STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

May 20, 2024

Jon Richard
Becker Morgan Group, Inc.
309 South Governors Avenue
Dover, Delaware 19904

RE: PLUS review – 2024-04-03; Delmar School District Site Feasibility

Dear Mr. Richard:

Thank you for meeting with State agency planners on April 24th, 2024 to discuss Delmar School District Site Feasibility. According to the information received, you are seeking review of a proposed School Site Feasibility for the Delmar School District for a new 5th and 6th campus with an elementary education wing and a district office building. This site comprised of three parcels totals 54 acres zoned Highway/Regional Commercial.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Delmar is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the Town.**

Strategies for State Policies and Spending

This project is located within Investment Levels 2 and 3 according to the 2020 Strategies for State Policies and Spending. This site is also located in the Town of Delmar Comp Plan.

According to the Future Land Use map (Map #5 in the comp plan) these are classified as Employment/Industrial/Office. The Zoning map shows these parcels as Highway Commercial. Is a school permitted within the Highway commercial? If not, this parcel will need to rezone which will require a comprehensive map amendment. Also, page 32 of the plan states that the Employment/Industrial office encompasses both the area's legacy industrial areas aligned with the railroad and future light industrial areas aligned with US 13. The plan states it is imperative for the long-term vitality of Delmar that these areas be reserved for industrial and office employment. The town should consider the effects of a school being permitted in this area.

Based on its location in a Level 2 and Level 3 investment area, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and state plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development.

Based on comments from State agencies below, if this parcel contains environmental concerns or other constraints to development, the state requests that the applicant and the local jurisdiction work with state agencies to design the site with respect to those environmental features which will help create a more sustainable development.

While the State does not object to a school on this site, the school district should contact Delmar to determine if a comprehensive plan change or rezoning be required for a school on this site. In addition, based on the comments above in their plan, the school district should determine if the town is amendable to a site on this property which would change the use from the commercial/industrial site it is intended to be.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT has no concerns as to the feasibility of this proposal as described in the PLUS application and at the PLUS meeting.
- Access will need to be on Old Stage Road as the other frontage is on US 13 and subject to restrictions as part of the Corridor Capacity Preservation Program.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

Stormwater Management

The project proposes greater than 5,000 square feet of land disturbing activities and will be subject to Delaware's *Sediment and Stormwater Regulations*.

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the DNREC Sediment and Stormwater Program.

- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically https://enoi.dnrec.delaware.gov/, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the $195 fee.

- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Wetlands and Waterways
Several isolated areas of non-tidal wetlands (freshwater forested wetlands) exist on the site, estimated to be 1.73 acres, per the application. The application and site plan state that this project will not impact the wetlands. The application also indicates that wetlands have not been delineated.

- If the site design changes and dredge or fill of wetlands or waterways becomes necessary, permitting and/or authorization requirements may apply.

Federal Contact: U.S. Army Corps of Engineers (Dover Office) at (267) 240-5278.
Website: https://www.nap.usace.army.mil/Missions/Regulatory/Contacts/
State Contact: DNREC Wetlands and Waterways Section at (302) 739-9943.
Website: https://dnrec.delaware.gov/water/wetlands/

Tax Ditches
The Meadow Branch Tax Ditch Main lies along the southern boundary of the site. Tax ditches are man-made channels created to move normal water flow off agricultural lands. These channels have associated tax ditch Rights-of-Way (ROW) that are utilized for access as well as sediment and debris disposal during maintenance. Tax ditch ROWs vary by channel size and location. The Meadow Branch Tax Ditch Main has a 60-foot to Centerline (CL) ROW extending into the project boundary.

- Contact the DNREC Drainage Program to discuss the on-site tax ditch ROWs prior to the project application meeting with the appropriate plan review agency for construction stormwater management.

- If the site and/or stormwater management features are designed to discharge into the Meadow Branch Tax Ditch Main, the design must consider existing conditions versus design specifications. Please consult with the DNREC Drainage Program for As-Built design information if necessary.

- Permanent obstructions including, but not limited to, stormwater management facilities, buildings, sheds, streets, wells, and septic systems are not allowed within the tax ditch ROWs.

- Existing tax ditches on the property must be surveyed and compared to tax ditch design specifications for effective function. The channel should be cleared or excavated prior to the construction of the project if needed.

- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines: https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Wellhead Protection Area
A Wellhead Protection Area is located on the eastern property boundary, as marked on the preliminary plan. Wellhead Protection Areas are the surface and subsurface areas surrounding a water well, or a public water supply wellfield. Contaminants leaching into the soil have the potential to reach the water supplies in these areas.

- The applicant must comply with all county and municipal codes that affect public drinking water supply Wellhead Protection Areas.

Contact: DNREC Source Water Assessment and Protection Program at (302) 739-9945.
Website: https://dnrec.delaware.gov/water/supply/ground-water-protection/

Delaware Department of Agriculture – Contact Milton Melendez 302-698-4500

No Delaware Department of Agriculture code or regulations apply to this PLUS project.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

- This parcel is located within an area of **Minimal Flood Concern of 1000 years or greater** and therefore no direct concern.

Parcel Status within County Evacuation Zone Location

- The parcel is not yet located within a Sussex County Evacuation Zone.

Parcel Status within the 10-mile Emergency Planning Zone (EPZ) for the Salem Nuclear Power Plant

- The parcel **is not** located within the 10-mile EPZ for the Salem Nuclear Power Plant.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- The western half of the parcel 532-20.00-112.00 has been subject to previous archaeological survey with no sites found. There is no natural source of fresh water nearby the project area, nor are there any known historic occupations. Therefore, there is low potential for any intact archaeological sites across the project area.

- There is a known family cemetery on the western portion of parcel 532-20.00-112.00. A cemetery delineation occurred in 2017 and is on file with our Office.

- The SHPO strongly recommends the developer reach out to us to receive a copy of this report and to discuss appropriate protections during and after construction to avoid lengthy and costly delays. The developer should be aware of Delaware's Unmarked Human Remains Law (Del. Code Title 7 Chapter 54).

- If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400**.**

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

Fire Protection Water Requirements

- Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Industrial)

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Education)

- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

Fire Protection Features

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.

- Buildings greater than 10,000 sq. ft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements

- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.

- Show Fire Lanes and Sign Detail as shown in DSFPR.

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Sussex Pines Road must be constructed so fire department apparatus may negotiate it.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information

- Provide type of fuel proposed and show locations of bulk containers on plan.

Required Notes

- Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped **(but in no way required)** that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- As the District progresses with this process, please feel free to contact DelDOT for information and assistance available through our Safe Routes to School program.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Wetlands and Waterways

- Maintain an upland buffer of at least 100 feet along all wetlands.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/conservation/

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.

- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.
Website: https://www.sussexconservation.org/

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921. E-mail: DNREC.Stormwater@delaware.gov.
Website: https://dnrec.delaware.gov/watershed-stewardship/sediment-stormwater/

Drainage

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.

- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Waterways Section prior to clearing and/or excavating ditch channels.

Contact: DNREC Drainage Program at (302) 855-1930.
Website: https://dnrec.delaware.gov/drainage-stormwater/
Tax Ditch Mapper: de.gov/taxditchmap
Tax Ditch guidelines: https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf

Vegetated Buffer Zone

It is recommended to incorporate a 100-foot vegetated buffer zone from the edge of wetlands, sensitive habitats, and waterways across the site. Vegetated buffer zones placed adjacent to waterways and wetlands help improve water quality by reducing sediment and pollutants loads. Vegetated buffers are not equivalent to setbacks, as residential lots, walkways, and stormwater management facilities should not be contained within the vegetated buffer zone.

- Vegetated buffer zones should be left undisturbed during construction and should be identified outside of the Limit of Disturbance on the engineering plans. In some instances, stormwater outfalls, conveyances, and emergency spillways may cross through these zones, and will require temporary disturbance during construction.

- Maintain vegetated buffer zones as either grasslands/meadows or forest. Buffer zones should be planted exclusively with native trees and plants. Native plants are well-suited to our climate and require limited maintenance. They also provide an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- Grass cutting for vegetated buffer zones if maintained as meadow should not occur between April 1st to July 31st to reduce impacts to nesting birds and other wildlife species that utilize meadows and grasslands for breeding habitat.

Contact: DNREC Wildlife Species Conservation & Research Program at (302) 735-3600. Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Mature Forest

- The preliminary plan proposes to allow the 4.8 acres of mature forest on the site to remain intact. This allows for important ecosystem services, such as endangered species habitat, water filtration, stormwater absorption, temperature moderation, and carbon sequestration. For questions about the mature forest on-site, please contact the agency listed below.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.
Website: https://dnrec.delaware.gov/fish-wildlife/contact-information/

Sustainable Practices

- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.

- Consider installing electric vehicle charging stations for staff and visitors. Installation costs can vary significantly depending on the parking and electricity distribution at a given location, so it is often easier and cheaper to plan for the installation at construction, rather than doing costly retrofits later. The DNREC Division of Climate, Coastal and Energy offers rebates of up to 80% of the cost of the charging station for a number of settings, including public properties. These programs address climate change goals of reducing greenhouse gas emissions and improving overall air quality (https://dnrec.delaware.gov/climate-coastal-energy/clean-transportation/).

- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities ((https://dnrec.delaware.gov/climate-coastal-energy/renewable/assistance/).

- Consider planting stands of native trees. Native trees improve air, water, and soil quality. Planting and nurturing trees is also a nature-based solution to reducing the greenhouse gases that drive climate change. In addition, native trees have an increasingly important role in the survival of native birds and beneficial insects whose habitat is shrinking due to development and climate change.

- On large expanses of impervious surfaces and asphalt, design parking areas to include trees for shading.

- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.

- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.

- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.
Website: https://dnrec.delaware.gov/climate-coastal-energy/

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Population

- The county has a population density of 265.60 per square mile based on the US 2020 Census report; an increase from 2010 at 208.90 persons per square mile. The specific census block(s) the project is located on has a total population of 0, though, with development, this will undoubtedly change. The 14 adjacent blocks aggregate bring the area to a total population of 429.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk to 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hal, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss
× Social Vulnerability
÷ Community Resilience
= Risk Index

- According to FEMA's National Risk Index, the parcel **is** considered **relatively moderate** for overall natural hazards risks.

- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.

- Its community resilience and its social vulnerability are rated as **relatively moderate**.

Renewable Energy Commitment

- Regarding energy use and consumption, the parcel utilizes **electricity** as the predominant fuel type for heating purposes.

- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities.

- Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure.

- Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs or solar panels where applicable and allowable, and the like.

DEMA's Notes:

- No further comments or notes.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Approval Process

School sites must be approved by the Secretary of Education, the Director of OMB, and the Director of the Office of State Planning Coordination. The *Strategies for State Policies and Spending*, the information contained within this PLUS letter, and other factors will be considered when the Secretary and the two Directors make the determination about whether or not to approve a school site.

Once the District decides on a school site or sites to pursue for approval, the district must submit a letter requesting approval for the site(s) to the Department of Education. The letter should be directed to the DOE staff responsible for the Capital Program. The letter should contain a tax parcel ID number, PLUS review number, and all relevant information regarding the site and the proposed school.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:
Procedures for the Review and Approval of New School Sites

Procedures for the Review and Approval of New School Sites

Version 3.0 – Last Revised December 2016

DELAWARE DEPARTMENT OF EDUCATION

DELAWARE OFFICE OF MANAGEMENT AND BUDGET

DELAWARE OFFICE OF STATE PLANNING COORDINATION

As required by 29 **Del. C**. § 7525 all school districts are required to submit proposed new school sites for review and approval by the Director of the Office of Management and Budget, the Secretary of Education, and the Director of the Office of State Planning Coordination. This requirement applies regardless of whether the sites are to be purchased by the district or if they are currently owned or have been gifted to the district. At least one approved school site must accompany all Certificate of Necessity applications for new school construction. School site approval is not necessary for additions, renovations, or other projects not involving the construction of a new school building.

Timeframe for Review and Approval of School Sites

Fall of the year before the CN submission: Districts considering the construction of new schools on new parcels should begin the search in the fall of the year before they intend to apply for a CN. The meetings described in Steps 1 and 2 below should be scheduled during this timeframe.

April: As you will see below, a review through the Preliminary Land Use Service (PLUS) is a required step. Districts should select parcel(s), obtain owner's permission, and submit them for PLUS review no later than the April meeting. The deadline for submission is always the first working day of the month.

May: PLUS comments will be sent to the district towards the end of May. Districts should evaluate the comments and make final selections regarding which sites to pursue.

May – June: District to commission appraisals of selected sites and send official site selection request letter and appraisal report to the DOE staff responsible for the capital budget. The DOE staff will work with OSPC and OMB staff to prepare a report and letter.

June – August: Follow up meetings, if necessary, to resolve any issues with the site(s). School site approval or denial letters will be sent to the district before August 31st.

August 31: CN Applications due to DOE. At least one approved school site must accompany each CN Application.

Step-By-Step Procedures for Approval

A description of the required procedures to obtain approval of new school sites is as follows:

Step 1: District meets with DOE staff responsible for the capital program to discuss school construction. If it is determined that new construction is needed, proceed to next step. This meeting should occur in the fall of the year before the CN is requested.

Step 2: District meets with the OSPC to discuss new school construction project. OSPC will review the requirements of the *Strategies for State Policies and Spending* and offer to assist the District to identify viable school sites. This meeting should also occur in the fall of the year before the CN is requested.

Step 3: OSPC to assist District to identify viable school sites (optional). This can occur from the fall through March.

Step 4: The district identifies or locates a potential new school site or sites. This must occur no later than the end of March in order to be prepared to submit for PLUS review on the first working day of April.

Step 5: The district applies to the Office of State Planning Coordination to have the site reviewed through the Preliminary Land Use Service (PLUS) process. The PLUS review should happen prior to Step 6. Sites which have been previously reviewed through PLUS as part of a subdivision application or a local comprehensive plan do not require a separate review, unless it is desired by the district. Application for PLUS must be made by the first working day of April.

Step 6: The district selects a site or sites, and submits a letter requesting approval of the site or sites to the Department of Education. The letter should be directed to the DOE staff responsible for the capital program. The letter should contain a tax parcel ID #, PLUS review #, and all relevant information regarding the site and the proposed school. The district must commission an appraisal of the site or sites that is conducted in accordance with 29 **Del. C.** § 9505. The completed appraisal report should be included with the letter requesting school site approval.

Step 7: The DOE staff responsible for the capital program will forward the request to the appropriate Circuit Rider Planner within the Office of State Planning Coordination for a review of the land use issues associated with the site.

Step 8: The Planner will review the site using the *Strategies for State Policies and Spending*, the PLUS comments and the relevant local government plan. The Planner will prepare a staff report and a recommendation. If the recommendation is for approval, the Planner will also draft an approval letter for consideration by the directors.

Step 9a: If the site complies with *Strategies for State Policies and Spending* and the recommendation is for approval, the Planner will submit the report and the approval letter to the Director of the Office of State Planning Coordination for review. If approved, the Director will sign the letter and forward the packet to the Director of the Office of Management and Budget for review. If approved, the Director will sign the letter and forward it to the Secretary of Education. Upon the signature of the Secretary of Education the site will be considered to be approved. The approval letters must be signed prior to August 31.

Step 9b: If the site does not comply with the *Strategies for State Policies and Spending* or if there are other issues with the site which lead to an unfavorable staff recommendation, the Planner will arrange for a briefing of the three directors. A coordinated response to the district will be determined at the end of the briefing.

Step 10a: If the site is approved, the DOE staff responsible for the capital program will mail the original copy to the district representative. Copies are to be made of the approval letter with all signatures and returned to the Director of the Office of State Planning Coordination and the Director of the Office of Management and Budget for record keeping purposes.

Step 10b: If the site is denied, the Planner will draft a denial letter. The letter will be routed to the three directors for their signatures, then mailed to the district representative by the DOE staff responsible for the capital program. Copies are to be made of the letter with all signatures then returned to the Director of the Office of State Planning Coordination and the Director of the Office of Management and Budget for record keeping purposes.