

Route 29 (Western) Bypass

The Western Bypass is a proposed six-mile long roadway from the interchange of Route 29 and Route 29/250 Bypass to just north of Route 643 (Polo Grounds Road). It is planned to connect with Route 29 and the proposed Northern Free State Road.

The County has been working with VDOT via MPO to address the County's concerns with the Western Bypass. In this effort, the CHART Plan described the Western Bypass as noted below.

The project as designed does not meet community or regional needs, and has been determined too costly for the transportation benefits to be gained (draft design plans for the Western Bypass can be found in the Albemarle County Department of Community Development and the local VDOT Residency Office). The transportation goals of the Bypass can be more effectively realized with improvements to the existing Route 29 corridor.

Portions of the right-of-way reserved for this project should be considered for potential use in other projects such as Berkmar Drive Extended. The remaining right-of-way should be sold, with the proceeds going toward other projects in the Route 29 corridor that better deliver cost-effective solutions to congestion along the corridor. These include adding additional lanes to Route 29 North. These actions would effectively contribute to the near-term improvements needed to maintain Route 29 as the major north-south automobile and truck route.

Recommendation

- Implement the recommendations from UnJam- CHART 2025 Transportation Plan.
- Implement the recommendations of the 29H250 Study and implement the transportation recommendations of the Places29 Study, when adopted.
- Maintain existing cross-section of Route 250 West from Route 29/250 Bypass to the I-64 interchange.
- Implement improvements to Route 250 East consistent with Neighborhood Plan, when adopted.
- Construct the Meadow Creek Parkway, including an interchange at the Route 250 Bypass.
- Construct the Hillsdale Drive extension as recommended in the Hillsdale Drive Extension Study.
- Complete construction of the Southern Parkway by extending the road to connect to 5th Street.
- Implement the CHART 2025 Plan recommendations regarding the Route 29 Western Bypass.
- Implement the recommendations from the Eastern Connector Study.



David P. Bowerman
Rio
Lindsay G. Dorrier, Jr.
Scottsville
Charles S. Martin
Rivanna

COUNTY OF ALBEMARLE
Office of Board of Supervisors
401 McIntire Road
Charlottesville, Virginia 22902-4596
(434) 296-5843 FAX (434) 296-5800

Walter E. Perkins
White Hall
Dennis S. Rooker
Jack Jowett
Sally H. Thomas
Samuel Miller

February 1, 2002

The Honorable Mark R. Warner
The Governor of the Commonwealth of Virginia
State Capitol, 3rd Floor
Richmond, VA 23219

RE: Proposed Route 29 Charlottesville Bypass

Dear Governor Warner:

In this time of significant challenges, Albemarle County looks forward to working closely with your administration to improve conditions for the citizens in our area and throughout the State. One pending transportation project that is of particular concern to Albemarle County is the proposed Route 29 Bypass. Albemarle County has consistently opposed this project. Most recently, in 1997, the Board of Supervisors unanimously passed a resolution, a copy of which is enclosed, in opposition to this project. Among the many reasons for our long-standing opposition to this project are the following:

- Building this project would violate the enclosed agreement signed by the City of Charlottesville, the University of Virginia and Albemarle County, which established a sequencing of transportation projects impacting the Route 29 corridor. This sequencing agreement followed the recommendation of the VDOT Chief Engineer in 1990 and was twice agreed to by the Commonwealth Transportation Board, as evidenced by the enclosed resolutions. In 1995, the CTB unilaterally rescinded its prior resolutions and, without notice to the County, eliminated other projects with a higher priority in the sequencing agreement in an effort to advance the construction of the Bypass.
- It will pose a threat to the South Fork Rivanna Reservoir, the primary source of water for 80,000 residents in the Charlottesville-Albemarle area, because it runs through 4.2 miles of the watershed and passes along very steep slopes close to the Reservoir.
- It will devastate seven established neighborhoods in the County, taking some 40 residences and negatively impacting more than 450 others.
- At an estimated cost of \$235 million, it would be one of the most expensive road projects ever built in Virginia on a per mile basis.
- It passes very close to six schools in the County and actually takes 15 acres of land from the County's largest school complex.
- The State's traffic studies have established that this project will not significantly improve the flow of traffic in the Route 29 corridor. Building the project as presently planned would leave traffic in the corridor at an "F" level of service.



The Honorable Mark R. Warner
February 1, 2002
(Page 2)

- Friends of the Earth and Taxpayers for Common Sense have three times selected this project as one of the worst transportation projects in the country, measured by its waste of taxpayer dollars and its damage to the environment.
- Citizen opposition to this project has been overwhelming. At the last public hearing, 7,100 citizens expressed opposition to this project, which VDOT indicated was the most opposition it had ever received to a proposed transportation project at a single hearing.
- The Charlottesville-Albemarle Metropolitan Planning Organization has voted every year since 1996 to deny federal construction funds for this project.
- The northern terminus of this project would pave over an important archeological site that qualifies for the National Historic Register.
- The southern terminus also has significant problems, which can be seen from the attached photo-simulation of the terminus recently published in a local newspaper.

There has been pending for some time a lawsuit concerning this project filed against VDOT and the Federal Highway Administration by the Southern Environmental Law Center on behalf of the Piedmont Environmental Council and the Sierra Club. In August of last year, two of the counts in that lawsuit were decided in favor of the environmental groups, and the ones that were decided against them have been appealed. The County was asked to participate in this lawsuit, and most recently, to file an amicus brief. We declined to so participate based upon our desire to work closely with your administration in the least adversarial fashion in an effort to eliminate this project from the State's Six Year Transportation Plan.

At a time when funding for transportation projects is scarce, we hope that your administration will conclude that it is ill-advised to move forward with this project, which is immensely expensive, environmentally damaging, and does not serve a legitimate transportation function, according to the State's traffic studies. We would appreciate having the opportunity to meet with the appropriate persons in your administration to discuss this matter. Thank you for your consideration.

Sincerely,



Sally H. Thomas
Chairman

SHT/ewc

cc: Members, Board of Supervisors
Robert W. Tucker, Jr.

2007

RESOLUTION REGARDING ROUTE 29 BYPASS

WHEREAS, the Resolution of the Commonwealth Transportation Board (CTB) on November 15, 1990, which approved the road improvements in the Route 29 corridor in Charlottesville and Albemarle, provided for a sequence of other road improvements in the corridor to be completed before the construction of the Alternative 10 Western Bypass (the "Project"), and for the Project to be constructed only "when traffic on Route 29 is unacceptable and economic conditions permit"; and

WHEREAS, the aforesaid sequence of Route 29 road improvements was established following and based upon a \$3.70 million study performed by Sverdrup Corporation, which study was performed and paid for specifically for the purpose of determining the sequence of, and need for, road improvements in the Charlottesville-Albemarle Route 29 corridor; and

WHEREAS, the aforesaid sequence of improvements was also recommended to the CTB by the Chief Engineer of VDOT in 1990; and

WHEREAS, the CTB passed a second resolution in December, 1991, confirming the State's commitment to the sequencing of the Route 29 bypass "in concert with the remaining construction projects of the Charlottesville-Albemarle Area Transportation Study (CATS) plan after Phase I and Phase II recommendations of the CTB November 15, 1990, resolution has [sic] been completed"; and

WHEREAS, an Agreement signed by the County of Albemarle, the City of Charlottesville and the University of Virginia in December, 1991 and February, 1992 (the "Three Party Agreement"), which was endorsed by the Metropolitan Planning Organization (MPO) as an amendment to the CATS in January, 1992, and which referenced the sequencing called for by the CTB resolutions of November, 1990 and December, 1991, specified the following improvements and sequencing in the Route 29 corridor:

- **Widen Route 29 North as provided for in 1985 CATS; and**
- **Design the North Grounds connector road facility; and**
- **Address each element of CTB Phase I recommendations of November 15, 1990 [these included: (1) widening of Route 29, (2) reserving right-of-way for interchanges as may be needed at Rio Road, Greenbrier Drive and Hydraulic Road, (3) restricting, to the extent possible, local land use development on needed right-of-way in the aforesaid areas, (4) acquiring any needed right-of-way under advanced acquisition policies, (5) developing North Grounds connector facility with additional mass transit, (6) recommending approval of Alternative 10 as a corridor for future development and Albemarle County assistance in preserving necessary right-of-way and minimizing adverse impacts associated with development of the corridor, (7) providing Albemarle County with preliminary plans for the Alternative 10 corridor to aid local officials in the preservation of the corridor and development of**

compatible land use plans, and (8) noting that the preservation of the Alternative 10 corridor would assist the County in a no-growth position in the watershed and assuring that access to the corridor would only be provided at the request of the County]; and

- Construct the Meadow Creek Parkway from the Route 250 Bypass to U.S. 29 North as soon as funding is available; and
- Construct grade-separated interchanges on U.S. 29 North at Hydraulic Road (Route 743), Greenbrier Drive (Route 866) and Rio Road (Route 631), with early acquisition of right-of-way for these interchanges based upon hardship (same program being used for early acquisition for Alternative 10 Western alignment); and
- Construct an alternate controlled vehicle access [sic] for traffic bound for University areas only, including the North Grounds from Route 29/250 Bypass; and
- Complete remainder of CTB Phase II recommendations of November 15, 1990 [these included (1) constructing interchanges at Rio Road, Greenbrier Drive and Hydraulic Road, as traffic continues to increase and economic conditions allow and (2) continuing the preservation of right-of-way for the Alternative 10 corridor and the advanced acquisition of right-of-way as needed and economics permit]; and
- Construct Alternative 10 after completion of the above and when traffic on Route 29 is unacceptable and economic conditions permit, concurrent with remainder of 1985 CATS.

WHEREAS, the Albemarle Board of County Supervisors opposed the Alternative 10 Bypass due to its severe environmental and economic impacts, and agreed to the construction of the Alternative 10 Bypass only after receiving specific assurances from the CTB in two separate resolutions, and only after receiving several additional assurances from the Secretary of Transportation, as recently as June, 1994, that said sequence of construction improvements would be followed; and

WHEREAS, on February 16, 1995, following a motion with no discussion, and without prior notice to Albemarle County, the City of Charlottesville, or the MPO, the CTB passed a resolution rescinding specific actions of the Board taken at its meetings November 15, 1990 and December 19, 1991, which relate to the interchanges at Rio Road, Greenbrier Drive, and Hydraulic Road.... "and relating to the phasing of construction for the Route 29 Bypass based on increases in traffic and economic conditions"; and

WHEREAS, the aforesaid February 16, 1995, CTB resolution: (1) was contrary to the findings of the \$3.70 million Route 29 corridor study, (2) ignored the recommendations of the VDOT Chief Engineer concerning the sequence of Route 29 improvements, (3) violated the

agreements and assurances made by VDOT to Albemarle County concerning the sequencing of Route 29 improvements and (4) was contrary to the Three Party Agreement and the CATS; and

WHEREAS, it is contrary to the Three Party Agreement to commit public funds to the construction of the Project until currently committed projects, such as the base case widening of Route 29, the four-laning of Hydraulic Road and Rio Road, and the Meadow Creek Parkway are completed, and a reasonable period of time has passed after the completion of those improvements so that a determination can be made of their effect upon traffic flow in the Route 29 corridor; and

WHEREAS, the improvements in the Route 29 corridor scheduled to be completed prior to beginning construction of the Project, as identified in the Three Party Agreement, the CATS, and the CTB resolutions of November, 1990 and December, 1991, have not been completed; and

WHEREAS, the recently completed Design Study (the "Design Study") for the Route 29 Bypass disclosed that there are many important community impacts from the Project which had not been previously disclosed or determined; and

WHEREAS, there have been numerous variations and increases in the VDOT cost estimates for the proposed Project and the cost estimates of the Project have grown from \$68.0 million in 1988 to more than \$170.0 million now; and

WHEREAS, the U.S. Route 29 Corridor Study, for the length of U.S. 29 between Charlottesville and Warrenton, has concluded that Route 29 should not be turned into a limited access facility; accordingly, this Project does not fit into a desired limited access north-south Central Virginia corridor; and

WHEREAS, the public opposition to this Project has been overwhelming;

NOW, THEREFORE, BE IT RESOLVED, that in light of the aforesaid facts, the County of Albemarle hereby opposes any additional expenditure of public funds for the Alternative 10 Bypass and withdraws its support for this Project.

* * * * *

I, Ella W. Carey, do hereby certify that the foregoing writing is a true, correct copy of a resolution duly adopted by the Board of County Supervisors of Albemarle County, Virginia, by a vote of six to zero at a regular meeting held on April 9, 1997.


Clerk, Board of County Supervisors

RESOLUTION

WHEREAS, the City of Charlottesville, the County of Albemarle and the University of Virginia have reviewed the improvements proposed by the Virginia Commonwealth Transportation Board (CTB) for the 29 North Corridor; and

WHEREAS, the City, County and University believe a unified and cooperative implementation agreement with the CTB and the Virginia Department of Transportation (VDOT) is necessary to provide for these improvements in an expeditious and efficient manner;

NOW THEREFORE BE IT RESOLVED, that the City, County and University jointly support and request that the CTB and VDOT implement improvements to the 29 North Corridor in the following sequence:

- o Widen Route 29 North as provided for in 1985 Charlottesville Area Transportation Study;
- o Design the North Grounds connector road facility;
- o Address each element of CTB Phase I recommendation of November 15, 1990;
- o Construct the Meadowcreek Parkway from the Route 250 By-Pass to U. S. 29 North as soon as funding is available;
- o Construct grade-separated interchanges on U. S. 29 North at Hydraulic Road (Rt. 743), Greenbrier Drive (Rt. 866) and Rio Road (Rt. 631) with early acquisition of right-of-way for these interchanges based upon hardship (same program being used for early acquisition for Alternative 10 - Western alignment);
- o Construct an alternate controlled vehicle access for traffic bound for University areas only, including the north grounds from Route 29/250 By-Pass;
- o Complete remainder of CTB Phase II recommendation of November 15, 1990; and
- o Construct Alternative 10 after completion of the above and when traffic on Route 29 is unacceptable and economic conditions permit, concurrent with remainder of 1985 Charlottesville Area Transportation Study.

6027

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Virginia Secretary of Transportation, the Commissioner of the Virginia Department of Transportation and the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), requesting the MPO to amend the Charlottesville Area Transportation Study to reflect this resolution's priorities.

F. R. Bowie

F. R. Bowie, Chairman
Albemarle County
Board of Supervisors

Date: 12/11/91

Alvin Edwards

Alvin Edwards, Mayor
City of Charlottesville

Date: 12/16/91

John T. Casteen

John T. Casteen, President
University of Virginia

Date: 2/2/92

Krajewski, Jennifer

From: Grant, Deborah A.
Sent: Thursday, March 29, 2007 8:44 AM
To: Lewis, Timothy J., P.E.; Fleming, Clementine
Cc: Richard, Janice L.; Canavan, Michael; Mitchell, Diane L.; Lewis, Dane P.; Salehi, Morteza; Shirley, Kenneth J., PE; Kilby, Karen P.; Sprinkel, D. Brent P.E.
Subject: FW: FIRE Report -- UPC 16160 (Charlottesville By Pass)
Importance: High

Tim & Clementine –

Thanks for giving VDOT an opportunity to review and respond to VDOT's inquiry concerning the Charlottesville Bypass project. Based on the following, VDOT is of the opinion that due to the fact the time limits have not expired, the repayment of funds is not required at this time.

Your review of the following is appreciated, and if you have any questions, please feel free to contact VDOT.

- Construction is still unscheduled.
- Design (PE) was completed to the RW stage for the entire project with the exception of the northern interchange with Route 29 at the South Fork Rivanna River. PE & RW were delayed for the northern interchange due to questions related to the widening of Route 29 north of the SF Rivanna River.
- VDOT then became involved in a court case associated with the environmental assessment for the project.
- Since the record of decision from the court case, there has been no funding to complete the design and right of way. In addition, there remains significant local opposition to the By Pass.
- The PE and RW phase of the project are included in the TIP but the CN phase is not included in the TIP.
- District Right of Way is currently managing the property previously acquired for the project.
- A small amount of the right of way at the southern end of the project (Route 250) was used by UVA to construct the North Grounds Connector.
- Timeline limits have not yet expired regarding the repayment of funds

In addition, the District Administrator, Morteza Salehi, is currently coordinating a meeting with Commissioner Ekern, Butch Davies and others to discuss the RW and other issues associated with the Charlottesville Bypass.

Deborah A. Grant
Federal Programs' Manager
Programming Division
804-786-1172 (office)
804-371-8719(fax)

(Part II-Larrie FOIA...../Culpeper docs to CD/Culpeper docs/Western Bypass Estimate.txt)

From: Sumpter, Allan D
Sent: Friday, February 06, 2009 4:26 PM
To: kboyd@albemarle.org; 'Ken Boyd'
Subject: Western By-Pass Estimate

Ken,

The estimate breakdown for the western by-pass as provided by our Location and Design Division is as follows:

PE: \$18,769,174
R/W: \$146,316,013
CN: \$146,316,013
Total \$263,274,168 (Present day dollars, no inflationary adjustment for future years)

Allocations to date for the project have been \$47,166,759 with \$46,174,778 in expenditures.

Allan D. Sumpter
Residency Administrator
Charlottesville Residency
434-293-0011, Extension 127

(Part II-Larie FOIA...../Culpeper docs to CD/Culpeper docs/Western Bypass Estimate.txt)

From: Sumpter, Allan D

Sent: Friday, February 06, 2009 4:30 PM

To: Utterback, James S., PMP; Sprinkel, D. Brent P.E.

Subject: FW: Western By-Pass Estimate

FYI – Mr. Ken Boyd, from the Albemarle BOS called me requesting the information below. John Giometti assisted me by providing the estimate with refreshed numbers.

Mr. Boyd indicated he had a meeting Monday for which he needed the information.

Allan

05/12/09
5:03 PM

Answers to questions re bypass funding etc

From: Hatter, Lou M.
Sent: Tuesday, May 12, 2009 5:03 PM
To: 'Sharon Gregory'
Subject: Answers to questions re: bypass funding, etc.

Sharon:

Here are the numbers you requested related to the U.S. 29 Bypass project. I know you're busy with the evening news right now but if you have any questions call my cell this evening. I'm out of town tomorrow and will have limited cell phone/Blackberry access but will be back tomorrow evening.

* Total money spent to date on the project?

\$46.2 million

* How much of that is federal, how much state?

\$31.4 million federal; \$14.8 million state

* Total money spent for right of way?

\$20.6 million

* How much of that was for damages (as opposed to outright purchase of property)?

\$11.8 million of the \$20.6 million was spent for easements (permanent, utility, conservation and temporary construction), damages and other costs related to the right-of-way acquisitions.

* Since the purchase of the properties, how much money has VDOT received in rent payments?

Income received from the VDOT-owned properties, from 1991 through April 2009, is \$5.3 million. The income received from those properties is credited to the project.

* During that time how much has been spent to maintain the VDOT-owned properties?

During that same time period, expenses related to those properties is \$1.4 million.

* Most current estimate for the total cost of the project, including actual construction?

(Including estimate for costs for the northern terminus, design and ROW purchase)
The most recent estimate of the total cost is \$232 million. The cost of the actual construction is estimated at \$117.4 million.

* Does VDOT pay local real estate taxes on the properties it owns?

No, VDOT does not pay real estate taxes to Albemarle County on the properties it owns.

Lou Hatter
Public Affairs Manager
Culpeper District, VDOT
(540) 829-7537 desk
(540) 717-2890 cell

(Part II-Larrie FOIA...../Culpeper docs to CD/Culpeper docs/NBC 29 interview re: 29 bypass, etc.)

From: Hatter, Lou M.
Sent: Thursday, May 14, 2009 11:43 AM
To: Utterback, James S., PMP; Caldwell, Jeffrey J.; Sprinkel, D. Brent P.E.
Subject: NBC 29 interview re: 29 bypass, etc.
Importance: High

Jim, Jeff, Brent:

Did the interview with Sharon Gregory re: 29 bypass. We did cover the points that she asked about prior to the interview. She also asked several additional questions relating to different aspects of the project. These are not verbatim either her questions or my answers but this summary is as close as I remember. I am still in Charlottesville at the residency responding to another media request for status on the JPA bridge project.

Talk about the debate that has taken place in the Charlottesville area about how to address Route 29.

There are a number of communities along the Route 29 corridor where there are challenges to make improvements to the existing corridor. Charlottesville is one of them. Another is in northern Fauquier County where the road runs through the Buckland Civil War battlefield. That is a challenge to make improvements to the corridor while still preserving that historic location. In the Charlottesville area, as along the entire corridor, we have a mix of local traffic and long-distance traffic in an area that is increasingly developed. That creates congestion and safety concerns as well as a need to preserve the ability of the corridor to serve the long-distance traffic while also maintaining the economic health of the local community.

Albemarle Supervisor Dennis Rooker mentioned environmental concerns about the project route.

VDOT addressed the environmental aspects of the project as part of the National Environmental Policy Act process to the satisfaction of the Federal Highway Administration.

Mr. Rooker stated that VDOT is not building the project because "we" recognize that it is a bad project.

VDOT does not have a position as to a project being good or bad. The project is being reviewed as part of the 29 Corridor Study and a decision as to the future recommendations for Route 29 improvements will be made as part of that study.

Mr. Rooker stated that the project is not cost-effective.

Any project that is built through a developed area will be expensive. Certainly cost of the project has increased through the years. The project is being reviewed as part of the Route 29 Corridor study. It is important to understand that all of the possible major improvements to Route 29 will be expensive and given the status of transportation funding they are unlikely to be built for many years. That's why the Corridor Study is looking at smaller, low-cost projects such as signal synchronization that can make the existing corridor work more efficiently and improve safety. It is also important to note that the study is looking at the corridor beyond the highway right of way. For most of its length in Virginia it is roughly paralleled by a railroad. The long-term solutions will likely go beyond the highway and include other modes of transportation, such as rail, that will help to relieve the volume of traffic on the road.

Will there be a firm recommendation as part of the Corridor Study?

The corridor study will include recommendations for short-term, medium and long-range improvements to the corridor.

It is getting to the 20-year point where VDOT will have to offer the properties back to the owners. What does VDOT plan to do?

Pg 2 of HATTER
MAY 24, 2009 11:43 AM

The bypass as currently proposed is being reviewed as part of the 29 Corridor Study and a decision will be made after that study is completed.

This has been difficult for the people who own homes that were bought for the road. What do you say to them?

VDOT recognizes that the acquisition of property for projects can affect residents and businesses. Certainly those who own homes that are within the right of way have their lives affected. That's why we work with those people to provide relocation assistance and other help to try and minimize the effects on them.

Lou Hatter
Public Affairs Manager
Culpeper District, VDOT
(540) 829-7537 desk
(540) 717-2890 cell

-----Original Message-----

From: Rasnick, Charles

Sent: Tue 10/13/2009 1:08 PM

To: Utterback, James S., PMP

Cc: Sprinkel, D. Brent P.E.; Springer, Joe; Loomis, Lori E.

Subject: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Jim,

I'm sure this question has been asked before, but it needs to be addressed by your Right of Way group. I would appreciate someone from the District providing a response.

Thanks,

Charlie

-----Original Message-----

From: Utterback, James S., PMP
Sent: Tuesday, October 13, 2009 8:55 PM
To: Rasnick, Charles; Costello, Brian
Cc: Sprinkel, D. Brent P.E.; Springer, Joe; Loomis, Lori E.; Bennett, Richard
Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Brian - Can you have someone help with this. Please have them copy me on the response.
Thanks - Jim

-----Original Message-----

From: Bennett, Richard

Sent: Thursday, October 15, 2009 9:39 AM

To: Rasnick, Charles

Cc: Sprinkel, D. Brent P.E.; Springer, Joe; 'Loomis, Lori E.'; Utterback, James S., PMP; Costello, Brian

Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Charlie,

Not sure if Brian provided an answer before leaving on vacation today and tomorrow.

There is a time limit on how long VDOT can hold onto property acquired to construct a transportation improvement project. The details are provided in Section 33.1-90 of the Code of Virginia. Basically its 20 years with provisions for extensions due to litigation and being an active project in the Six Year Plan.

As the acquired property can be used to construct any transportation improvement project requiring that land, VDOT will retain the properties until it is clear that no transportation improvements will be constructed in that area.

Richard

From: Ekern, David S.
Sent: Wednesday, October 28, 2009 10:12 PM
To: Tischer, Mary Lynn; Busher, Reta; Caldwell, Jeffrey J.; Walton, Richard L., Jr. (Commissioner's Office); Kerley, Malcolm T., P.E.
Cc: Mathis, Carol A.
Subject: FW: Route 29 Study

FYI

David S. Ekern, P.E.
Commissioner
Virginia Department of Transportation
1401 East Broad St.
Richmond, Virginia 23219
Phone: 804-786-2702
Cell: 804-347-0892
Fax: 804-786-2940

From: Homer, Pierce [mailto:Pierce.Homer@governor.virginia.gov]
Sent: Wednesday, October 28, 2009 7:12 PM
To: Ekern, David S.
Subject: FW: Route 29 Study

Pierce R. Homer
Secretary of Transportation
804-786-8032
804-786-6683 - fax

From: Homer, Pierce
Sent: Wednesday, October 28, 2009 5:58 PM
To: Kenneth S. White; david.Ekern@VDOT.Virginia.com; jdavies@dbwle.com

Subject: RE: Route 29 Study

Ken—unfortunately, the consultant put out a map with lines on it without any consultation. The reaction was immediate and visceral. Butch and Peter met and agreed that the lines had to come off the map and that our first focus needs to be on better use of existing facilities and rights of way. We can grind through this, but I don't see any immediate way to restore those options. We will have to deal with this unfortunate situation.

Pierce R. Homer
Secretary of Transportation
804-786-8032
804-786-6683 - fax

From: Kenneth S. White [mailto:kswht@aol.com]
Sent: Monday, October 26, 2009 4:49 PM
To: Homer, Pierce; david.Ekern@VDOT.Virginia.com; jdavies@dbwle.com
Subject: Route 29 Study

Pierce, Dave and Butch -
I was very surprised and disappointed to learn today from a local source that both the eastern bypass route and the proposed utilization of the right of way for the western route have been eliminated from the route 29 study. I then called Charlie Rasnick and he confirmed it. As you know, that decision will incite considerable unrest from everywhere south of Albemarle County. Is the decision final? Is there anything that can be done to salvage something here?

Ken

Kenneth S. White
1616 Langhorne Road
Lynchburg, VA. 24503
434-384-3546
434-384-4868-fax
kswht@aol.com

Walton, Richard L., Jr. (Commissioner's Office)

From: Walton, Richard L., Jr. (Commissioner's Office)

Sent: Thursday, October 29, 2009 7:49 AM

To: Ekern, David S.; Tischer, Mary Lynn; Busher, Reta; Caldwell, Jeffrey J.; Kerley, Malcolm T., P.E.

Cc: Mathis, Carol A.

Subject: RE: Route 29 Study

I think you will see legislation. Once again, it appears to everyone else along the corridor that Albemarle County is dictating the outcome.

Richard L. Walton, Jr.
Chief of Policy and Environment
Virginia Department of Transportation
Richmond, Virginia 23219
Phone- 804-786-2703
Fax-804-786-2940

-----Original Message-----

From: Rasnick, Charles
Sent: Wednesday, November 11, 2009 8:52 AM
To: Bennett, Richard
Cc: Sprinkel, D. Brent P.E.; Springer, Joe; Utterback, James S., PMP; Costello, Brian
Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Richard,

We are presenting the Route 29 Corridor Plan at the CTB Workshop next Wednesday. The presentation will include the language in your last paragraph below, but the Commissioner and Secretary want to sell the R/W. One of our slides will say that if there is no local transportation initiative from the County and MPO by 1/1/2012, the R/W will be sold.

Can you be at workshop next week in case the CTB members have any specific questions?

Thanks,
Charlie

Part II - Larie FOIA...Walton docs-Part 1

-----Original Message-----

From: Bennett, Richard
Sent: Thursday, October 15, 2009 9:39 AM

To: Rasnick, Charles
Cc: Sprinkel, D. Brent P.E.; Springer, Joe; 'Loomis, Lori E.'; Utterback, James S., PMP; Costello, Brian
Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Charlie,

Not sure if Brian provided an answer before leaving on vacation today and tomorrow.

There is a time limit on how long VDOT can hold onto property acquired to construct a transportation improvement project. The details are provided in Section 33.1-90 of the Code of Virginia. Basically its 20 years with provisions for extensions due to litigation and being an active project in the Six Year Plan.

As the acquired property can be used to construct any transportation improvement project requiring that land, VDOT will retain the properties until it is clear that no transportation improvements will be constructed in that area.

Richard

-----Original Message-----

From: Bennett, Richard

Sent: Thursday, November 12, 2009 7:15 AM

To: Rasnick, Charles

Cc: Sprinkel, D. Brent P.E.; Springer, Joe; Utterback, James S., PMP; Costello, Brian

Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Yes, I will be there. Is that date in accordance with the earliest statutory date?

Richard

-----Original Message-----

From: Utterback, James S., PMP
Sent: Thursday, November 12, 2009 9:40 AM
To: Walton, Richard L., Jr. (Commissioner's Office)
Subject: FW: ROUTE 29 CORRIDOR - Question Regarding Right of Way

We need to talk on this ... are you available today.

James S. Utterback
District Administrator
VDOT - Culpeper District
OFFICE (540) 829-7511
FAX (540) 727-7080

From: Walton, Richard L., Jr. (Commissioner's Office)
Sent: Thursday, November 12, 2009 9:40 AM
To: Utterback, James S., PMP
Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

yes

Richard L. Walton, Jr.
Chief of Policy and Environment
Virginia Department of Transportation
Richmond, Virginia 23219
Phone- 804-786-2703
Fax-804-786-2940

-----Original Message-----

From: Rasnick, Charles

Sent: Thursday, November 12, 2009 10:31 AM

To: Bennett, Richard

Cc: Sprinkel, D. Brent P.E.; Springer, Joe; Utterback, James S., PMP; Costello, Brian

Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Richard,

I believe that some of the properties will reach the 20 year time limit in 2011. VDOT could make a case for extending the time limit several years based on the number of years that the project has been in the Six-Year Program. However, both the Commissioner and Secretary want to move forward with selling the R/W. (Since the District CTB members may have a different view, I'm trying to find some middle ground on this issue so the CTB presentation indicates that VDOT will begin the process for selling the R/W after 1/1/2012.)

Charlie

-----Original Message-----

From: Bennett, Richard

Sent: Thursday, November 12, 2009 4:31 PM

To: Walton, Richard L., Jr. (Commissioner's Office)

Subject: FW: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Rick,

FYI

Richard

From: Walton, Richard L., Jr. (Commissioner's Office)
Sent: Thursday, November 12, 2009 4:55 PM
To: Bennett, Richard
Subject: RE: ROUTE 29 CORRIDOR - Question Regarding Right of Way

Richard-

You need to find the paper that was put together on this topic. I assume Les would have a copy or can put his fingers on a copy. I would also like to see.

Richard L. Walton, Jr.
Chief of Policy and Environment
Virginia Department of Transportation
Richmond, Virginia 23219
Phone- 804-786-2703
Fax-804-786-2940

Walton Pt 2

Page 1 of 2

11/16/09

2:42 PM

Walton, Richard L., Jr. (Commissioner's Office)

From: Rohm, Rick A.
Sent: Monday, November 16, 2009 2:42 PM
To: Bennett, Richard; Griggs, Les (Central Office)
Cc: Walton, Richard L., Jr. (Commissioner's Office); Corder, Melissa L.
Subject: FW: Letter from Pierce Homer to John J. Davis, III, dated December 21, 2007
Attachments: Letter from Pierce Homer to Butch Davis 12-21-2007.pdf

All,

For some reason it appears my attachment did not appear before. Attached is the letter

From: Rohm, Rick A.
Sent: Monday, November 16, 2009 10:58 AM
To: Bennett, Richard; Griggs, Les (Central Office)
Cc: Walton, Richard L., Jr. (Commissioner's Office)
Subject: Letter from Pierce Homer to John J. Davis, III, dated December 21, 2007

Gentlemen,

Attached is a scanned copy of the letter that was sent from Pierce Homer to John J. Davis, III, dated December 21, 2007. The letter states,

- "the federal aid funding provided for the Bypass,
- 20 years to advance a project from the RW to construction without repayment penalty,
- issuance of two Notices to Proceed to Acquire Right of Way, one on December 23, 1992 for advanced acquisition of 11 parcels and then the other on August 22, 1997 for the remainder of the parcels.
- revenues received from the re-sale of the right of way, any rental fees or the sale of property"

I have spoken with Les today and he asked that I forward this letter.

If anything else is needed, please advise.

Richard A. Rohm, Jr.

Property Management Division

North East Region

540-829-7594

06/24/2011



COMMONWEALTH of VIRGINIA

Office of the Governor

P.O. Box 1475
Richmond, Virginia 23218

December 21, 2007

Pierce R. Homer
Secretary of Transportation

re: Bient

ATTACH TO
ROHM ET AL

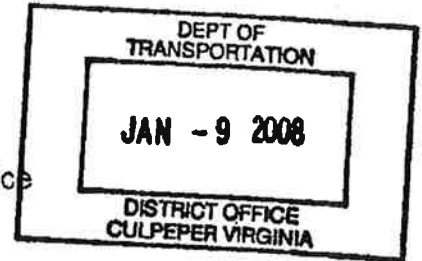
11/16/2009
(804) 786-1
Fax: (804) 786-1
TTY: (800) 828-

John J. Davies, III, Esquire
Member
Commonwealth Transportation Board
122 West Cameron Street
Culpeper, Virginia 22701

RECEIVED

DEC 26 2007

Commissioner's Office



Dear Mr. Davies:

Thank you for your inquiry regarding the status of the Charlottesville Bypass project and in particular the federal aid funding provided for the Bypass.

With respect to whether the state would have to repay the federal government for funds used for design work and purchase of right of way, Title 23, CFR 630.112 states that a State has 10 years to advance a project from the PE to RW phase, and 20 years to advance a project from the RW to construction without repayment penalty. A copy of the regulation is attached for your reference.

The Virginia Department of Transportation (VDOT) issued two Notices to Proceed to Acquire Right of Way, one on September 23, 1992 for advanced acquisition of 11 parcels and the other on August 22, 1997 for the remainder of the parcels. At this time 83 of 122 parcels included in the Approved Right of Way Plans have been acquired with several remaining parcels to be handled through eminent domain.

As for the use of any revenues received from the re-sale of the right of way, any rental fees or the sale of property is normally credited back to a project. If decisions are made not to build, any available revenues after covering expenditures on the projects should be available to use toward other projects in the Culpeper District. It is not anticipated that VDOT would receive the total dollar amount expended on this project from any re-sale of the right of way.

The total amount reimbursed by the Federal Highway Administration to VDOT to date is \$36,796,398. Listed is a summary of the funding authorized and billed to date for federal expenditures. I am also attaching copies of the original federal authorizations for each of the Federal Aid projects.

ROHM EMAIL
11/16/2009

John J. Davies, III, Esquire
December 21, 2007
Page Two

6029-002-F22, PE100
100% State Funded
State Authorization - 2/3/87

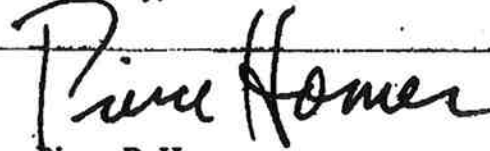
6029-002-F22, RW201
Advance Acquisition Only for 11 Parcels
Federal Authorization - 9/23/92
Federal Funds Authorized to Date -- \$2,070,661.00
Federal Reimbursements to Date -- \$2,056,248.00

6029-002-F22, PE101
Federal Authorization - 7/18/95
Federal Funds Authorized to Date -- \$8,709,685
Federal Reimbursements to Date -- \$8,649,571

6029-002-F22, RW202
Federal Authorization - 8/19/97
Federal Funds Authorized to Date -- \$29,135,200
Federal Reimbursements to Date -- \$26,090,579

It is my intent to convene a meeting with the CTB Members and Legislators in January that have an interest in the Route 29 corridor to discuss and help establish a vision and goals for the future of this vital corridor serving Central Virginia. If additional information is needed, please let me know.

Sincerely,



Rierce R. Homer

PRH:es

Attachments

Copy: Mr. David S. Ekern, P.E.
Mr. Quintin Elliott

pc: Brent Sprinkel ✓
Allan Sumpter
done 1/9/08
leo

MAY 2010

CULPEPER DOCS

Bypass Estimate History 5-2010.xls

Class	Delta Source	PE	RW	GN	Total	Upload Date	Version	Author	Comments
PFI	CE	\$15,473,000	\$38,719,000	\$87,222,000	\$141,414,000	12/5/2003 10:19	2	Darryl Shifflett	
PFI	CE	\$14,995,000	\$38,719,000	\$85,398,000	\$138,112,000	12/17/2003 9:17	2	Darryl Shifflett	
PFI	CE	\$15,099,000	\$40,574,100	\$91,398,000	\$147,072,100	2/27/2004 8:18	2	Karen Kilby	
PFI	CE	\$15,089,000	\$48,100,000	\$91,399,000	\$154,598,000	3/1/2004 12:51	2	Karen Kilby	
PFI	CE	\$12,809,000	\$48,100,000	\$83,878,000	\$154,585,000	7/6/2004 11:29	2	John Girometti	
RW	CE	\$12,995,000	\$55,315,100	\$88,675,000	\$156,985,100	2/23/2005 12:06	2.1	John Girometti	
RW	CE	\$12,995,000	\$55,315,100	\$88,675,000	\$156,985,100	2/23/2005 12:07	2.1	John Girometti	
RW	CE	\$12,995,000	\$55,315,100	\$88,675,000	\$156,985,100	2/23/2005 12:07	2.1	John Girometti	
RW	CE	\$12,901,000	\$55,315,100	\$87,472,000	\$165,688,100	2/27/2006 11:02	2.3	Gregory Krystymiak	
FI	CE	\$12,901,000	\$55,315,100	\$87,472,000	\$165,688,100	6/22/2008 10:15	2.3	Karen Kilby	
RW	CE	\$9,300,000	\$28,444,136	\$0	\$37,744,136	8/22/2008 10:33	2.3	Karen Kilby	
FI	CE	\$13,838,078	\$55,315,000	\$114,935,082	\$184,086,158	3/19/2007 10:25	2.4	Karen Kilby	
FI	CE	\$16,412,337	\$5,821,254	\$117,449,038	\$139,682,629	12/6/2007 14:58	2.5	Karen Kilby	
FI	CE	\$16,412,337	\$98,186,981	\$117,449,038	\$232,050,356	12/6/2007 15:12	2.5	Karen Kilby	
FI	CE	\$16,412,337	\$98,186,981	\$117,449,038	\$232,050,356	4/16/2008 15:18	2.51	Karen Kilby	
RW	CE	\$9,300,000	\$28,444,136	\$0	\$37,744,136	4/16/2008 15:19	2.51	Karen Kilby	
RW	CE	\$9,300,000	\$28,444,136	\$0	\$37,744,136	8/6/2008 9:14	2.53	Karen Kilby	
RW	CE	\$9,300,000	\$28,444,136	\$0	\$37,744,136	12/5/2008 16:15	2.6	John Girometti	
FI	CE	\$18,788,174	\$98,186,981	\$148,316,013	\$263,274,168	2/6/2009 16:15	2.6	John Girometti	
RW	CE	\$9,300,000	\$28,444,136	\$0	\$37,744,136	9/14/2009 11:25	2.62	John Girometti	
RW	CE	\$9,300,000	\$28,444,136	\$0	\$37,744,136	1/20/2010 14:14	2.7	John Girometti	
FI	CE	\$16,377,884	\$98,186,981	\$115,368,844	\$229,933,508	1/20/2010 14:15	2.7	John Girometti	

Amounts only, utility costs, no right of way???

JAN 2010 REVIEW OF ESTIMATES

1 OF 1

- Legends and Labels**
- PE - Preliminary Engineering
 - RW - Right of Way and Utilities
 - CN - Construction
 - CE - Cost Estimating System
 - Class - Project Phase
 - PFI - Preliminary Field Inspection
 - FI - Field Inspection
 - RW - Right of Way

Krajewski, Jennifer

From: Rasnick, Charles
Sent: Tuesday, May 11, 2010 10:03 AM
To: 'Koelemay, John D.'; Davies, John J. III, 'Butch' Esq.; Peter B. Schwartz [pbs100@earthlink.net]; Sharon Pandak (spandak@gtpsllaw.com)
Cc: Fiol, Marsha C.; Utterback, James S., PMP; Cary, Rob, P.E., L.S.; Salehi, Morteza; Sprinkel, D. Brent P.E.; Cuervo, Helen L., P.E.; Springer, Joe
Subject: FW: Links to news articles - Charlottesville Western Bypass stories

FYI - Below and in the attached email are stories regarding the Charlottesville Western Bypass.

Charlie

<http://www.wset.com/news/stories/0510/734593.html>

Chamber Asks State to Break Bypass Impasse

http://www2.newsadvance.com/lna/news/local/article/lynchburg_leaders_ask_for_state_help_to

From: Humphreys, Kerrie E.
Sent: Tuesday, May 11, 2010 9:25 AM
To: Jones, Paula K.
Cc: Utterback, James S., PMP; Hatter, Lou M.; Sprinkel, D. Brent P.E.; Rasnick, Charles
Subject: Links to Lynchburg - Western Bypass stories from Culpeper Media

Paula,

Here are links to the Lynchburg/Albemarle western bypass stories from media outlets in the Culpeper area. I have linked them to e-clips but I thought you would like to view them.

<http://www.wina.com/Local-News/3077192?contentId=6083973>

http://www2.dailyprogress.com/cdp/news/state_regional/state_regional_govtpolitics/article/lynchburg_app

<http://cvillenews.com/2010/05/10/lynchburg-bypass-blah-blah/>

<http://www.newsplex.com/home/headlines/93348489.html>

Thank you,

Kerrie Humphreys
Public Affairs Administrative Assistant
Culpeper District Office
540-829-7500
Kerrie.Humphreys@vdot.virginia.gov

Mr. Thomas said the goal is to make sure the Board still wants to move forward on the ordinance. He does not know the atmosphere of this Board but he knows that the Fire and Rescue community has not changed. It would be nice to know how the Board feels.

Mr. Rooker said he thinks that the Board should meet on August 11th and move forward with this, as they have indicated fairly recently its support for moving forward with an ordinance – while working through revenue recovery and some other issues. He supports going ahead and dealing with the issue.

Mr. Snow said he also supports moving ahead.

Ms. Mallek said it would be good to get a decision one way or the other.

Mr. Snow said that he has received numerous calls regarding mowing or the lack of it in the County. He has sent several letters to Mr. Sumpter at VDoT asking for his assistance.

Ms. Mallek responded that this is usually the month VDoT goes out and cuts back brush, and people can take action locally if this doesn't happen in sufficient time.

Mr. Thomas said he has also spoken with VDoT folks, but the residents of Carrsbrook have been cutting their own brush.

Mr. Boyd added that there was a schedule in the VDoT report this week stating that they are working down from primary to secondary to rural roads.

Ms. Mallek also mentioned that VDoT is still picking up the pines that were knocked down by March's ice storm.

Mr. Rooker stated that when he was driving down I-95 recently, it was noticeable how inferior the road conditions, mowing, landscaping, etc., in Virginia are compared to that of North and South Carolina. He thinks that we are in for a shock here in terms of maintenance and aesthetics of our state.

Mr. Thomas commented that Virginia just did not put funds into their roads like the Carolinas did.

Mr. Snow added that he did email Mr. Sumpter and he has taken care of most of the issues fairly quickly.

Ms. Mallek commented that it is discouraging driving down Route 29 and other places where the County used to keep up, but now does not allocate the funding for it.

Mr. Thomas noted that Mr. Wood's group cut the grass in front of North Town Center, as it was so tall the sidewalk was no longer visible.

Ms. Mallek mentioned that there are many abandoned properties that are not being kept up, as the bank ownership is often not local. She knows that staff is working on pursuing some of those.

Mr. Rooker said that Board members had received a letter from Jefferson Coin Shop regarding vendors from outside the area that may or may not be paying sales tax, and do not have to abide by County regulations. He noted that just a few days after that, an ad in the *Daily Progress* announced that an outside vendor would be setting up at the Holiday Inn to buy and sell jewelry. Mr. Rooker also stated that he had received a letter from someone in the brick business complaining that they were being underbid by out-of-state firms that did not register to do business locally or pay local taxes.

Mr. Davis indicated that staff is looking into the Jefferson Coin issue, as there is a state and local ordinance requirement that these types of operations get a permit from the Chief of Police. He said that there is some question as to the requirement of a fixed and permanent location, but his staff is looking into the applicability of that measure. Mr. Davis stated that the Police Department indicated there were six permits issued last year, including some to local businesses that have a fixed location and some from outside that operate at hotels. He indicated that his office, in conjunction with the Police Department and the Commonwealth's Attorney office are looking into the issue and will report its' conclusions back to the Board.

Mr. Rooker commented that the County needs to make sure that there's a level playing field out there. He does not want local merchants to be undercut by people coming in and opening up shop temporarily and they do not have to pay fees, taxes, etc., that local operations have to pay.

Mr. Rooker said that about a month ago, he and Mr. Thomas met with the Secretary of Transportation and his Deputy – along with some interns from State colleges, in Richmond. Mr. Cilimberg and Mr. Benish also attended and it was a nice, cordial meeting. He explained that Albemarle representatives took maps and traffic modeling information to show the measures they are doing to try to improve the traffic flow in the US 29 Corridor, how land use and transportation planning are being integrated, collaborative studies with the State and the City in an effort to jointly improve traffic conditions in the corridor, and specific traffic improvement projects – some of which are being paid for by developers. He said that he thinks it was a good meeting and they were impressed with what the locality is doing. Mr. Rooker said that they are having another meeting August 5th in Charlottesville to also include

representatives from Lynchburg, and have invited him and Mr. Thomas to attend. They talked about the bypass and the Secretary of Transportation made it clear that they did not have the money for it; in fact, they do not have money for much – secondary road funds are down 94% from where they were four or five years ago. He commented that there are some political issues with Danville and Lynchburg, and he and Mr. Thomas are hoping to extend a hand of friendship and see what might be accomplished.

Mr. Dorrier reported that Scottsville had a very successful 4th of July event – with between 8,000 and 10,000 people in attendance at the parade. He said that he floated down the river between Warren and Hatton, and there were about 800 cars parked at the ferry. He added that this community is so fortunate to have the James River, and we should all use it more than we do.

Mr. Thomas commented that he has floated the river twice – once when it's low like it is now, and once when it was about four feet up. He added that it was fun both ways.

Mr. Dorrier noted that the County receives tax revenues from those who rent tubes.

Mr. Rooker mentioned that in County Connections there was a notice of the Government Reform Commission holding town hall meetings around the State, and the one nearest here is being held at the same time as the Board's meeting. He said that the South Hill town hall meeting will be held July 16th at 1:00 p.m. There is another one being held in Hampton Roads.

Mr. Boyd stated that he would like to go, and would try to attend the one in South Hill. He added that he appreciates any thoughts from people if they have any comments.

Ms. Mallek commented that if reform means just saving State money and dumping more responsibility and costs on localities, she is not in favor of that.

Mr. Boyd agreed.

Ms. Mallek asked if Board members had received the DCR letter about the scenic byway with Albemarle and Nelson, and asked if there were any concerns.

Mr. Snow said he would like to go ahead with a resolution.

Mr. Tucker noted that Mr. Benish is working on that and would bring something back to the Board.

Mr. Davis noted that in the past the Board has held a public hearing before adopting the resolution, although that is not required. The Board could also request VDOT to hold a public hearing before the Board adopts the resolution. He said that the last one he recalled was for Batesville, and after hearing opposition to it the Board declined to adopt a resolution.

Ms. Mallek suggested scheduling a public hearing when staff is ready to bring it forward.

Mr. Rooker said that there are some substantial differences between the Batesville designation and this one, and he doubts there would be much public opposition although they should be heard regardless.

Ms. Mallek reported that she met with the E-85 Fuel Clean Cities group that is trying to facilitate the sale of flex fuel around the State. There is a station in Albemarle at Greenbrier and Route 29. They were directed to work with staff to find a way to work within their original sign plans to do a better job to get the word out.

Ms. Mallek said that there have been some great panel discussions where she has been asked to talk about Albemarle's role in rural areas protection – some aimed at the Chesapeake Bay, some aimed at the Journey Through Hallowed Ground, how rural agribusiness is such a major player in open space protection and resource protection. She also participated at the biomass conference in Richmond where people are looking at different crops that can be used as energy sources. She will share additional news in the future.

Ms. Mallek said she met Liz Povar, of the Partnership for Economic Development in Richmond, when she was speaking to the LEED Virginia alumnae group at Morven a few weeks ago. She said word is getting out there that the Workforce Group is moving ahead.

Mr. Boyd mentioned that he was recently appointed to the VACo Administrative Committee, as he is very concerned about the future of VRS and he is hoping that might be an issue for the Committee to consider.

Ms. Mallek encouraged Board members to volunteer for a VACo committee, as it is a great way to meet people around the State and become more aware of what other localities are doing.

Krajewski, Jennifer

From: Sprinkel, D. Brent P.E.
Sent: Wednesday, August 11, 2010 4:17 PM
To: Mitchell, Diane L.; Grant, Deborah A.
Cc: Utterback, James S., PMP
Subject: UPC 16160 -- Charlottesville By-Pass
Importance: High
Attachments: FW: FIRE Report – UPC 16160 (Charlottesville By Pass); img-811161403-0001.pdf
Diane and Deborah,

Martha Kapitanov has requested additional information concerning the status of the Charlottesville Bypass – UPC 16160. The project is included on a list of projects to close out (PE Phase).

Please review the below response (bullets) and let me know if you have any concerns with or additions ASAP. Martha has requested that I provide this update no later than August 5th (tomorrow). I have also attached a copy of the previous response to the 2007 FIRE Report on this project which is the latest information I have.

- *Design (PE) was completed to the RW stage for the entire project with the exception of the northern interchange with Route 29 at the South Fork Rivanna River. PE & RW were delayed for the northern interchange due to questions related to the widening of Route 29 north of the SF Rivanna River.*
- *Currently there is no funding to complete the design and right of way. In addition, there remains significant local opposition to the By Pass.*
- *The PE and RW phase of the project are included in the TIP but the CN phase is not included in the TIP.*
- *District Right of Way is currently managing the property previously acquired for the project.*
- *Construction is still unscheduled.*
- *VDOT is currently performing a study of the entire Route 29 Corridor, including the Charlottesville Area, to address concerns related to safety and congestion and the ability of the corridor to serve both local and long-distance trips. It is anticipated that recommendations from the 29 Corridor Study will address the Charlottesville Bypass and other transportation projects in the Charlottesville area.*

Thanks for your assistance.
Brent

D. Brent Sprinkel, PE
Assistant District Administrator
VDOT - Culpeper District
Phone 540-829-7552

Krajewski, Jennifer

From: Mitchell, Diane L.
Sent: Friday, August 13, 2010 5:46 PM
To: Sprinkel, D. Brent P.E.; Grant, Deborah A.
Cc: Utterback, James S., PMP; Lewis, Dane P.
Subject: RE: UPC 16160 – Charlottesville By-Pass

Sorry for my delay in responding; your e-mail just got caught up in the flood of e-mails.

I don't have additions. I believe that when I spoke with Karen about this project indicated that Jim should get with Reta, Mal, and Rick before responding to FHWA.

Thanks.

Diane L. Mitchell

Programming Director
Virginia Department of Transportation
1401 E. Broad Street
Richmond, VA 23219
Phone: (804) 786-2741
Fax: (804) 371-8719
E-mail: Diane.Mitchell@VDOT.Virginia.gov

Krajewski, Jennifer

From: Rasnick, Charles
Sent: Friday, September 03, 2010 9:01 AM
To: Koelemay, John D.; Davies, John J. III, 'Butch' Esq.; mpeake@caskiefrost.com; James Rich; pbs100@earthlink.net; GaryGarczynski(ncld@earthlink.net); spandak@gtpslaw.com
Cc: Fiol, Marsha C.; Cary, Rob, P.E., L.S.; Utterback, James S., PMP; Salehi, Morteza; Inman, Amy (DRPT)
Subject: FYI: Local US 29 news - Albemarle County

Good Morning,

The Route 29 Corridor Plan includes the proposed transportation network and transit improvements as outlined in Albemarle County's proposed Places 29 Plan. The County has been reviewing Places 29 in detail and trying determine priorities for the plan. Below is a link to a news article on their deliberations.

Hope you have a great weekend.

Charlie

Charlottesville Tomorrow article on the Places 29 Transportation Plan :

http://cvilletomorrow.typepad.com/charlottesville_tomorrow_/2010/09/controversial-interchanges-removed-from-places29-master-plan.html

11/10/10
5:47 PM

Charlottesville Bypass-4 xx.txt
From: Giometti, John A. P.E.
Sent: Wednesday, November 10, 2010 5:47 PM
To: Utterback, James S., PMP
Cc: Sprinkel, D. Brent P.E.
Subject: Charlottesville Bypass

FOI
7/15/

DATE RE

Importance: High

Attachments: Charlottesville Bypass - Morteza.ppt; Charlottesville Bypass - Morteza_edit.ppt

Jim,

Talked with Brent and he mentioned that you were looking for info on the C'ville Bypass that was readily available. Attached are 2 powerpoints I worked on for Morteza 3 years ago. They are very similar, but may offer different "flavor". Of course the cost data is old and would need to be updated.

Let me know if you need anything different.

John A. Giometti, PE

District Location & Design Engineer

VDOT Culpeper District

1601 Orange Road

Culpeper, VA 22701

Office 540-829-7546

Cell 540-222-0566

Fax 540-727-3351

1 OF 1

ALBEMARLE CO BIS
MINUTES -

December 1, 2010 (Regular Day Meeting)
(Page 3)

Mr. Dorrier said he believes an advisory council would provide continuity when the plan is being developed. An advisory council would allow the citizens from the area to provide input. It is entirely in keeping with the County's planning documents that they have an advisory council for residential areas and for commercial areas, and this village will include some commercial areas.

He stated that the village is not a reality yet, but during the planning period the advisory council can interface with staff, the Supervisors, and Planning Commissioners and find out what people want out there for their master plan.

Mr. Dorrier said that Ms. Porterfield was present at the meeting and could provide information from the Commission's standpoint.

Ms. Mallek mentioned that the Commission provided information when they voted in favor of this, and the Board discussed the staff implications of this at a previous meeting. She noted that the Crozet Advisory Council has had to take ownership of their own operations and advertising, agenda publication, etc., for FOIA requirements – but the County can certainly encourage people to get together and meet about the Village of Rivanna. She commented that there is not staff support available to support the council.

Mr. Boyd noted that the same thing happened with Pantops and a similar group is forming for Route 29 North, adding that he would support the same level of time from staff. He said that he does not have a problem with establishing the council. He said that the Pantops meeting would likely turn out to be an annual meeting.

Mr. Rooker pointed out that this came before the Board as a formal recommendation, but based upon the staff presentation they decided not to do it – citing lack of sufficient staff time available, and the small size of the area which is mostly built out. He noted that there are some adjacent areas that are already planned and approved, and that already have site plans.

Mr. Rooker said that the commercial area at the bottom is already a part of the approved master plan. He emphasized that the Board makes decision based on detailed information presented by staff, and he is hesitant now to come back and support it without that level of information. He would suggest adding this to an agenda for further discussion with staff input.

Mr. Dorrier pointed out that since that time the Commission has voted on it.

Mr. Boyd agreed, adding that Pantops is in a similar position regarding its zoning and build out. He added that this is a very organized and engaged group, and want to be part of the process.

Board members then agreed to bring this item back as a further agenda item.

Mr. Rooker noted that nothing would be happening in that area for at least 30 days.

Mr. Dorrier suggested that it be scheduled on the agenda for discussion in January.

Mr. Rooker reported that the MPO would be going to Roanoke next week to present to the Commonwealth Transportation Board. Mr. Steve Williams would be the primary speaker for the MPO – focusing on transportation projects, plans for the Route 29 Corridor, Places29, etc.

Mr. Boyd asked if the MPO would be meeting with the Secretary of Transportation.

Mr. Rooker explained that at one time, he was planning to attend a MPO meeting, but then they decided to do the MPOs at the CTB level instead, although the Secretary would be present. He added that there would be a meeting with Lynchburg and Danville officials, but no meeting date has been set yet. Mr. Rooker stated that they decided to create a process around the Route 29 Corridor Study, with a series of local meetings and different participants – with a process set out by the Secretary of Transportation.

Mr. Boyd asked what the MPO's position is on the Western Bypass, noting that it was not a part of Places29 and there may be some interest in reviving it.

Mr. Rooker responded that the MPO's position has consistently been not to support that project. It was put in the Six-Year Plan for preliminary engineering and right of way acquisition only and has been in the status since then. In the intervening years, the last two Secretaries of Transportation – including Whit Clement from Danville – said it would not go forward because it did not make sense, and could not pass any reasonable cost/benefit analysis.

Mr. Rooker said he does not believe it is supported by VDOT staff at this point, and the Route 29 Corridor Study concluded that it does not make sense. The MPO position has been consistent with all of those positions.

Mr. Boyd said that in speaking with various people in VDOT's administration office, they have indicated that they have taken Albemarle's lead on the position because in the past the majority of this Board has been totally opposed to it, and he is not sure that is still the case. He noted that it may have some value as a parallel road or parkway with limited access around Route 29.

Mr. Rooker stated that the estimate is about \$250.0 million.

Mr. Boyd responded that the estimate he saw was \$164.0 million.

Mr. Rooker mentioned that Mr. Butch Davies, when he was on the Commonwealth Transportation Board, actually supported the Bypass at one point, but considered the cost and said that it did not make any sense. He added that Whit Clement came to the same conclusion, and he too had also originally supported the Bypass.

Mr. Rooker pointed out that the northern terminus has never been designed, nor has that property ever been acquired – with one farm in that area offered for sale at \$40.0 million – and there are other points where right of way has not been designed and property has not been considered for acquisition. He added that this Board could bring the issue back up for discussion. He thinks there are at least two people on the Board that support the Bypass, but the Board has a position based upon facts that have been considered by a number of other people.

He said that supporters of the road have consistently come in and ended up deciding it does not make sense. When the 29 Corridor Resolution was considered, one aspect was an Eastern Bypass that would go from at least Culpeper to I-64. Mr. Rooker pointed out that it would bypass the entire congested part of the Route 29 corridor, as there are now 50 plus stoplights between Charlottesville and I-66 along with some new ones being planned.

Mr. Boyd said that he is thinking about alleviating local traffic. Mr. Thomas agreed.

Mr. Rooker stated that hypothetically, if it could be done for \$200.0 million, that is more than what is in the 20-year road plan for all projects combined.

He pointed out that residents of Squirrel Ridge have been sitting for 18-19 years with no price appreciation on their properties because there is a line going through their neighborhoods for a road project that is very unlikely to be built.

Mr. Boyd said that rather than debate it now, he would like to bring it back on an agenda next year for the Board's reconsideration.

Ms. Mallek pointed out that the only funding available for this currently is right-of-way money and the CTB also decided four years ago to remove it from the State list.

Mr. Boyd commented that the CTB has ruined a whole lot of road projects because it has taken the roads off the list if there is no money for them.

Ms. Mallek emphasized that they took it off the list because of use and cost-effectiveness long before the budget disaster hit.

Mr. Boyd reiterated that he would like to see this brought back as an agenda item for discussion. Mr. Thomas concurred.

Mr. Thomas reported that Fire and Rescue Ordinance Committee continues to meet and have another meeting planned for next week.

Mr. Thomas stated that he attended a Commonwealth Council meeting last week, which was an eye-opening experience as to how much the 60 plus population is growing.

Mr. Thomas said that there are a lot of people who are a part of volunteer groups to work with people who want to stay in their homes. He plans to meet with Mr. Gordon Walker, of JABA, about the 2020 Plan to discuss what the County can do to help.

Mr. Thomas also stated that Commonwealth Drive has been white-lined and the traffic seems to have slowed down somewhat.

Mr. Snow reported that there was a meeting last night at the Thomas Jefferson Planning District with the legislators, where they discussed TMDLs. It was pointed out that there has been significant progress in cleaning up the Chesapeake Bay. He said that the five legislators there provided assurance that the mandates would not be handed down without some funding.

Ms. Mallek commented that Mr. Mark Graham, Director of Community Development, did a wonderful job at that meeting, representing the issue of the mandates' affect on local government.

Ms. Mallek encouraged Board members to sign up for a VACo Committee, even if they have served on one previously. It is a wonderful way for people in Albemarle to have a little further reach.



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ASPHALT NEWS

May, 2010

Asphalt 100% Recyclable

Stimulus Projects Being Awarded This Spring and Summer

There are still a significant number of American Resource Recovery Act (ARRA) projects that are being awarded over the next few months. Asphalt paving from these projects, plus other schedule work still to come, will provide some improvement in tonnages over the rest of this year and into next year. Many roads received severe damage over the winter due to all of the snow and there is a lot of work that needs to be done, particularly on the secondary system which has been neglected for years.

State Sells Bonds

The Commonwealth Transportation Board sold \$492.7 million in bonds this month as the first installment from about \$3 billion in transportation bonds authorized by the General Assembly in 2007. The 25 year bonds were rated AA+ and Aa1 by rating agencies.

VDOT Pavement Awards Program Change

Given the dearth of new construction projects due to VDOT's continuing transportation funding shortages, the Department has decided to adjust the criteria for construction category pavement award candidates. VDOT Districts have been advised that they can now include large rehabilitation (3R and 4R) maintenance projects in the construction category. Over the last few years VDOT has only been able to advance 2-3 construction award candidates with the lack of funding for new roads.

Tolls on I-95?

Governor McDonnell has asked the Federal Highway Administration for permission to impose tolls on I-95 between the NC line and Fredericksburg. The plan would set tolls at \$1 to \$2 per axle, if authorized. \$30 - \$60 million per year would be raised with the tolls and would help the more than \$600 million worth of work that needs to be done on the I-95 corridor. The approval process would take at least until 2012 to be completed.

Charlottesville Bypass

State Senator Steve Newman and the Lynchburg Chamber of Commerce are asking the governor and attorney general to break a 20 year impasse on building a US 29 bypass at Charlottesville. Albemarle County has allowed US 29 to continue to run through a heavily commercialized area with 29 traffic lights and a lot of congestion. The Governor's office has agreed to review the matter and consider options to address the problem.

VDOT News

Coburn to Retire

Byron Coburn, Jr., Scheduling and Contract Administrator, will be retiring at the end of this month. Byron has over 40 years of service with the Department. VAA members congratulate Byron on his many years with VDOT and wish him the best in his retirement years.

More VDOT Retirements

A number of other retirements have resulted from the "blueprint" process that VDOT has implemented to reduce costs and staffing levels. Among them are: Glenn McMillan, Fredericksburg Maintenance Engineer; Milton Thacker, Culpeper District Maintenance Engineer; and George Romack, Fredericksburg District Construction Engineer.