted Lackawanna-Luzerne Area Transportation Plan as committed sections (high priority) and is on the Department's Six Year Improvement Program. Governor Shapp and I have made a commitment to the people of the area to expeditiously advance this expressway to completion with the Section 2 bridge to be underway by late 1972.

The Department anticipates requesting Federal funds in the right-of-way acquisition and construction costs for all three sections of the expressway. A final decision has not been made with respect to financing the remaining engineering. Expenditure of State matching funds has been approved for Sections 2 and 3 by the Legislature in the 1969-70 (F.Y. 1970) Capital Budget. Engineering and right-of-way acquisition for Section 1 were underway prior to the Legislative approval requirement, and the proposed Capital Budget for 1972-73 (F.Y. 1973) contains the construction phase for Section 1. Inclusion on an approved Capital Budget

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does not itself provide the necessary matching funds, but constitutes required legislation approval of subsequent project expenditures as funds become available from State revenues and bond issuances. The estimated total costs involved for each section are outlined as follows:

	<u>Engineering</u>	<u>Right-of-Way</u>	<u>Construction</u>
Section 1	\$627,000	\$4,600,000	\$7,836,000
Section 2	683,000	684,000	7,858,000
Section 3	<u>800,000</u>	<u>5,621,000</u>	<u>11,440,000</u>
Subtotal	\$2,110,000	\$10,905,000	\$27,134,000
Approximate Ex- penditure to date	<u>646,500</u>	<u>3,500,000</u>	<u> </u>
Remaining Cost to be Incurred	\$1,463,500	\$ 7,405,000	\$27,134,000

It should be noted that the engineering costs have been financed to date with 100 percent State funds. Therefore, the total potential Federal-aid program for the entire (three segments) Cross Valley Expressway is estimated to cost \$30,149,000.

The Department has \$51,592,000 of Federal-aid funds designated as Urban "C", Urban System additional TOPICS and all other funds, available for obligation during fiscal 1973. These Federal funds were provided by IM 30-4-72 dated June 15, 1972. All funds provided for such obligations during F.Y. 1972 were fully utilized by mid-June 1972 and Additional Federal-aid obligational authority was requested and utilized. Even so, PennDOT had a surplus of Federal-aid projects available for authorization at the close of F.Y. 1972 with a total Federal-aid fund potential of \$70,000,000. Of this amount, approximately \$69,300,000 required Interstate funds and approximately \$700,000 required other funds. A surplus of TOPICS projects involving approximately \$600,000 also existed on June 30, 1972.

The total Interstate funds provided by IM 30-4-72 for F.Y. 1973 are \$136,810,000. Subtracting last year's potential surplus from the obligational authority thus provided results in a useable obligational balance of \$67,510,000 of Interstate funds for other non-surplus Interstate projects. The entire obligational authority for TOPICS funds, \$11,147,000 plus \$14,638,050 of Urban Area Funds are planned for application under the F.Y. 1973 TOPICS program. The resultant Federal-aid obligational balance of Urban Area and All Other Funds available for use in F.Y. 1973 for all Urban, Urban "C", Primary, Secondary, Rural, HPR, and Economic Growth Center applications is \$36,954,000. This must be applied throughout the entire State.

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STATUS & RESTRAINTS OF ADVANCING PROJECTS TO CONSTRUCTION

Design Approval, for all sections of the expressway, in accordance with FPM 20-8 dated January 14, 1969, was granted by the FHWA on November 13, 1969 following the Design Public Hearing held on August 19, 1969. Subsequently, it was realized that we were involved with Section 4(f) conditions and that combined Environmental/Section 4(f) statements were required for Sections 1 and 3. We propose to instruct our District Office to prepare an updated status Section 4(f) questionnaire to concerned parties to determine if the present ownership and the present and future useage of the area warrants continued consideration under Section 4(f).

DISPLACEMENTS

The following estimate displacements are contained in the Environmental Impact Statement for Sections 1, 2 and 3:

Section 1	204 families	20 Businesses
Section 2	29 Families	4 Businesses
Section 3	<u>72 Families</u>	<u>11 Businesses</u>
	305	35

On the basis that the right-of-way acquisition is approximately 80 percent complete on Sections 1 there remains only 34 families to be relocated at this time and five of these are within the flood plain area and were extensively damaged by the flood waters.

The State of Pennsylvania has entered into an agreement with the Federal Regional Council on August 1, 1972 to relocate families within the flood plain areas of the state and to discourage the future development on the flood plain and to prohibit the use of local, state and federal resources.

However, time constraints for this submission did not permit assembly of the data at this time. Although the Environmental Impact Statement analysis showed adequate relocation housing to be available, no post-flood relocation study has been made. However, the impact of the future highway relocations is negligible when compared with the residential devastation due to the flood which caused major damage to 14,000 homes, minor damage to 4700 homes and completely destroyed 160 homes. Obviously the first and last categories resulted in many cases of residential displacements. It is understood that HUD intends to establish up to 7000 mobile homes in the area. However, this is a unverified figure.

Should a shortage of relocation housing still exist at the time of highway right-of-way acquisition, we propose to request use of HUD

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provided mobile homes as temporary housing for highway relocatees with dual relocation benefits for the required double move procedure. We believe that use of such temporary housing is definitely in the public interest and necessary to advance this much needed highway project.

Section 1 - The Department is in the process of preparing the Final Combined Environmental/Section 4(f) statement with a submission to FHWA anticipated within one month. We are involved with three (3) public parks; Connolly Field, Scandlon Field and Park Place. The Department of Housing and Urban Development has placed mobile homes for temporary flood housing on the portion of Scandlon Field which was previously acquired as right-of-way for the highway. A PennDOT representative has inquired of the Office of Emergency Preparedness regarding the moving of the mobil homes from Scandlon Field within the right-of-way required for the expressway. They indicated that they will give favorable consideration to participate in the cost to relocate the mobil homes necessitated to accommodate the construction. We understand the owner may already have sold the remainder of the Park to a private development. However, time constraints for submission of this report did not permit verification of transfer of land. Two separate preliminary injunctions have been filed objecting to the construction of the expressway: by Messrs. Schafer and Duhig. The Luzerne County Court has taken no action on this litigation to date. Local groups interested in the immediate advancement of the Cross Valley Expressway have expressed an intention to encourage the opposition to withdraw their complaints.

The Department has acquired approximately 80 percent of the right-of-way for Section 1 to date. The construction plans are approximately 50 percent complete. However, final design work has previously been suspended on a voluntary basis by the Department pending resolution of the Section 4(f) involvements. Based on normal design procedures, including a minimum of 12 months for resolution of the Section 4(f) involvements, and continuing with the design hold until these involvements are resolved, advancement of this segment to construction would be anticipated for May 1975. If design is immediately reactivated, and the Combined Environmental/Section 4(f) statement is processed in an expeditious manner so as to satisfy the requirements at an early date, and expeditious design review procedures are adopted by PennDOT and FHWA, we anticipate the contract for Section 1 could be let by mid-June 1973. The remaining design and right-of-way costs plus construction costs for this section total \$11,149,500 of combined Federal and State funds which must be expended by F.Y. 1973.

The controversial areas which have emerged during development of this project are shown on the location map. Residents have opposed the approved location in the vicinity of Park Place because they are going to lose their homes; however, the opposition has diminished since the initial stages of design. The residents in the Pringle Borough are opposed

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to the construction of the expressway because of its proposed junction with the Wyoming Valley Expressway (L.R. 1085) and the loss of homes due to the interchange requirements. Based on the adverse testimony received at the corridor public hearing, the Department has initiated additional studies on the L.R. 1085 project. We do not consider these areas to be major stumbling blocks in advancing this project to construction.

Section 2 - The NEPA Act requirements for Section 2 of the Cross Valley Expressway were satisfied on December 8, 1971, and design is well underway. I have notified the consultant to proceed on an expedited basis, and a contract for the approach embankment and substructure is now scheduled for late 1972. A superstructure letting is anticipated by May 1973. Thus, Section 2 will require financing during F.Y. 1973 at an estimated cost of \$8,712,000.

The Rutter Avenue Interchange must be constructed with Section 2 to make it a useable facility. Although this interchange is included in the combined Environmental/Section 4(f) statement for Section 1, final design has been recently authorized by FHWA on the basis that this small segment will not prejudice the decision to be made with regard to the Section 4(f) involvement on Section 1, and that the expeditious design of a useable section for the river bridge contract is highly in the public interest. The costs for this interchange were previously included under the Section 1 discussion for F.Y. 1973 advancement.

Our original schedule for letting this structure and approaches was March 1975. Thus, the expeditious advancement of Section 2 will add a previously unanticipated combined requirement for \$8,712,000 of Federal-aid and State funds during F.Y. 1973.

Section 3 - The draft Combined Environmental/Section 4(f) statement is currently under preparation and will be ready for submission to FHWA in about a month. One publicly owned park is involved, Hollenback Park. The Department of Housing and Urban Development is planning to utilize portions of Hollenback Park for mobil homes (600 is a tentative figure) for temporary flood housing. PennDOT funded design by consultant has been voluntarily suspended with some work done in final design pending resolution of the Section 4(f) involvement. Based on normal design procedures, including a minimum of 12 months for resolution of Section 4(f) involvement, and continuation of the design hold status until resolution of Section 4(f), the advancement of this segment to construction is anticipated for October 1975. If the expeditious procedures outlined under Section 1 above are employed, the anticipated P.S. & E. for construction could be let by December 1973. Fiscal year funding requirements for Section 3, based on the expedited procedures would be as follows:

F.Y. 1973 Total cost \$2,728,000

F.Y. 1974 14,813,000

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As indicated above, the Department feels that this very important transportation facility can be started in construction as early as December 1972 with the last section commencing in December 1973, which is 15 months earlier than original anticipated for any segment to be underway. Furthermore, it is anticipated that the complete facility would be opened to traffic by December 1975 rather than December 1977. These completion dates do not include any double shifts or expedited constructed schedules. If such measures were required, the completion would be advanced further. The economy of the area is virtually dependent on adequate highway facilities, which this project will provide between the City of Wilkes-Barre and the Boroughs of Kingston and Pringle. The project will also provide a vital access link to Interstate 81.

SUMMARY OF FISCAL NEEDS

The foregoing discussion of each segment of the expressway sets forth combined funding requirements as follows for the expedited procedure:

F..	<u>Current Cost</u>	<u>F./Y. Const. Est.</u>	<u>Escalating 6% P.Y.</u>	(1.20)
				<u>Expedite Cost</u>
F. Y. 1973	\$22,589,500	\$15,694,000	\$16,635,640	\$19,967,720
F. Y. 1974	<u>13,433,000</u>	<u>11,440,000</u>	<u>12,812,800</u>	<u>15,375,360</u>
Total	\$36,022,500	\$27,314,000	\$29,448,440	\$35,343,130
<u>Expanded Total</u>				
F. Y. 1973	\$26,863,270			
F. Y. 1974	<u>17,368,360</u>			
Total	\$44,231,630			

\$36,954,000 of Federal-aid funds which were shown to be available for obligation during F.Y. 1973 for all Urban, Urban "C", Primary, Secondary, Rural, HPR, and Economic Growth Center highways throughout the entire State of Pennsylvania. Regardless of the Federal-aid participating ratio which is applied to the \$26,863,270 of flood expedited work to be performed on the Cross Valley Expressway, the impact upon our "regular" program for the rest of the State is staggering. We therefore request an allocation of special funds for the purpose of expediting the advancement of the flood emergency highway. Since Federal-aid funds have been provided to Pennsylvania on a 100 percent participating ratio for the other flood recovery efforts, we sincerely request that the same consideration be extended to the Cross Valley Expressway. This request is based on the severe financial impact upon all available State funds which has resulted

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from disaster recovery expenditures, which was sufficient to justify the 100% ratio granted for all ER funded flood recovery highway work.

The Department feels that the manpower requirements to full fill these commitments can be met with certain personnel being assigned specifically to these projects to expedite all reviews and approvals for PennDOT. It is hoped that FHWA can continue to assign a representative to handle reviews and approvals in the Wilkes-Barre Area. These procedures would be similar to those being utilized for those projects in the Philadelphia Area.

It is impossible to conceive that your higher offices will not assign additional personnel to your Division Office, at least on a temporary basis, to meet the workload which is continuing after the flood waters have receded.

Attached are three (3) copies of data as indicated below which present an overall view of the status and location of the proposed Cross Valley Expressway.

1. A location map, with the approved alignment indicated in red, alternates considered, controversial areas, location and design approval dates, section breaks for engineering, right-of-way, construction, Environmental Statement limits, funding data, Section 4(f) involvements etc.
2. A map of the overall Wilkes-Barre Area showing proposed highway facilities and their status. The Cross Valley Expressway is designated as E-15.
3. A bar graph indicating the anticipated letting dates for each section and when open to traffic if normal processing and expedited processing is adopted.

I request that you give favorable consideration to the above request at an early date such that these much needed transportation facilities can be realized and be of a major benefit to the rebuilding of the Wilkes-Barre Area.

If I can be of further assistance or if additional data is required, please feel free to contact my office immediately.

Very truly yours,

Jacob G. Kassab
Secretary of Transportation

430/FWB/dmm

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