VIA EMAIL

December 8, 2015

The Honorable Leslie S. Richards

Secretary, PA Dept. of Transportation
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Auditor General Eugene DePasquale

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Dear Secretary Richards and Auditor General DePasquale:

As you both know, the Delaware Riverkeeper Network has been profoundly concerned by the unwavering effort of District 6 of PADOT to rip out and replace the historic bridges located in Tinicum Township, Bucks County and its apparent willingness to misrepresent data and the process to secure its pre-determined, desired outcomes. The most recent target of PADOT is the Headquarters Road/Sheephole Bridge; with this bridge we see the disturbing abuse of information and process continue. We feel strongly that intervention by those with independent authority is necessary.

PADOT District 6 is continuing to demonstrate an unwavering commitment to the entire destruction and removal of the 200 year old Headquarters Road bridge in order to replace it with an oversized modern structure that fits neither the character nor the needs of the community and that would inflict unnecessary environmental harm.

At this point, almost the entire case being made by PADOT in support of its costly and destructive option is that the current one lane bridge structure is not safe, and specifically that it is not safe due to its one lane width. PADOT officials have grounded this claim in a set of reports documenting 10 accidents in the area that have taken place over the past 10 years. Recognizing the fundamental importance of this data for evaluating PADOT's claims, the

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Delaware Riverkeeper Network has made a clear and concerted effort to secure the accident data that has become the primary basis for PADOT's assertion that it has no option but to rip out the existing 200 year old Headquarters Road/ Sheephole Bridge and replace it with an oversized 2 lane structure.

Despite the high importance of the accident data to this decision making process, all requests by the Delaware Riverkeeper Network for this accident information have been rejected by PADOT District 6. In rejecting our information requests, PADOT has stated that we can find the relevant information on the subject in its "Bridge Width Memo". When one refers to that document (see relevant portions attached) what we find is a broad summary of data that fails to provide the information with the degree of specificity necessary to evaluate the relevance of the Headquarters Road Bridge structure to the accidents themselves. As it turns out, this summary of information, and the other characterizations made by PADOT regarding the accident data, was obviously crafted in such as way as to obscure the true facts demonstrated by the accident data. In fact, the accident data secured and shielded by PADOT does not document a safety issue that would mandate the full destruction and replacement of the historic Headquarters Road bridge as PADOT claims.

When given accurate details about the crashes in the vicinity of the Headquarters Road Bridge what becomes clear is that there is, in fact, no site specific safety problem demonstrated by this data that mandates widening of the bridge. What seems equally clear to us is that PADOT's claims to the contrary are knowingly false and that PADOT intentionally tried to cover up its misrepresentation of the data by denying the Delaware Riverkeeper Network access to it.

While PADOT has deliberately shielded the accident data from public view, the Delaware Riverkeeper Network has obtained the data through other public sources. The accident reports make it abundantly clear that, in fact, the historic, one lane Headquarters Road Bridge does not pose the safety hazard PADOT asserts. In fact, if anything, the one lane width of the bridge provides a needed traffic calming affect that helps prevent accidents on the neighboring road system. If the bridge were removed and replaced with the oversized modern structure PADOT is proposing, it would most certainly speed up and modify traffic patterns in a way that would increase traffic accidents and diminish public safety. What became remarkably clear from the accident data, once viewed with an objective eye, is that the historic width of the historic bridge did not present a safety hazard for the town.

The 10 years of crash data (involving a mere 10 accidents) that PADOT has sought to rely upon in order to make its false safety claims, for the most part,

document accidents that happened outside of the assessment area, off of the bridge; the few that did happen on the bridge were often the result of hazardous conditions (such as ice and gravel) and involved the Jersey Barriers installed on either side of the bridge by PADOT in a crude attempt to address a railing problem that PADOT itself created. According to the 10 years of crash data secured by the Delaware Riverkeeper Network, none of the 10 accidents that occurred on the bridge were caused by the design or one-lane character of the bridge itself.

According to expert traffic analysis conducted by transportation consultant Mark Stout:

"Our conclusion from reviewing the crash history in the vicinity of the Headquarters Road Bridge is that this history provides no evidence of a site-specific safety problem at that bridge."

We will be sending you Mark Stout;s full report under separate cover.

PADOT obviously knew all of this when they misrepresented the accidents in their study, a study which was only released (without the accident reports) after it emerged in a Freedom of Information Act request by the Delaware Riverkeeper Network.

There can be no doubt that the "safety" issue has been conjured by PADOT to support its preferred outcome, and is not genuine. It remains unresolved to what degree the Federal Highway Authority staff members were also aware of this misrepresentation of the facts.

It is clear from the accident data the Delaware Riverkeeper Network successfully secured from other public sources, that PADOT's safety claim is a false representation of the facts and now that it has been debunked there is no legitimate reason for PADOT or the Federal Highway Authority to continue to press their destructive bridge replacement option.

It is also clear that an independent investigation is necessary into the potentially deliberate misrepresentation of the facts, and the potential abuse of agency resources, funds, power and process that is taking place here.

The potential misuse of agency resources and misrepresentation of facts in order to advance a pre-determined outcome is not unique to the Headquarters Road Bridge. In 2011, PADOT undertook two bridge replacement projects along Headquarters Road in Tinicum Township, Bucks County at a cost of $1.8 million (the projects were at the intersections with Cafferty and Tettemer roads). When

PADOT submitted application paperwork for the two bridge projects it represented that each of these projects would result in less than one acre of disturbance – the result was that PADOT was granted waivers from having to pursue certain Clean Water Act permits (NPDES permits). Of grave concern is that the information presented by PADOT was clearly false and designed to mislead its sister agency the PA Department of Environmental Protection. Using expert data the Delaware Riverkeeper Network was able to show that PADOT had misrepresented the size of the area impacted by the projects in order to avoid the needed permitting and the more stringent environmental review and protection it would require. Had the proper permitting been pursued there would have been more careful reviews into the degradation these two projects would inflict on the Tinicum Creek because of its Exceptional Value status.

As with the other bridge projects PADOT District 6 has been doggedly pursuing in recent years in Tinicum Township, removal of the historic Headquarters Road/Sheephole Bridge and replacement with an oversized 2 lane structure will:

- destroy an irreplaceable historic structure and in so doing will destroy one of the only, if not the only, collection of stream crossings ranging from the ford to modern construction;
- inflict damage on the Exceptional Value Tinicum Creek as well as other important natural resources;
- is not in keeping with the small roads leading to and from the bridge and so will most certainly necessitate a future road expansion; and
- is absolutely counter to the careful planning and protection efforts of Tinicum Township and Bucks County.

Secretary Richards, we respectfully request that you use your authority to advance the rehabilitation of the historic Headquarters Road bridge and to put in place a program that parallels the current stone arch bridge program and respects, honors and protects historic bridges and the natural settings within which they sit.

Secretary Richards and Auditor General DePasquale, we request that you initiate an independent investigation into the potentially deliberate misrepresentation of the facts, and abuse of agency resources, funds, power and process at PADOT District 6.

Respectfully,

Maya K. van Rossum
the Delaware Riverkeeper

cc (via email):
Ryan Whittington, PADOT
Jon Crum, FHWA
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Excerpt from "Bridge Width Memo":

- ***Crash History*** – A crash history request was performed to identify reported accidents that have occurred in this section of Headquarters Road for Segment 0020 Offset 2313 to Segment 0020 Offset 2983 between the years of 2002 and 2011 (see Attachment 7). The following is a summary of the crash data:
    - 10 accidents were reported in the project area.
    - 7 accidents involved impacts to fixed objects (e.g., walls, railings, fences).
    - 5 accidents occurred with environmental factors (e.g., ice, snow, rain).
    - 2 accidents involved vehicular collisions (e.g., head-on, sideswipe).
    - 4 accidents resulted in injuries; none were fatal.
    - 1 accident involved animals (e.g., deer)

  A cluster list of accidents and a homogenous report data was provided from the years 2007 to 2011. There were 3 crashes in the study area during this time period. No crash clusters were identified in the area due to the minimum of five crashes needed to be identified as a cluster. While the number of crashes appears low, when given the average daily traffic in the study area and the length of the study area, the crash rate and intensity are considered significantly high. From the homogenous report for rural undivided roads with a total width between 0 and 19 feet and an ADT between 0 and 999 vehicles, the statewide average accident rate is 1.86 accidents per million vehicle miles with an intensity of 0.88 accidents per mile. The accident rate for the area in the vicinity of the Headquarters Rod Bridge is 20.53, which is well above the statewide average. The crash intensity for the project area is 23.64, which is also well above the statewide average, and suggest a need for safety improvements in the area.

  Statistics presented in the 2013 PA Crash Facts and Statistics document showed that statewide hit-fixed-object crashes account for approximately 26% of crashes. In the study area, hit-fixed-object crashes account for 67% of the crashes. This suggests potential issues with the roadway alignment or availability of clear space to safely maneuver given the roadway condition. It is noted that the existing bridge currently has concrete jersey barriers on the bridge deck for protection of traffic after the previously installed guide rail was impacted by a truck and fell into the creek bed. This barrier restricts the bridge width from the original 16-feet curb-to-curb width to a variable width (approximately 10-feet minimum).

  Also present in the study area is a higher than statewide average of crashes involving ice. In the study area 33% of the crashes involved ice on the roadway. This suggests that there may be poor drainage available in roadways leading to the bridge.