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

March 26, 2026

VanDemark & Lynch, Inc.
Attn: Douglas M. Eitelman
4305 Miller Rd,
Wilmington, DE 19802

RE: PLUS review – 2026-02-06; Project Washington - North Campus

Dear Mr. Eitelman:

Thank you for meeting with State agency planners on March 4th, 2026 to discuss Project Washington – North Campus. According to the information received, you are seeking review of a proposed rezoning from Suburban (S) to Industrial (I) and site plan for two 500,000 SF 72MW and two 750,000 SF 144 MW data center buildings with supporting site and electrical infrastructure.

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 New Castle County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

According to the *2025 Strategies for State Policies and Spending* the development project site includes Levels 3, 4, and Out of Play. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, but is not an immediate priority for State spending. Level 4 indicates where State investments will support agricultural preservation, natural resource protection, and the continuation of the rural nature of these areas. Lastly, Out of Play areas are protected from large scale development due to State, county, or local regulations. Having these three levels of investment present indicates that some development may be consistent with State Strategies, with appropriate protections for environmental features on the site. While the proposed development plans show the development will remain out of the Level 4 and Out of Play areas, defined mostly as flood hazard area and wetlands, DNREC has concluded that this project is prohibited in the Coastal Zone. See the full DNREC comments in this letter.

Coastal Zone Act Conformity
A Coastal Zone status decision for a data center use named Project Washington that includes this parcel was issued on February 3, 2026, and was deemed prohibited to locate in the Coastal Zone as proposed. (There are differences in some details between the Coastal Zone status decision application and the PLUS application, but it is substantially similar and DNREC presumes it is the same project.)

Code Requirements/Agency Permitting Requirements

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

- Hamburg Road and River Road (DE Rt. 9) are state-owned and state-maintained roads. As such, any access point onto either must be designed in accordance with DelDOT's Development Coordination Manual, which is available at http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes.

- Pursuant to Section 1.3 of the Development Coordination Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.

- In terms of traffic analysis and based on the expected trip generation this project will require a Traffic Impact Study (TIS). Once the Pre-Submittal Meeting has been completed please contact our office to begin and complete the TIS analysis.

- Section 1.7 of the Development Coordination Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.

- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Development Coordination Manual, DelDOT will require dedication of right-of-way along the site's frontage with Hamburg Road and River Road (DE Rt. 9). By this regulation, this dedication is to provide a minimum of 30 feet of right-of-way from the physical centerline. The following right-of-way dedication note is required, "**An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- In accordance with Section 3.2.5.1.2 of the Development Coordination Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontages on all State maintained roadways. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, "**A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**

- Referring to Section 3.4.2.1 of the Development Coordination Manual, the following items, among other things, are required on the Record Plan:

    - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.

    - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- In accordance with Section 3.8 of the Development Coordination Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along all frontage roads.

- In accordance with Section 5.2.9 of the Development Coordination Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.4 of the Development Coordination Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/Business/subdivisions/index.shtml.

- In accordance with Section 5.14 of the Development Coordination Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

DART First State – Contact Jared Kauffman 302-576-6062

- Pedestrian access into the sites are needed.

- Need a crosswalk across Hamburg Road.

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. Developers and municipal officials are encouraged to reach out to Beth Krumrine at (302) 735-3480 or Beth.Krumrine@delaware.gov if they have any specific requests for information.

- The Coastal Zone Act regulates new and existing manufacturing, heavy industry, and bulk product transfer activities in Delaware's coastal zone through a permitting system. A Coastal Zone status decision for a data center use named Project Washington that includes this parcel was issued on February 3, 2026, and was deemed prohibited to locate in the Coastal Zone as proposed. (There are differences in some details between the Coastal Zone status decision application and the PLUS application, but it is substantially similar and DNREC presumes it is the same project.) As a result of this determination, DNREC declines any further comment.

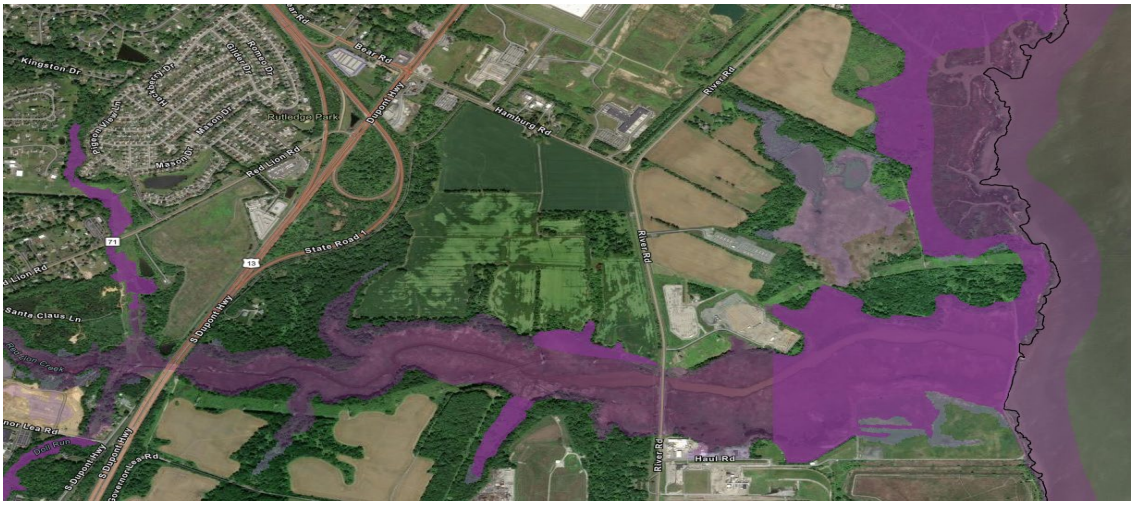
Delaware Department of Agriculture – Milton Melendez 302 698-4534

- The Delaware Department of Agriculture has no restrictive comments regarding this PLUS project.

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

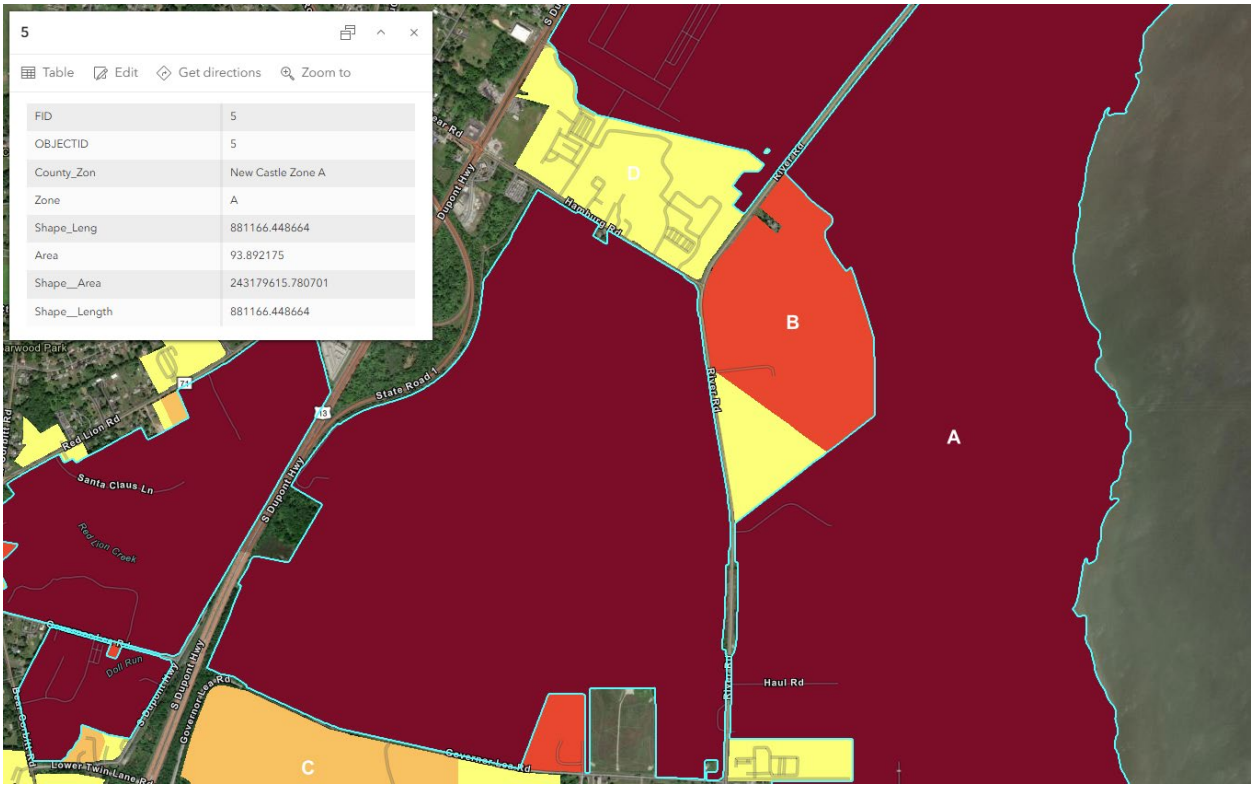
Proposed Project Parcel Flood Concern

- This parcel is located within an area of Minimal Flood Concern of 1000 years or greater; however, there is a 100-year or 1 % annual chance flood zone located to the south of the parcel (Sheets 5 and 6 according to the submitted application). No construction appears within the floodplain



Parcel Status within County Evacuation Zone Location

- The parcel is located within New Castle County's Evacuation Zone A.



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 Delaware State Historic Preservation Office (SHPO) does not support development in Level 4 or Out-of-Play areas. Our comments relating to archaeological potential and survey stand from the previous PLUS application for this project, reviewed in October 2025.

- The DE SHPO is aware that this project requires a USACE permit for portions of the project areas. The DE SHPO has also been informed that the applicant has already met with the New Castle County Historic Review Board (NCCHRB) and is in the process of following through with their requirements. According to the NCCHRB and the applicant, a Phase 1A archaeological survey has already been completed and a Phase 1B archaeological survey is currently underway. The DE SHPO requests for the opportunity to review the report for the Phase 1B Survey and provide comments. The Phase 1A Survey Report also included a recommendation for an evaluation level architectural survey for specific structures on or near the property. We request the opportunity to review this report and comment on it as well.

- We request that the applicant work with U.S. Army Corps of Engineers (USACE) and our office to determine if any archaeological or architectural survey is required for their permitting process, as described in Section 106 of the National Historic Preservation Act of 1966 (as amended). If the applicant has any questions about the Section 106 process, please contact our office. Our office asks that the applicant be aware of the Unmarked Human Burials and Human Skeletal Remains Law (Del C. Title 7, Ch.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 Agency has no objection to the re-zoning request. The information provided below shall be considered for designing your site plan.

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)

- 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 sqft, 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 Hamburg Road and River 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.

Delaware Public Service Commission – Contact Matthew Hartigan 302-736-7532

- The Delaware Public Service Commission ("PSC" or "Commission") does not regulate data centers, but is concerned about the economic impact of such new, large loads interconnecting with Delmarva Power's transmission and distribution system, and the impact such a load would have on electric and water supply in the State of Delaware, and electric and water prices in Delaware.

- On October 15, 2025, the Public Service Commission approved Order 10829 in PSC Docket No. 25-0826 which establishes a process by which a large load tariff will be created for Delmarva Power customers. A tariff establishes the rates, terms and conditions of service between a utility and its customers, and other States throughout the country have implemented large load tariffs as data centers have emerged in recent years as a major driver of electricity and water usage. It's important to note that Delmarva Power's tariff is not specific to data centers, but will be based on overall electric usage.

- Delmarva Power filed its proposed tariff on December 19, 2025 and the parties to the docket have engaged in discovery, held a workshop on February 17th and a public comment session on February 25th. Over 30 public comments were received at the public comment session, and most comments centered around safeguards regarding residential customer rate protection, environmental concerns regarding data centers and jobs and the economic impact of data centers. The due date for written comments from the parties and interested stakeholders is April 6th.

- After the comments are received, Delmarva Power will file a final proposed tariff, and the Hearing Examiner will create a report on which the commission will base its decision.

- The commission is expected to consider the matter at its regularly scheduled August 5th meeting.

- Additional information can be found on our electronic filing system which can be accessed via the PSC website by searching on docket number 25-0826.

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

- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.

- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2021. The notes can be found at

https://www.deldot.gov/Business/subdivisions/

- This location is primarily within Level 3 according to Delaware Strategies for State Policies and Spending (SSPS). Any future development of this location will need to be in alignment with DelDOT goals in such areas which include prioritizing improving safety; ensuring effective regional travel between population centers; preserving corridor capacity; maintaining existing transportation facilities; and improving connections among existing and redeveloping neighborhoods, public facilities, and commercial areas, consistent with local growth forecasts.

- The functional classification of Hamburg Road and River Road (DE Rt. 9) are both major collector. Major collector roads gather traffic from local roads and connect them with larger arterial networks. This project is generally aligned with that function.

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

Population

- The county has a population density of 1,321.50 per square mile based on the US 2020 Census report; an increase from 2010 at 1,241.00 persons per square mile. The specific census block(s) the project is located on has a total population of 29, though, with development, this will undoubtedly change. The 11 adjacent blocks aggregated bring the area to a total population of 590.

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.



- According to FEMA's National Risk Index, the parcel **is** considered **very low** 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 is rated as **relatively high** whereas its social vulnerability is rated as **relatively low.**

Renewable Energy Commitment

- Regarding energy use and consumption, the census tract utilizes **utility/natural gas** 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.

- In reference to the flood zones, DEMA strongly discourages construction of any type directly within, adjacent to or within proximity to a 100-year floodplain as water knows no bounds. If the homes are being constructed at flood level or below and a mortgage is obtained, an NFIP insurance policy is also required. Regardless of whether within or adjacent to a floodplain, should construction continue, we recommend utilizing additional mitigation strategies to reduce the risk from flooding. This could include, but isn't limited to, wet/dry floodproofing, elevating the home out of the flood plain, elevating mechanicals/HVAC/Electricity out of the flood waters, mass notification systems, large drainage systems (increased diameter pipes, ditches, basins, etc.) and other similar methods.

- Lastly, in reference to the county evacuation zones, DEMA encourages this information be made readily available to any and all persons residing there. This can be done simply through pamphlets or a neighborhood sign.

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.

Fire Department Comments:

- The volunteer fire department is obligated to provide Fire and EMS service to this property. In addition, new commercial developments in their district have put financial strain on their volunteer fire service. As their call volume increases yearly due to the unprecedented growth within the service area, current funding does not keep up with development within the district. State, County, and Local funding does not keep up with the growth of the fire district, so the developer and future tenants need to help financially support the Volunteer Fire Department.

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.

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