

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF WARREN**

Wayne Dumont, Jr. Administration Building  
165 County Route 519 South  
Belvidere, NJ 07823

**RESOLUTION 130-21**

On a motion by **Mr. Sarnoski**, seconded by **Ms. Ciesla**, the following resolution was adopted by the Board of County Commissioners of the County of Warren at a meeting held March 10, 2021.

**RESOLUTION OPPOSING THE INTERSTATE 80 ROCKFALL PROJECT AS CURRENTLY PROPOSED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) AND URGING THE NJTPA TO REPROGRAM THE PROJECT IN THE TRANSPORTATION IMPROVEMENT PROGRAM AND REDESIGN THE PROJECT IN CONSULTATION WITH PUBLIC AND PRIVATE STAKEHOLDERS AT THE LOCAL, STATE, AND FEDERAL LEVELS**

**WHEREAS**, the middle and upper Delaware River segments were designated a National Wild and Scenic River in 1978 by Congress and President Jimmy Carter in 1978, and the lower Delaware River was designated by Congress and President Bill Clinton in 2000 and;

**WHEREAS**, in 2015 an application for Scenic Byway designation was submitted to the NJDOT Scenic Byway program for approval and was subsequently rejected because the NJDOT does not consider applications in areas that are in design or construction; and

**WHEREAS**, designation in the National and State Scenic Byway programs would have allowed for funding opportunities to help protect and promote the Delaware River Water Gap National Recreation Area as a national and worldwide treasure; and

**WHEREAS**, the I-80 Rockfall project DB# 09545 first appeared in the North Jersey Transportation Planning Authority's FY 2012 – 2015 Transportation Improvement Program (TIP) with a projected outyear construction cost of \$6.0 million; and

**WHEREAS**, the FY 2012 TIP's project description stated that "a problem statement had been submitted, detailing rockfall hazards in this section of I-80 and that the recommended remedial action would consist of analysis, design and implementation of rockfall mitigation measures, including, but not limited to: scaling, rock bolting, wire mesh, and catch fences"; and

**WHEREAS**, in the FY 2016 TIP the project description changed to "Initiated from the Rockfall Hazard Management System, this project will stabilize the existing rock outcrop area adjacent to I-80 Westbound at four locations within the project limits" with a subsequent project cost estimate increase to \$18.165 million, already doubling in cost in two years; and

**WHEREAS**, the project continued to appear in subsequent TIP's and projected costs increased to \$65 million in FY 2018 and \$59 million in FY 2020, demonstrating the uncertainty in cost estimates and confirming a three-fold increase over the 2016 estimate and 10 times more than the estimate projected in 2012; and

**WHEREAS**, alternatives to mitigate the purported rockfall problem have not been presented in a meaningful way in which they can be discussed and vetted thoroughly and thoughtfully with the stakeholders in the region; and

**WHEREAS**, the NJDOT's Concept Development Report prepared in September 2011 states that between 2003 and 2008 there were two "rockfall incidents", on the same day, that resulted in lane closures, and were weather related resulting in mudslides/washouts; and

**WHEREAS**, the Concept Development Report stated that between 2007 and 2009 there were 81 total crashes in the project limits, two of which were caused by rockfall, which occurred on the same day on 10/7/10 10:54 PM near M.P. 1.2 and at 11:05 PM near M.P. 1.0; and

**WHEREAS**, the Concept Development Report states that "the crash rate for this section of Route I-80 exhibits a relatively unsafe crash record as it is above the year 2009 statewide average for roadways with similar cross-section. The crash rate of 4.52 crashes/mvm (million vehicles miles) was above the Statewide Crash Rate for the year 2009 of 2.86 crashes/mvm."; and

**WHEREAS**, the Concept Development Report identified a number of geometric deficiencies which may contribute to the higher crash rate for this section of I-80; and

**WHEREAS**, the NJDOT has not provided current crash figures that may be related to rockfall incidents since the Concept Development Report was prepared; and

**WHEREAS**, the current preferred alternative does not correct the geometric deficiencies that were identified in the Concept Development Report; and

**WHEREAS**, the Rockfall project appears to be lacking sufficient study and analysis including a full and comprehensive traffic study, a historic/archeological impact study, a Delaware River Wild and Scenic River visual and environmental impact study, and an Environmental Impact Study; and

**WHEREAS**, the NJDOT selected a preferred alternative without the concurrence of local officials and stakeholders in the bi-state region; and

**WHEREAS**, concurrence on the NJDOT preferred alternative has not been obtained from the National Park Service, the NJ State Department of Parks and Forestry, the NJDEP Land Use Regulation Program, the Delaware River Basin Commission, the Delaware River Joint Toll Bridge Commission; and

**WHEREAS**, United States Congressmen from New Jersey and Pennsylvania, the State legislators from New Jersey and Pennsylvania, County Commissioners, and local elected officials from both States have officially opposed the project; and

**WHEREAS**, Senator Oroho and Assemblymen Space and Wirths have introduced bills S2863/A4601 that state that the Department of Transportation shall not plan for, design, or construct, or use funds for the planning, design, construction of, a rock wall between milepost 1.00 and milepost 1.50 on Interstate Highway Route 80, and that for any departmental project for rock fall mitigation between milepost 1.00 and milepost 1.50 on Interstate Highway Route 80, the department shall conduct a full analysis of all feasible options for rock fall mitigation, provided that any such option shall not include the construction of a rock wall; and

**WHEREAS**, the NJDOT has refused to meet with local elected officials to keep them informed and to discuss other alternatives despite past NJDOT practice to gain local support or at least ensure there was no local official opposition before proceeding with projects; and

**WHEREAS**, the preferred alternative selected by the NJDOT is costly and does not address the high number of crashes that do occur on this segment of highway between mileposts 1.0 and 1.5 that contain the S-curves; and

**WHEREAS**, the funding being programmed for the I-80 Rockfall project could be spent on improving the safety of motorists traveling through the S-curves and on many other worthwhile transportation projects in the NJTPA region that would address known documented safety problems; and

**NOW, THEREFORE BE IT RESOLVED**, that the Warren County Board of County Commissioners requests that the NJTPA;

1. Reprogram the I-80 Rockfall project, DB# 09545, in the FY 2022-2025 Transportation Improvement Program to Concept Development to re-evaluate and re-engineer the project to bring the final estimated construction costs into the \$6.0 million range as originally estimated in the FY 2012 TIP.

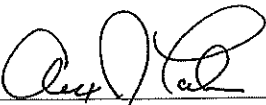
2. Meet and consult with local officials during concept development to address all of the concerns raised by local, state, and federal officials and stakeholders including but not limited to: visual impacts, traffic management during construction, roadway safety improvements through the project area, and cost.

**BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to all of the County Commissioner Boards in the NJTPA region and request that each Board of County Commissioners support and adopt concurring resolutions.

**BE IT FURTHER RESOLVED**, that copies of the resolution be transmitted to the North Jersey Transportation Planning Authority, the NJDOT, the Congressional delegation in NJ and PA, the NJ State Legislative delegation, the PA State legislative delegation, and the Townships of Knowlton and Hardwick.

**RECORDED VOTE: Ms. Ciesla yes, Mr. Sarnoski yes, Mr. Kern yes**

I hereby certify the above to be a true copy of a resolution adopted by the Board of County Commissioners of the County of Warren on the date above mentioned.



Alex J. Lazorisak

, Clerk