

## TRANSPORTATION

# Route 80 rockfall project timeline pushed back as county officials meet with DOT officials

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The controversial Route 80 rockfall mitigation project in the Delaware Water Gap has been delayed again.

A public hearing for the environmental review, which was supposed to be held in early fall 2020, has now been pushed back until late 2022.

The delay is a result of the agency's recent "coordinating and consulting" with federally recognized tribal nations that have ancestral land in the proposed project area, which is in the Delaware Water Gap National Recreation Area in Knowlton and Hardwick, said Stephen Schapiro, a spokesman for the New Jersey Department of Transportation.

"At the tribes' request, NJDOT is in the process of doing a second archaeological study that includes areas that are outside of the project limits, but near the project," Schapiro said.

The department did not involve at least one of the tribes in the project until 2018, when the Federal Highway Administration intervened.

The federal environmental review process is not expected to conclude until May 2023. After that, the FHA would issue a decision on the environmental review before construction can begin.

By then, planning on this project will be well into its 12th year, and calls are increasing for the DOT to go back to the drawing board because of swelling costs and scope.

## 1,000% increase in charges

As the planning phase of the Route 80 project has slogged, Dewberry Companies Inc. has raked in more than \$10.5 million in consultant fees since it was hired by the department in 2013 for a \$915,614.48 contract.

Here are some of the reasons for change orders that resulted in the increased fees to Dewberry from 2018 to 2020, according to new documents obtained in a public information request:

- Address continued “concerns expressed by the National Park Service” when it comes to the aesthetic or visual impacts to the area, an issue cited in two change orders from 2015 and 2018.
- Conduct studies to collect traffic data, noise and vibration.
- Begin collecting “historical evidence of rockfall events, assess ground deformation” because “stakeholders believe that the purpose and need for the project is over-represented by NJ DOT.”
- Repeat a LiDAR (digital terrain model) survey, which was also done in 2013, to assess “ground surface changes.” This, Schapiro said, is being done a second time to “investigate surface movement of rock and slope materials. Additional LiDAR will also be used in further environmental studies.”
- Renew a license for a 3D model, which is still in development, that will be used for the “public outreach process,” costing \$14,700 for a year. It was renewed because “the timeline of the project was extended to prolong coordination with local elected officials,” Schapiro said.

“Additional information is regularly gathered to refine design plans and specifications,” Schapiro said about the need for change orders.

The contract signed with Dewberry in 2013 said the work would be done in a year. Instead, the company has worked on this for eight years, received yet another extension, and requested and received approval for 10 change orders,

and the costs charged by the firm have increased more than 1,055% — most of which was paid for using federal taxpayer dollars.

“Dewberry has not delayed or failed to meet scheduled deadlines,” Schapiro said. “Additional costs and schedule changes are a result of added work required to advance the project under the expanded NEPA requirements, and also address local concerns, which is over and above the original Scope of Work.”

Dewberry’s consultant fees for this project highlight excessive spending without oversight, said Knowlton Mayor Adele Starrs, who obtained Dewberry’s contract and change orders through a public information request.

“My question is: Why hasn’t any cap been put on these subcontractors? They’re allowed to spend into infinity,” Starrs said, also raising concern about the direction the DOT has given Dewberry about how to conduct its environmental review.

## **'Open line of communication'**

The money going toward rockfall projects across the state has become a flashpoint in some of the communities where they are planned and among officials at all levels of government.

Local officials from Knowlton and a coalition of community members, dubbed the I80dwgcoalition, have called on the North Jersey Transportation Planning Authority (NJTPA) to halt funding for the project until an audit investigating the cost, accuracy of information buttressing the project and any potential wrongdoing is concluded.

The NJTPA receives and approves federal money for projects in the region, including rockfall mitigation, but it typically does not take on a watchdog role, according to officials.

U.S. Rep. Josh Gottheimer, whose district includes part of Warren County, introduced an amendment this week in Congress to defund the Route 80 project until officials can find "a much smarter, safer, evidence-based solution."

Meanwhile, some county officials say they are making progress.

Warren County Commissioner Jason Sarnoski, who represents the county on the NJTPA board, has voted against the authority's Transportation Improvement Plan in years past because of inaction after concerns raised about two projects, including the Route 80 rockfall mitigation. But after a recent conversation with Transportation Commissioner Diane Gutierrez-Scaccetti, Sarnoski said he is not sure how he'll vote this year.

Sarnoski said the DOT agreed to let Warren County officials and their engineers have a seat at the table as planning on the project continues.

"[We'll] do a deeper dive into some of their planned solutions and express our concerns about what the project is going to look like, and hopefully the county could be a go-between to find reasonable solutions to the rockfall that aren't going to be intrusive and high-cost," Sarnoski said. "If we can't, I'll have to find another way, but I want to try working together and being in the room where the decisions are being made."

Hunterdon County Commissioner Zach Rich said he also recently met with DOT officials, facilitated by the governor's office, about three local rockfall projects.

One is on Route 78 in Bethlehem, estimated to cost \$46 million. That is going to bid later this summer. Another is on Route 29 in Kingwood, which is estimated to cost \$30 million and go out to bid in 2026. Members of the community raised concerns about that project disturbing a historic rock formation and residential sewer and well lines. The third is on Route 29 in West Lambertville, which isn't expected to go out to bid until 2029.

“We have an open line of communication on the local level up to DOT,” Rich said, adding that the agency wants to create a stakeholder group for the Kingwood project. The recent dialogue between the local and state officials developed after the county and several nearby municipalities passed resolutions indicating they wanted to meet with the DOT before the project progressed.

Officials from the affected communities say they are not against finding solutions to keep rocks from potentially falling and hurting motorists, but they want the DOT to keep them apprised of these projects, address their concerns and answer questions.

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