

Northern Virginia Transportation Authority

703-642-0700; www.thenovaauthority.org

AGENDA

Thursday, May 13, 2010

7:30 p.m.

at

Fairfax City Hall

10455 Armstrong Street, Rooms 111 A & B
Fairfax, Virginia 22030

1. **Call to Order**.....Chairman Nohe
2. **Roll Call**
3. **Approval of the Minutes of the January 14, 2010, Meeting**
4. **Action Items**
 - A. Approval to Reallocate ARRA Funds for Loudoun and Prince William Counties
 - B. Approval to Reallocate CMAQ Funds for Loudoun County
 - C. Approval to Reallocate CMAQ and RSTP Funds for Fairfax County
 - D. Approval of Six Year Program Testimony
 - E. Approval of Adjustments to the FY 2011 RSTP Program
5. **Discussion Items**
 - A. Update on the 2010 General Assembly Session
 - B. Update on TIP/CLRP, including Financial Analysis Update
6. **Information Items**
 - A. Update on TransAction 2040
 - B. Update on I-95/395 HOT Lanes Project
 - C. Update on I-66 Projects and Studies
 - D. Update on TIGER Grants
 - E. Update on TIP Amendments
 - F. Update on Air Quality and Climate Change
 - G. Update on Virginia Association of Metropolitan Planning Organizations
7. **Other Business**
8. **Adjournment**

NEXT MEETING:

July 8, 2010 – 7:30 p.m.

Fairfax City Hall

10455 Armstrong Street

Fairfax, Virginia 22030

**SUMMARY MINUTES
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

**January 14, 2010
Fairfax City Hall
10455 Armstrong Street, Rooms 111A & B
Fairfax, Virginia 22030**

NVTA Members Present:

Voting Members:

Martin Nohe, Chairman	Prince William County
William Euille, Vice Chairman	City of Alexandria
Board Member Christopher Zimmerman	Arlington County
Chairman Sharon Bulova	Fairfax County
Chairman Scott York	Loudoun County
Councilmember Dan Maller	City of Falls Church
Mayor Hal Parrish	City of Manassas

Non-voting Members:

Morteza Salehi	VDOT
Corey Hill	DRPT
Mayor Stephen DeBenedittis	Town Representative; Herndon

Staff:

Pam Martin	Clerk
Various jurisdictional staffs	

Item I: Call to Order

Chairman Nohe called the meeting to order at 7:43 p.m.

Item II: Roll Call

The roll was called and members present were as noted above.

Item III: Approval of the Minutes of November 12, 2009, Meeting

Chairman Bulova moved approval of the minutes, and Vice Chairman Euille seconded the motion with a correction to move Corey Hill from voting member to non-voting member. The motion carried unanimously with Mayor Parrish and Chairman York abstaining.

Item IV: Public Comment

Mr. Bob Chase spoke about the 2040 Plan. In his presentation, Mr. Chase recommended that the Authority look at several options. He recommended that (1) the plan be regional, not a collection of local plans; (2) VDOT needs to take active role; (3) main focus to TransAction 2040 be improving transportation/mobility; (4) regional transportation needs are not uniform throughout the area; (5) not all measures of effectiveness are equal; (6) greatest weight should be assigned to projects that result in significant congestion and time reductions; (7) high priority should be assigned to improving access to Dulles Airport from the north, south and west; (8) project selection/prioritization should be based on demonstrated demand; and (9) all modes and options are not equal in all cases.

Item V: Action Items

(A) Report of the Nominating Committee: Election of Officers

Chairman Bulova made a motion that the present officers, Martin Nohe as Chairman and William Euille as Vice Chairman, continue for another year. The motion was seconded by Mayor Parrish and was carried unanimously with Chairman Nohe abstaining.

(B) Acceptance of FY 2009 Audit

Michael Garber from PBGH presented the audit report. Mr. Garber indicated that it was an unqualified opinion with most of the transactions occurring during the first part of 2009. There was no discussion. Chairman Bulova made a motion to accept the audit, and Mayor Parrish seconded the motion. The motion was approved unanimously.

(C) Approval of Composition of Planning Coordination Advisory Committee

The recommendation of JACC was that the Authority request each member jurisdiction and each town that maintains its own roads to appoint one member to the Planning Coordination Advisory Committee (PCAC) and direct the JACC and Counsel of Council to prepare an appropriate change to the By-Laws to codify this membership. There were several concerns regarding this recommendation, i.e., creating another body, concern of staffing; a small jurisdiction doesn't have enough staff to cover an additional meeting; and NVTAA has no funds. Several members agreed with the recommendation stating that having the PCAC members appoint is important for the development of the TransAction 2040 Plan, and there will only be a few meetings. Following an explanation by Monica Backmon of Prince William County, the project manager, there will only be a few meetings, volunteers could be solicited. Chairman Bulova made a

motion to approve 5C as stated on pg. 2 of the memorandum and Vice Chairman Euille seconded. The Chairman requested a roll call vote which occurred and the vote was 5 to 2 in favor (In favor: Nohe, Zimmerman, Bulova, Maller, Euille; and Against: York and Parrish).

(D) Approval of Scope of Work for TransAction 2040 Study

Following an explanation by Monica Backmon of Prince William County, the project manager, Chairman York moved and seconded by Board Member Zimmerman and the motion carried unanimously.

(E) Approval of 2010 NVTa Work Program and Meeting Schedule

Mr. Biesiadny discussed the minor corrections in the schedule. He also pointed out that the February of NVTa will be a joint meeting with NVTC in Richmond on February 11th. A motion to approve was made by Chairman York and seconded by Council Member Maller and the motion carried unanimously.

(F) Endorsement of Testimony for CTB Public Hearing

Following a brief explanation by Mr. Biesiadny, Mayor Parrish made a motion to approve, and Chairman York seconded. The motion carried unanimously.

(G) Approval of Amendment to NVTa Bylaws

Following a brief explanation by Mr. Biesiadny, Vice Chairman Euille moved, and Chairman Bulova seconded. The motion carried unanimously. Chairman Bulova moved, and Mayor Parrish seconded a motion to approve Steve Benedittis, Mayor of the Town of Herndon, as the town representative.

(H) Approval to Reallocate RSTP funds for Prince William County

Following an explanation by Ms. Backmon, Mayor Parrish moved, and Chairman York seconded a motion to approve the JACC recommendation. The motion was carried unanimously.

Item VI. Information Items

(A) Update on I-95/395 HOT lanes Project

No comment.

(B) Update on I-66 Projects and Studies

No comment.

(C) Update on TIP/CLRP

No comment.

(D) Update on TIP Amendments

No comment.

(F) Update on Air Quality and climate Change

No comment.

Item VII. Adjournment

The meeting was adjourned at 8:38 p.m.

Next Meeting: February 11, 2010
Joint meeting with NVTCT
General Assembly Building
901 East Broad Street, Conference Room 3W
Richmond, Virginia 23219

4.B.

Jurisdictional and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdictional and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Approval to Reallocate Congestion Mitigation and Air Quality Funds for Loudoun County (Agenda Item 4.B.)

DATE: May 7, 2010

Recommendation:

The Jurisdictional and Agency Coordinating Committee (JACC) recommends that the Authority approve the attached letter to VDOT's Northern Virginia District Administrator Morteza Salehi endorsing Loudoun County's request to reallocate Congestion Mitigation and Air Quality funds.

Background:

Attached is a letter from Terri Laycock, Director, Loudoun County Department of Transportation Services, requesting reallocation of the following CMAQ funds (Attachment I):

- Reallocate \$400,000 in CMAQ grant funding from a Transportation Infrastructure Study (UPC 85372) to a lease for a park-and-ride lot in the Moorfield Station area (UPC 93273). A Park-and-Ride study was completed as part of the recent Countywide Transit Plan project, so the use of these regional funds for this study is no longer needed. Loudoun County proposes to use the funds for the Broadlands South / Moorfield Station area park-and-ride facility in support of the Tysons Express Bus Service.

This request was discussed at the JACC meeting on January 28, 2010, and no objections were raised. Since the Tysons Corner Express Bus Service was not previously approved by NVTA, JACC is not able to move the funds without NVTA approval. After the February 11, 2010, NVTA meeting was cancelled due to snow, the letter was circulated to the NVTA members and no objections were raised. Based on this response, the attached letter was sent to VDOT's Northern Virginia District Administrator Morteza Salehi. NVTA is now being asked to formally ratify this action.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
May 7, 2010
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Loudoun County staff, JACC Members and I will be available at the Authority meeting on May 13, 2010, to answer questions.

Cc: Members, NVTJ Jurisdictional and Agency Coordinating Committee

Northern Virginia Transportation Authority

4031 University Drive, Suite 200
Fairfax, Virginia 22030

February 26, 2010

Mr. Morteza Salehi
District Administrator
Virginia Department of Transportation
14685 Avion Parkway
Chantilly, Virginia 20151-1104

Reference: Request to Reallocate CMAQ Funds for Loudoun County.

Dear Mr. Salehi:

On February 11, 2010, the Northern Virginia Transportation Authority was scheduled to consider the attached request from Loudoun County to reallocate the following Congestion Mitigation and Air Quality (CMAQ) funds:

- Reallocate \$400,000 in CMAQ grant funding from a Transportation Infrastructure Study (UPC 85372) to a lease of a park-and-ride lot in the Moorfield Station area (UPC 93273). A park-and-ride study was completed as part of the recent Countywide Transit Plan project, so these regional funds are no longer needed for this study. Loudoun County proposes to use the funds for the Broadlands South / Moorfield Station area park-and-ride facility that supports the Tysons Express Bus Service.

However, the February 11, 2010, meeting was cancelled, due to the weather. This request was subsequently circulated to the NVTA members on February 13, 2010. No NVTA member has objected to the transfer. This request was previously approved by the NVTA Jurisdiction and Agency Coordinating Committee. NVTA will be asked to formally confirm this request at its May 13, 2010. In the meantime, please take the necessary steps to reallocate these funds in the Transportation Improvement Program and the State Transportation Improvement Program. Thank you very much.

Sincerely,

Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee

Cc: Martin E. Nohe, Chairman, Northern Virginia Transportation Authority
Members, Northern Virginia Transportation Authority
Robert McDonald, Transportation Planning Section, VDOT
Randy Hodgson, Transportation Planning Section, VDOT
Terrie Laycock, Director, Office of Transportation Services
George Phillips, Office of Transportation Services



Loudoun County, Virginia

www.loudoun.gov

Office of Transportation Services

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 737-8624 • Fax (703) 737-8513

December 23, 2009

Mr. Marty Nohe, Chairman
Northern Virginia Transportation Authority
4031 University Drive
Suite 200
Fairfax, Virginia 22030

Reference: Transfer of CMAQ funds
Dear Mr. Nohe:

Loudoun County seeks the Northern Virginia Transportation Authority's (NVTA) approval to move \$400,000 in CMAQ funds from UPC 85372 currently allocated to a Transit Infrastructure Study project to UPC 93273, allocated for lease of park and ride spaces in the Moorfield Station area. A Park-and-Ride study was completed as part of the recent Countywide Transit Plan project, so the use of these regional funds for this study is no longer needed.

Staff is requesting that these funds be used to offset the cost of the lease of park and ride spaces in the Broadlands South / Moorfield Station area in support of the Tyson's Express Bus Service. This will free up some funds allocated from the rail project to increase the number of runs to Tysons and potentially add to the number of stops to meet the needs of the Loudoun riders.

If you have any questions related to this request, please contact Nancy Gourley at (703) 737-8384. Thank you for your assistance.

Sincerely,

/s/

Terrie Laycock
Director, Office of Transportation Services

cc: Farid Bigdeli, Assistant District Engineer, Virginia Department of Transportation
Jim Zeller, Transportation Engineer, Virginia Department of Transportation
John Barr, Transportation Engineer, Virginia Department of Transportation
Nancy Gourley, Transit Division Manager, Office of Transportation Services

4.C.

Jurisdictional and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdictional and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Approval to Reallocate Congestion Mitigation and Air Quality Funds and
Regional Surface Transportation Program Funds for Fairfax County (Agenda Item
4.C.)

DATE: May 7, 2010

Recommendation:

The Jurisdictional and Agency Coordinating Committee (JACC) recommends that the Authority approve the attached letter to VDOT's Northern Virginia District Administrator Morteza Salehi endorsing Fairfax County's requests to reallocate Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funds.

Background:

Attached is a letter from Kathy Ichter, Director, Fairfax County Department of Transportation, requesting reallocation of the CMAQ and RSTP funds listed below. These changes are a combination of project closeouts and adjustments to the County's Secondary Road Program to remove funding from projects that do not have sufficient funding for construction. The Secondary Road Program changes are contingent on Board of Supervisors approval on May 25, 2010. The requested changes are:

- Subject to Board of Supervisors approval on May 25, 2010, transfer all remaining RSTP funding (approximately \$731,000) from the Rolling Road Widening – (UPC #5559), to the Guinea Road culvert project (UPC # T9368) to partially fund construction. The Rolling Road project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road culvert project.
- Subject to Board of Supervisors approval on May 25, 2010, transfer \$1,152,000 in RSTP funding from the Franconia/South Van Dorn Street Interchange (UPC # 53313) to the Guinea Road culvert project (UPC # T9368) to partially fund construction. The Interchange project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road culvert project.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
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- Subject to Board of Supervisors approval on May 25, 2010, transfer all RSTP funding remaining after the previously mentioned transfer from the Franconia/South Van Dorn Street Interchange (UPC # 53313) (approximately \$1,423,000) to the Lee Road culvert project (UPC # 92143) to partially fund construction. The Interchange project lacks sufficient funding for design and construction and these funds can be utilized to complete the Lee Road culvert project.
- Transfer all remaining Congestion Mitigation and Air Quality (CMAQ) funds (approximately \$700,000) on the Reston Town Center Transit Center project (UPC # 60104) to the Vienna Ramp project (UPC # 81009). The transit center project has been completed.

JACC Members and I will be available at the Authority meeting on May 13, 2010, to answer questions.

Cc: Members, NVTa Jurisdictional and Agency Coordinating Committee

Northern Virginia Transportation Authority

4031 University Drive, Suite 200
Fairfax, Virginia 22030

May 26, 2010

Mr. Morteza Salehi
District Administrator
Virginia Department of Transportation
14685 Avion Parkway
Chantilly, Virginia 20151-1104

Reference: Request to Reallocate CMAQ and RSTP Funds for Fairfax County.

Dear Mr. Salehi:

On May 13, 2010, the Northern Virginia Transportation Authority endorsed the attached request from Fairfax County to reallocate the Regional Surface Transportation Program (RSTP) and Congestion Mitigation and Air Quality (CMAQ) funds listed below. The first three items related to projects in Fairfax County's Secondary Road Program were approved by the Board of Supervisors on May 25, 2010.

- Transfer all remaining RSTP funding (approximately \$731,000) from the Rolling Road Widening – (UPC #5559), to the Guinea Road culvert project (UPC # T9368) to partially fund construction. The Rolling Road project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road culvert project.
- Transfer \$1,152,000 in RSTP funding from the Franconia/South Van Dorn Street Interchange (UPC # 53313) to the Guinea Road culvert project (UPC # T9368) to partially fund construction. The Interchange project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road culvert project.
- Transfer all RSTP funding remaining after the previously mentioned transfer from the Franconia/South Van Dorn Street Interchange (UPC # 53313) (approximately \$1,423,000 to the Lee Road culvert project (UPC # 92143) to partially fund construction. The Interchange project lacks sufficient funding for design and construction and these funds can be utilized to complete the Lee Road culvert project.
- Transfer all remaining Congestion Mitigation and Air Quality (CMAQ) funds (approximately \$700,000) on the Reston Town Center Transit Center project (UPC # 60104) to the Vienna Ramp project (UPC # 81009). The transit center project has been completed.

Please take the necessary steps to reallocate these funds in the Transportation Improvement Program and the State Transportation Improvement Program. Thank you very much.

Sincerely,

Martin E. Nohe
Chairman

Mr. Morteza Salehi
May 26, 2010
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Cc: Robert McDonald, Transportation Planning Section, VDOT
Randy Hodgson, Transportation Planning Section, VDOT
Katharine D. Ichter, Director, Fairfax County Department of Transportation
Tom Biesiadny, Fairfax County Department of Transportation
Jay Guy, Fairfax County Department of Transportation



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

May 5, 2010

Mr. Martin Nohe, Chairman
Northern Virginia Transportation Authority
4031 University Drive
Fairfax, Virginia 22030

Reference: Request for NVTa to Reallocate Congestion Mitigation and Air Quality Program and Regional Surface Transportation Program Funds

Dear Chairman Nohe:

Fairfax County seeks the approval of the Northern Virginia Transportation Authority to reallocate previously approved Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funds. The first three items relate to projects in the County's Secondary Road Program. These reallocation requests are contingent on Board of Supervisors' approval on May 25, 2010. The requested adjustments are as follows:

Guinea Road Bridge Improvement

- Subject to Board of Supervisors' approval on May 25, 2010, transfer all remaining RSTP funding, approximately \$731,000, from the Rolling Road Widening – (UPC #5559) to the Guinea Road bridge improvement project – (UPC # T9368) to partially fund construction. The Rolling Road project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road bridge project.
- Subject to Board of Supervisors' approval on May 25, 2010, transfer \$1,152,000 in RSTP funding from the Franconia/South Van Dorn Street Interchange – (UPC # 53313) to the Guinea Road bridge improvement project – (UPC # T9368) to partially fund construction. The Interchange project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road bridge project.

Lee Road Bridge Improvement

- Subject to Board of Supervisors' approval on May 25, 2010, transfer all RSTP funding remaining after the previously mentioned transfer, approximately \$1,423,000, from the Franconia/South Van Dorn Street Interchange – (UPC # 53313) to the Lee Road bridge improvement project – (UPC # 92143) to partially fund construction. The Interchange project lacks sufficient funding for design and construction and these funds can be utilized to complete the Guinea Road bridge project.

Chairman Nohe

May 5, 2010

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I-66/Vienna Metrorail Accessibility Improvements (Vienna Ramp)

- Transfer all remaining Congestion Mitigation and Air Quality (CMAQ) funds, approximately \$700,000, on the Reston Town Center Transit Center project (UPC # 60104) to the Vienna Ramp project (UPC # 81009). The transit center project has been completed.

If you have any questions, please me at (703) 877-5695 or Jay Guy at (703) 877-5659.

Thank you for your assistance.

Sincerely,

Katharine D. Ichter, P.E.
Director

Cc: Tom Biesiadny, Chairman, NVTJ JACC
Morteza Salehi, Administrator, Northern Virginia District, VDOT
Robert McDonald, Chief, Transportation Planning Section, Northern Virginia District, VDOT
Michael A. Estes, PE, Director, Local Assistance Division, VDOT
Diane Mitchell, Administrator, Programming Division, VDOT
Bud Siegel, PE, Arlington/Fairfax Preliminary Engineering Manager, VDOT
Jan Vaughan, Arlington/Fairfax Preliminary Engineering, Northern Virginia District, VDOT
Randy Hodgson, Transportation Planning, Northern Virginia District, VDOT

4.D.

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Endorsement of Testimony for the Commonwealth Transportation Board's
Regarding Changes to the FY 2011 to FY 2016 Six Year Program (Agenda Item
4.D.)

DATE: May 7, 2010

Recommendation:

The Jurisdiction and Agency Coordinating Committee recommends that the Northern Virginia Transportation Authority authorize its Chairman to submit comments at the Commonwealth Transportation Board's FY 2011 to FY 2016 Six Year Program Public Hearing on May 26, 2010, following circulation to the NVTa members for input.

Background:

The Commonwealth Transportation Board (CTB) is expected to release a draft FY 2011 to FY 2016 Six Year Program for public comment on May 20, 2010. The Northern Virginia District public hearing on the Six Year Program is scheduled for May 26, 2010, at 7:00 p.m. at Fairfax City Hall. A briefing for elected officials has been scheduled for 6 p.m. prior to the public hearing.

As a result of the significant decline in state and federal transportation revenues, the CTB approved a mid-year adjustment to the program to cut \$900 million in projects and services from the program. The Jurisdiction and Agency Coordinating Committee does not have any advanced information about the draft program; however, since no new transportation funds have been identified since the revises to the FY 2010 to FY 2015 Six Year Program were adopted in January 2010, JACC members do not expect significant changes to the program. As a result, the JACC asks that NVTa authorize its Chairman to work with the JACC to prepare and finalize testimony on NVTa's behalf following circulation to the NVTa members for input.

Chairman Martin E. Nohe
Members, Northern Virginia Transportation Authority
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A copy of NVTA's December 10, 2009, testimony to the CTB on the FY 2010 to FY 2015 Six Year Program is attached. Some suggested changes are noted, based on the final FY 2010 to FY 2015 Six Year Program that was adopted by the CTB on December 17, 2009.

JACC members and I will be available at the May 13, 2010, NVTA meeting to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee

**Northern Virginia Transportation Authority
Comments on Proposed
FY 2011 to FY 2016 Six Year Program**

May 26, 2010

NVTA's comments on the Proposed FY 2011 to FY 2016 are as follows:

- We appreciate the Kaine and McDonnell Administrations, VDOT and the CTB working with NVTA to allocate the regional American Recovery and Reinvestment Act (ARRA) funding. All of the projects funded with this source have been obligated. Without this federal funding, it would not be possible for these projects to proceed at this time.
- We appreciate that the CTB retained NVTA's historical role in the decision process for regional surface transportation program (RSTP) funds, allowing NVTA to prioritize funding for the critical transportation needs of our region.
- Given the serious transportation problems in our region, we emphasize that construction projects that were previously funded must be implemented as originally scheduled.
- While we understand the difficult position that the CTB is faces due to the lack of revenue, we are deeply concerned about the total elimination of secondary and urban construction funding. Not only will this mean that no new significant capacity improvements (widening and interchanges) will be initiated unless locally funded, but simple, cost effective projects like signalizing new intersections, adding turn lanes and implementing pedestrian improvements will also be eliminated. Effectively secondary and urban road improvements are at a stand still. This is unsustainable for urban areas like Northern Virginia. If not addressed, this situation will seriously impact our economy and also compromise the movement of people and goods to and from Northern Virginia and other parts of the Commonwealth.

It is also worth noting that the term "secondary road" includes such major arteries as Braddock Road in Fairfax County and the Prince William County Parkway. These arteries function like primary roads.

- On the transit side, this is the second year in a row that the CTB has reduced funding in current year contracts. Since local government budgets and tax rates have already been set for FY 2010, reducing the state assistance contracts may result in mid-year service cuts and fare increases. At a time when transit usage has increased, and the region is relying on transit to reduce congestion, making such cuts is counter-productive.

In the future, we urge DRPT and the CTB to use conservative funding estimates or identify a way to cover mid-year shortfalls, so that mid-year reductions will not be necessary.

- With the declining revenues, we are disappointed to see that VDOT is quickly becoming a maintenance-only agency. As a result, the infrastructure necessary to serve our residents and businesses into the future is falling dramatically behind to the detriment of our economy

and our quality of life.

- We look forward to the General Assembly addressing the Commonwealth's dire transportation funding situation soon, hopefully during a Special Session later this year.
- NVTa is hopeful that new revenue sources for transportation will be implemented, consistent with NVTa's Eight Principles for Transportation Funding adopted in April 2008, attached. These principles are still valid, including the need for stable, reliable, on-going regional and statewide transportation funds. As cuts to the Six Year Program illustrate, the Commonwealth cannot afford to wait for Congress to act on a new transportation authorization bill. The current ARRA funds are the only new federal monies, and they are temporary. New State revenues are needed, as soon as possible. Failure to build infrastructure now will only cause the costs to the public to increase much more in the future.
- In addition to addressing the foregoing major issues, NVTa requests that:
 - the CTB treat transit operating expenses like VDOT maintenance expenses and make these expenses a higher priority than new capital projects;
 - funding for VRE's track leases continue to be provided from federal funds;
 - environmental reviews for locally administered projects be simplified and shortened;
 - VDOT, DRPT and the CTB address Northern Virginia's concerns with the I-95/395 High Occupancy Toll project (documented in multiple correspondence from NVTa, the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission and the local jurisdictions) as the project moves forward to a comprehensive agreement and financial close. Position to be updated based on current situation. (JACC members: please provide your input – thanks!)
 - the CTB expedite the transfer of the Columbia Pike right-of-way within Arlington to local control at its earliest possibility, so Arlington and Fairfax Counties can move forward with plans for multi-modal plan improvements and installation of the streetcar system.
 - the CTB consider retaining revenue sharing program, since it is a cost effective way for VDOT and the local jurisdictions to implement projects. Although the current \$15 million revenue sharing program is appreciated, the program could be much more effective in leveraging local funds, if it is restored to its previous level of \$50 million.

THE EIGHT PRINCIPLES

The Northern Virginia Transportation Authority (NVTa) appreciates the significant efforts made by the Governor and the General Assembly in their 2007 provision of a dedicated funding source for Northern Virginia (HB 3202). Unfortunately, on February 29, 2008, the Virginia Supreme Court ruled that the General Assembly did not have a constitutional basis for delegating taxing authority to the NVTa. As a result, Northern Virginia is unable to address its worsening congestion. The implications for the region's and the state's economies is potentially disastrous. In addressing this challenge, the NVTa will use the following principles to guide it in assessing proposed solutions:

1. Transportation is fundamentally a state responsibility; therefore, enactment of new Northern Virginia transportation revenue sources must include a substantial state financial commitment. Any regional/local funding effort should include a broad array of options for choosing among a number of revenue sources;
2. NVTa is comfortable with the seven taxes and fees previously approved for Northern Virginia; however, NVTa is willing to consider alternatives. Any changes in the regional funding packages for Northern Virginia and Hampton Roads should be coordinated with both regions;
3. Northern Virginia's adopted *TransAction 2030* long-range transportation plan requires approximately \$700 million annually in new funding to achieve the 2030 goals. Therefore, exclusive Northern Virginia revenues in the range of \$300 million annually, as well as Northern Virginia's portion of additional statewide revenues, are needed.
4. Any legislation must provide significant increases in transportation funding for all modes from a stable, reliable, and permanent source (s).
5. NVTa appreciates the importance of "buy-in" from all jurisdictions – large and small – to achieve regionally agreed goals. With that in mind, any Northern Virginia transportation revenue package should include both a regional and a local component to allow local jurisdictions to achieve transportation improvements of their choosing (many of which will contribute to overall regional goals).
6. If a statewide package is also enacted, Northern Virginia should receive at least the share that it receives under existing formulas.
7. Continue to match federal interstate and primary road earmarks with state funds, not shift this responsibility to Northern Virginia regional funds.
8. Provide an on-going revenue stream of capital funding for the Washington Metropolitan Area Transit Authority (WMATA) with no sunset, and no federal match requirement. This will provide flexibility beyond matching federal funds, and will ensure that WMATA's on-going capital needs will be funded.

The NVTa stands ready to assist with the development of a meaningful, responsive transportation funding package that will aggressively move the region forward in implementing its transportation plan.

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Endorsement of Revised FY 2011 Regional Surface Transportation Program
Recommendations (Agenda Item 4.E.)

DATE: May 7, 2010

Recommendation:

The Jurisdiction and Agency Coordinating Committee recommends that the Northern Virginia Transportation Authority endorse the revised list of projects for funding through the FY 2011 Regional Surface Transportation Program (RSTP) to reflect reduced FY 2011 federal funding levels.

Background:

On November 12, 2009, the Northern Virginia Transportation Authority (NVTa) approved recommendations for the FY 2011 CMAQ and RSTP programs. These funds were based the initial estimates provided by Virginia Department of Transportation (VDOT) staff. These estimates were:

- **Initial funding projected for FY 2010 NVTa Program:**
 - CMAQ up to \$20.825 million (depending on projects)
 - RSTP \$30.789 million (including state match)
\$51.614 million

Chairman Martin E. Nohe
Members, Northern Virginia Transportation Authority
May 7, 2010
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Subsequently, VDOT received new federal RSTP allocations that were \$673,991 lower than estimated. In the past, NVTA has deferred funding for one project when revenues are less than expected. The project then receives funding off the top of the next year's RSTP program. Prince William County staff has indicated that \$673,991 in funding for the Route 1/Route 123 Interchange (Phase 1) project can be delayed to FY 2012 with no adverse impact on the project. A revised RSTP project list reflecting this recommended change is attached.

Following NVTA's endorsement of an RSTP project list, it will be submitted to the Commonwealth Transportation Board for final approval.

Jurisdiction and Agency Coordinating Committee members and I will be available at the NVTA meeting on May 13, 2010, to answer questions.

Attachment: a/s

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee

	Proposed Amount (\$000)
RSTP – Revised Recommendation – 4/30/10	
Transit Improvements	
Alexandria - Preliminary Engineering of Exclusive Transitway Improvements	\$500
Alexandria - Bike Racks on Buses	\$100
Multimodal Improvements	
Multimodal Enhancements (Dumfries)	\$160
Highway Capacity Improvements	
Vienna Ramp (I-66/Vienna Metrorail Accessibility & Capacity Improvements) See above	\$1,300
Herndon Parkway Intersections (at Van Buren Street, Sterling Road & Spring Street)	\$500
Route 1/Route 123 Interchange Project (Phase 1)	\$526
Route 7 Bypass Climbing Lane	\$5,667
Route 15 (South King Street) Widening	\$1,400
Route 28 Widening (Manassas)	\$240
Route 28 Widening from Vint Hill Road to Fitzwater Drive	\$4,500
Route 29 Spot Improvements (City of Fairfax)	\$550
Route 29/Gallows Intersection Improvements	\$14,372
Intersection Improvements on Manassas Drive @ Euclid Ave	\$300
FY11 Total RSTP (Projected Available - \$30,115,623)	\$30,115

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on the 2010 General Assembly Session (Agenda Item 5.A.)

DATE: May 7, 2010

Attached is the final summary of the 2010 General Assembly session. The following three documents are enclosed:

- An annotated version of NVTa's 2010 Legislative Program showing progress on specific items within the program, and other transportation legislation of regional interest.
- A summary of transportation funding and allocation legislation that was introduced and its status.
- A summary of transportation related budget amendments that were approved by the General Assembly.

The most significant outcome of the 2010 session is that although numerous legislators, particularly those from Northern Virginia, introduced a variety of bills to address the Commonwealth's and the region's transportation funding shortfalls, no significant transportation funding legislation passed.

Governor McDonnell has announced that he will appoint a Commission on Government Reform to review existing regulations, programs and services to determine where savings can be achieved. It is anticipated that the Governor will call a Special Session later this year and ask the General Assembly to consider the Commission's recommendations. It is also anticipated that a portion of the savings achieved by enacting the Commission's recommendations will be allocated to transportation. In addition, the Governor has said that he will call a second Special Session on transportation funding following the Government Reform Special Session, if there is consensus on a solution for transportation funding.

Other significant transportation or transportation related legislation that passes the General Assembly include:

- HB 688 (Miller)/SB 25 (Puller) – increases penalties for counterfeit VRE ticket violations
- HB 690 (Miller) - authorizes fingerprint checks of certain transit applicants and employees to facilitate FBI criminal background checks
- HB 1295 (Rust)/SB 667 (Herring) - provides for the use of a photo-monitoring system to enforce backtracking laws on the Dulles Access Highway.
- HB 1292 (Tata) simplifies the implementation of new photo red programs.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
May 7, 2010
Page Two

- SB 553 (Barker) requires the Secretary of Transportation to make an annual report to the General Assembly on actions taken to promote transit use
- HB 42 (Oder)/SB 201 (Blevins) - requires the Auditor of Public Accounts to perform a performance audit of the Commonwealth's transportation programs
- SB 128 (McDougle)/HB 1300 (Kilgore) - prohibits the Air Pollution Control Board from requiring that electric generating facilities located in a nonattainment area meet NOx and SO2 compliance obligations without the purchase of allowances from in-state or out-of-state facilities.
- HB 214 (Greason)/HB 320 (Plum)/HB 980 (Hugo) extends until July 1, 2011, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants
- SB 552 (Barker) extends the "sunset" on use of HOV lanes by clean special fuel vehicles, regardless of the number of their occupants, until July 1, 2011, if they are not traveling on I-66, I-95, or I-395 (after June 30, 2011).

Significant transportation related budget amendments include:

- Removes new \$30 million competitive transit grant program that would have taken an equal amount of funding from the transit capital program and reduced formula assistance. The proposed grant program could have cost Northern Virginia approximately \$40 million over the biennium.
- Contains budget language to match HB 421 (Hope) that will allow the Commonwealth Transportation Board to allocate up to 20% of transit capital funding to transit operating expenses, if funds available for operating expenses in the next fiscal year are projected to be less than the current fiscal year

Jurisdiction and Agency Coordinating Committee members and I will be available at the Authority meeting on May 13, 2010, to answer questions.

Northern Virginia Transportation Authority
2010 Legislative Program
Approved: November 12, 2009
Updated: May 5, 2010

STATE

TRANSPORTATION FUNDING

The lack of new transportation investment in the Commonwealth has reached a crisis. Over the past two years, the Commonwealth Transportation Board has cut **\$3.7 billion** from the Six Year Program and projections indicate that another cut of at least \$900 million will be necessary to further adjust the Six Year Program to match current revenue estimates. Revenues from ALL major state transportation funding sources continue to deteriorate. In addition, federal transportation funding levels remains uncertain. Secondary and urban system construction funds have essentially been eliminated, and the growth in maintenance spending in being reduced, even though costs are increasing overall. The Commonwealth is risking serious disinvestment in its existing transportation infrastructure that will be more difficult and more expensive to correct in the future. Today, approximately \$1 billion is needed to address existing deficient pavement conditions and approximately \$3.7 billion is needed to fix the Commonwealth's deficient bridges. Very shortly the Commonwealth will be out of options for ensuring the matches are available for the federal transportation funds the Commonwealth receives. Should this happen, Virginia would have to return federal transportation funds, further compounding the crisis. **Major new revenue sources for transportation must be enacted during the 2010 General Assembly session.**

NVTA continues to support additional state and regional transportation funding for highway, transit, bicycle and pedestrian improvements. In 2006, the region's TransAction 2030 Long-Range Transportation Plan estimated that Northern Virginia alone needs \$700 million per year in additional transportation funding to address the region's transportation problems. This figure has only increased since then since much of the major revenue sources included in HB 3202 have been eliminated.

NVTA seeks reinstatement of exclusive Northern Virginia revenues in the range of at least \$300 million annually, as well as Northern Virginia's portion of additional statewide revenues to address transportation needs not originally covered by the HB 3202 funding approved for Northern Virginia. Both the regional and statewide revenues should be provided from stable, reliable, proven and permanent source(s).

NVTA asks the General Assembly to adopt new statewide transportation revenue sources to bolster existing highway and transit revenue sources which are not generating sufficient funding to meet the Commonwealth's critical transportation needs or to meet the Commonwealth's statutory 95 percent share of eligible transit operating and capital costs (net of fares and federal assistance). This additional transit funding alone would require approximately \$166 million annually in new funds for the limited transit projects and eligible operating costs included in CTB's six-year program.

Any funding solutions must ensure that dedicated funding for Washington Metropolitan Area Transit Authority capital improvements and for Virginia Railway Express capital and operating expenses are addressed.

NVTA does not support diverting existing General Fund revenue streams to transportation. These General Funds are used for other important priorities of the Commonwealth; such are K-12 education, higher education and public safety. *(Updates previous position).*

General Assembly Action: *A variety of bills have been introduced. See attached matrix.*

BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS

NVTA supports the inclusion of sufficient funding in the 2010-2011 budget to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations. This is particularly critical, because the BRAC relocations will occur in 2011, and there is significant lead time required to implement needed transportation improvements. *(Updates previous position).*

General Assembly Action: *No specific bills introduced.*

PEDESTRIAN SAFETY

NVTA supports revisions to Virginia's existing pedestrian legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less. Recent events throughout the region have highlighted a growing concern for the safety of pedestrians attempting to cross streets. Many Northern Virginia jurisdictions are exploring a variety of means to effectively provide for pedestrian safety while avoiding both the potential for serious vehicular accidents and the potential for creating a false sense of security for the pedestrians. *(Reaffirms previous position).*

General Assembly Action: *Two bills were introduced: House Transportation Subcommittee #2 recommended passing by indefinitely HB 459 (Herring). SB 228 (Barker) has passed the Senate. It was tabled by House Transportation Subcommittee #2.*

CHAPTER 527 TRAFFIC IMPACT ANALYSES

NVTA supports modifications to Chapter 527 Transportation and Land Use legislation and regulations to adjust timeframes for traffic impact analyses to be more consistent with local government review times and scheduled public hearings. In addition, the Comprehensive Plan amendment/updates section of the regulations should be further developed and improved to meet the needs of the process (especially dealing with multiple amendments at same time), and Low-volume rule traffic impact analysis requirements should be revised to address situations when existing roadway capacity is obviously sufficient to meet demands of a new development even though the development might otherwise cross the threshold for a traffic impact analysis. *(Reaffirms previous position).*

General Assembly Action: *Several bill have been introduced related to 527 Traffic Impact Analyses. HB 808 (Watts)/HB 1098 (Sickles)/SB 550 (Barker) adds the Department of Rail and Public Transportation to the 527 Review. HB 1098 was incorporated into HB 808. The House Transportation, Subcommittee #4 recommended carrying over HB 808 to 2011. SB 222 (Puller) exempts homeowners' associations, neighborhood associations and similar non-profit organizations from VDOT fees and from submitted Traffic Impact Analyses at the comprehensive plan stage. Amendments delete non-profit organizations; passed Senate. It has also passed the House. SB 550 was continued to 2011 by Senate Local Government.*

SECONDARY ROAD DEVOLUTION

NVTA opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance. NVTA also opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties. *(Reaffirms previous position).*

General Assembly Action: *No specific bills introduced.*

Bills Sponsored by Northern Virginia Transportation Agencies

Fraudulent Tickets

- HB 688 (Miller)/SB 25 (Puller) – VRE bill: increases penalties for counterfeit ticket violations; **[A substitute for HB 688 passed the House; passed the Senate. A substitute for SB 25 passed the Senate; passed the House]**.

Assaulting a Transit Operator

- SB 588 (Marsden) – WMATA bill: provides that it is a Class 6 felony to commit an assault or battery upon a mass transit operator defined as a person who operates any train, bus, trolley or van that is designed to carry six or more passengers. [A substitute passed the Senate; House Courts continued to 2011.] The substitute changes the violation to a Class 1 misdemeanor.

Criminal Background Checks

- HB 690 (Miller) – PRTC bill: authorizes certain transportation district commissions and their contractors and public service corporations or contractors that provide public transit services to a locality to require fingerprint checks of certain applicants and employees so that an FBI criminal background check can be conducted [A substitute for HB 690 **passed the House; passed the Senate.**] The substitute limits background checks to individuals who have been offered employment.

Photo Monitoring – Backtracking

- HB 1295 (Rust)/SB 667 (Herring) - MWAA bill: provides for the use of a photo-monitoring system or automatic identification system to enforce backtracking laws on the Dulles Access Highway. [A substitute for **HB 1295 passed the House, passed the Senate; SB 667 was amended and passed the Senate, passed the House**]. The substitutes for HB 1295 and SB 667 clarify that the violation is a civil penalty rather than a criminal penalty.

Tax Information Disclosure to NVTC

- HB 457 (Herring) - NVTC bill: Allows the Tax Commissioner to disclose to the Executive Director of NVTC for his confidential use tax information as is necessary to facilitate the collection of the motor vehicle fuel sales tax. **[Passed the House; Passed the Senate]**

Other Safety Bills

Photo Red

- HB 461 (Herring) provides that the operator of a photo-monitoring system may enter into an agreement with DMV to obtain vehicle information on vehicles that fail to comply with a traffic light. Also, removes requirement that a locality must submit a list of potential intersections to VDOT for final approval; [Left in House Transportation].
- HB 1292 (Tata) provides that a summons executed for violation of a photo-monitoring ordinance shall provide to the person summoned at least 30, rather than 60, business days to inspect information collected in connection with the violation. Deletes a provision prohibiting a private entity, on behalf of a locality, from obtaining records regarding the registered owners of vehicles that fail to comply with traffic light signals and allows a locality to access and use recorded images and associated information if the vehicle involved is owned, leased or rented by the locality, for employee disciplinary purposes. **[Passed the House; passed the Senate]**

Transportation Planning Bills

Northern Virginia Transportation Projects

- HB 779 (LeMunyon) requires VDOT to evaluate and make periodic reports on transportation improvement projects in the Northern Virginia highway construction district [House Trans passed by and referred to the Governor's Government Reform Commission]

Washington Bypass

- HB 277 (Albo) requires the Commonwealth Transportation Board to establish a Washington Bypass transportation corridor. [House Appropriations Transportation Subcommittee failed to recommend reporting (2-5)]

Statewide Transportation Plan

- HB 25 (Herring) requires that the Statewide Transportation Plan include quantifiable measures and achievable goals for greenhouse gas emissions [Left in House Transportation]

Secondary Road Bills

Secondary Road Standards

- HB 222 (Watts) requires the Secretary of Transportation to develop new secondary system design standards to be used in urban areas. [**A substitute passed the House; passed the Senate**] The substitute limits the legislation to Fairfax County.

Secondary Road Acceptance Standards

- HB 95 (Loupassi) provides that if, on March 9, 2009, a subdivision was subject to a specific zoning requirement that prohibited a state-maintained stub road connection, such requirement will not preclude acceptance of such road into the state secondary highway system [Stricken by Patron]
- HB 197 (Ware, R.) provides that the VDOT will allow the acceptance of any street within a network addition that meets the public service requirement of three or more occupied dwelling units. [**Substitute passed the House; passed the Senate**] The substitute changes bonding requirement to one year.
- HB 1369 (Poindexter) requires VDOT to reconsider its Secondary Street Acceptance Requirements effective July 1, 2009, with specific focus on the connectivity index and the means by which an exception can be granted. The reconsideration is also to focus on the unique challenges in rural applications. [Left in House Transportation]

Transit, Rail, and Transportation Demand Management Related Bills

Increase Use of Transit Strategies

- SB 553 (Barker) requires the Secretary of Transportation to make an annual report to the General Assembly on actions taken to promote transit use [**passed the Senate; passed the House.**]

Other Virginia Railway Express Related Bills

- HB 19 (Cole) allows PRTC to set higher fares for passengers from non-VRE jurisdictions; [received no motion in House Trans, Sub #1]
- HB 55 (Cole) caps VRE subsidy levels at the level of each jurisdiction's gas tax collections [received no second in House Trans, Sub #1]

Prince William County Metrorail Improvement District

- HB 1313 (Torian) creates the Prince William County Metro Rail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County. [A substitute was reported by House Transportation. It was continued to 2011 by House Appropriations]

Norfolk/Virginia Beach Light Rail

- HB 564 (Tata) provides that funds for the Norfolk/Virginia Beach light rail project will be expended in accordance with Federal Transit Administration requirements, notwithstanding any contrary provision of law [**Passed the House; passed the Senate**]

High Speed Rail

- HB 1275 (Cosgrove) establishes the Virginia High-Speed Rail Commission to promote and augment the state's competitive stance for matters related to high-speed passenger rail service in Virginia. The Commission is to study, assess, and advise the General Assembly and the Secretary of Transportation on effective and competitive design, planning, financing, construction, and operations involving high-speed rail service. The Commission is, further, to coordinate high-speed rail programs with neighboring states and federal and regional entities. [Passed the House; continued to by Senate Transportation] The amendments delete references to the Virginia-North Carolina High Speed Rail Commission.
- SJ 63 (Miller) creates a 10-member joint subcommittee to study expansion of inter-city high-speed passenger rail service in Virginia and ways to pay for it. [**Substitute passed the Senate; substitute passed the House**] The substitute limits the study to seeking the most efficient and beneficial way to fund high speed and intercity passenger rail operations. The House amendments direct DRPT to conduct the study.

TransDominion Express Commission

- SB 435 (Edwards) establishes the TransDominion Express Commission, to be responsible, within the TransDominion Corridor, for identifying needed construction, reconstruction, improvements of or repairs to railroads and their facilities, and equipment to provide enhanced passenger rail service coordinated with freight rail opportunities within the corridor. [Continued to 2011 by Senate Rules]

Telecommuting and Alternative Work Schedules

- HB 1015 (Hugo) provides that the Secretary of Administration and the Secretary of Technology measure the effectiveness of the comprehensive statewide telecommuting and alternative work schedule policy. [Continued to 2011 by House Science and Technology]
- HB 1023 (Hugo) requires the head of each agency within the legislative branch of state government to adopt a telecommuting and alternative work schedule policy for eligible employees. The policy shall authorize voluntary participation in telecommuting and alternative work schedule programs for up to eight days per month, provided such participation does not diminish employee performance or service delivery. No policy adopted pursuant to this Act shall authorize participation in either program during any session or special session of the General Assembly. [Passed the House; Left in Senate Rules].
- HB 1144 (Scott) increases the target for eligible state employee participation in telecommuting and alternative work schedules to 40 percent in each respective program by January 1, 2012. [Continued to 2011 by House Science and Technology]

HOV and HOT Lane Bills

Hybrids on HOV Lanes

- HB 214 (Greason)/HB 320 (Plum)/HB 980 (Hugo) extends until July 1, 2011, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants. [HB 214 **passed the House; passed the Senate**].
- SB 552 (Barker) extends the "sunset" on use of HOV lanes by clean special fuel vehicles, regardless of the number of their occupants, until July 1, 2011, but only if they are not traveling on I-66, I-95, or I-395. [**A substitute passed the Senate; amended and passed the House**]. The substitute limits new hybrids on I-66 after July 1, 2010; but allows hybrid exemption to continue until June 30, 2011, for all facilities. The House amendments delay the limits on new hybrids on I-66 to July 1, 2011.

Military on HOV Lanes (Hampton Roads)

- HB 759 (Stolle)/HB 788 (Villanueva) allows certain military personnel to use HOV lanes in Hampton Roads regardless of the number of passengers. [**Substitute passed the House; passed the Senate.**] Substitute requires military personnel to be in uniform and is contingent on Federal approval.

HOT Lanes

- HB 948 (Englin) requires VDOT to conduct a NEPA study prior to any HOT lane construction on any portion of I-95 or I-395. [House Transportation Sub #3 recommends passing by indefinitely]
- HB 968 (Englin) provides that HOT lane violations are traffic infractions. Penalties for violations are no longer civil penalties and are not payable to the HOT lane operator. [Tabled by House Transportation]
- HB 969 (Englin) requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. [Tabled by House Transportation]
- HB 1223 (Ebbin) requires that, in designating HOT lanes, lane shoulder widths are sufficient for safe operation of transit vehicles and levels of performance of existing HOV facilities do not deteriorate. The bill further mandates that local governments' concerns with congestion at points of access and egress and on parallel local streets are openly and meaningfully addressed. [Tabled by House Transportation]
- SB 365 (Barker) requires that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility. [Senate Transportation passed by indefinitely]

Audit Related Bills

Transportation Program Audits

- HB 42 (Oder)/SB 201 (Blevins) requires the Auditor of Public Accounts to perform a performance audit of the Commonwealth's transportation programs [A substitute passed the Senate; amended and passed the House] the substitute modifies the requirements for the study and removes the limit of \$4 million of the study. The House substitute directs the Joint Legislative Audit Review Committee to lead the study and hire a consultant. **Both have passed the House and passed the Senate.**
- SB 351 (Obenshain) requires the Secretary of Transportation to arrange for a performance audit of the Commonwealth's transportation programs [Passed by indefinitely by Senate Rules]

State Asset Maximization Commission

- HB 1021 (Hugo) creates the State Asset Maximization Commission and sets its membership and duties. The Commission is to review transportation assets. [Left in House Rules]

Other Miscellaneous Transportation Bills

Air Quality

- SB 128 (McDougle)/HB 1300 (Kilgore) retains the authority of the Air Pollution Control Board to provide for participation in the EPA-administered cap and trade system for NOx and SO2 to the fullest extent permitted by federal law, but prohibits the Board from requiring that electric generating facilities located in a nonattainment area meet NOx and SO2 compliance obligations without the purchase of allowances from in-state or out-of-state facilities. [Both HB 1300 and SB 128 have been amended to remove current non-attainment areas; **both passed the Senate; passed the House. The Governor amended to remove the protection for current non-attainment areas. This amendment was accepted by the General Assembly yesterday.**]

Clean Fuel Plates – Local Governments

- SB 404 (Petersen) removes requirement that the Commissioner provide written regulations before the Department of Motor Vehicles may issue government-use license plates for clean special fuel vehicles [**Passed the Senate; passed the House**]

Composition of Commonwealth Transportation Board

- HB 818 (Surovell) changes the composition of the CTB: one will be appointed from each of Virginia's 11 Congressional Districts (as they were on January 1, 2010, four more will be at-large appointees: one representing seaports, one representing aviation, one representing railroads, and one representing mass transit; the three ex-officio members remain unchanged. [Left in House Transportation]
- HB 1131 (Kearney) adds one member from the Northern Virginia highway construction district to the CTB. The bill also provides for allocation of highway construction funds within primary, urban, and secondary systems by the CTB on the basis of (i) population, (ii) traffic congestion, (iii) ambient air quality, (iv) functional classifications of highways, and (v) other important objectives as determined by the CTB, with each such factor being given equal weight. [Left in House Transportation]

Rest Area Closure

- HB 584 (Landes) requires VDOT to reopen closed highway rest areas and residency offices and prohibits closure of highway welcome centers [Left in House Transportation]
- HB 1081 (Crockett-Stark) requires VDOT to reopen closed highway rest stops and prohibits closure of highway welcome centers. [Left in House Transportation]
- HJ 126 (Nutter)/SJ 99 (Herring) direct the Joint Legislative Audit and Review Commission to study the privatization of all or portions of the Commonwealth's rest areas [**Substitute for HJ 126 passed the House; passed the Senate. A substitute for SJ 99 passed the Senate; passed the House**]. The substitutes direct the Virginia Transportation Research Council to be the study, rather than the Joint Legislative Accounting and Review Committee.

PPTA Related Bills

- HB 480 (Carrico) requires the CTB to conduct third party audits of agreements executed under the Public-Private Transportation Act. The audits will consist of a review of the bidding process and certain other summary information regarding each project. The bill requires responsible public entities proceeding under the Act to advertise in the area where the project will be located to encourage participation by local small contractors. In addition,

the bill (i) provides that contracts must be rebid if a change order exceeds 25% or \$1.0 million over the original contract amount, (ii) limits agreements under the act from extending more than two years past the original completing date without being rebid, and (iii) requires all agreements to include standard small, women-owned and minority-owned participation components of 30 percent as of July 1, 2010. [Tabled by House Transportation]

- HB 567 (Iaquinto) raises the competitive bidding/competitive negotiation dollar threshold from \$30,000 to \$50,000 for state-aid construction projects. [**Passed House; Passed the Senate**]
- HB 969 (Englin) requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. [Tabled by House Transportation]
- SB 101 (Stosch) provides that the Division of Legislative Services shall provide legal and research services to the Public-Private Partnership Advisory Commission with technical assistance being provided by the staffs of the House Committee on Appropriations, the Senate Finance Committee, and the Auditor of Public Accounts. The bill also clarifies that responsible public entities required to submit copies of detailed proposals under the Public-Private Education Facilities and Infrastructure Act must submit the copies to the clerk of the Commission [**Passed the Senate; passed the House**]
- SB 181 (Stosch) authorizes state agencies and state authorities, upon the approval of the Governor, to enter into agreements with private entities under the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002 for the development of a project by the private entity, which agreements provide for the private entity to be paid grants from a portion of the growth in state taxes and fees attributable to the development of the project. [Substitute recommitted to Senate Finance and failed to report (7-7)].
- HB 1395 (Massie) authorizes state agencies/authorities to enter into agreements with private entities under the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002 for the development of a project by the private entity, which agreements provide for the private entity to be paid grants from a portion (50%) of the growth in state taxes attributable to the development of the project. The bill also would allow local governments, agencies, and authorities to join in the agreement entered into between the private entity and the state agency/authority. [Left in House General Laws].

Hampton Road Bridge Tunnel

- HB 402 (Oder) directs the Virginia Department of Transportation to accept unsolicited proposals to add capacity to the Hampton Roads Bridge-Tunnel. [**Substitute passed the House; passed the Senate**]

Chief Executive Officer for Transportation

- SB 103 (McDougle) abolishes the office of Commonwealth Transportation Commissioner and replaces that position with a Chief Executive Officer for Transportation who takes over the powers, duties, and responsibilities of the Commonwealth Transportation Commissioner, the Director of the Department of Aviation, and the Director of DRPT. The Virginia Board of Aviation and the Rail Advisory Board are also abolished, and their functions transferred to the CTB. The composition of the CTB is changed to remove the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of DRPT, and to provide for election of the at-large members of the Board by the General Assembly. [Carried over by Senate Transportation]

Studies

- HJ 61 (Plum) – Virginia's Transportation Needs – [Tabled]
- HJ 68 (Rust) – Tolling [Failed]
- HJ 81 (Oder) – Hampton Roads Bridge Tunnel [Passed House; Passed by indefinitely by Senate Rules]
- HJ 96 (May) – Commission on Virginia's Transportation Needs [Tabled by House Rules]
- HJ 119 (Surovell) – U. S. Route 1 Corridor [Tabled]
- HJ 134 (Jones) – Hampton Roads Transportation Network [**Passed House; Passed the Senate**]
- HJ 151 (Miller) – Norfolk Light Rail [Left in House Rules]
- SJ 94 (Miller) – Replacement of the gas tax [Passed the Senate; Left in House Rules]
- SJ 98 (Barker) – Regional Rapid Transit Network – continuation of SJ122 Study [Passed Senate; failed on the House floor]

Transportation Budget Amendments Approved by the Conference Committee on HB 30
March 14, 2010

- Removes new \$30 million competitive transit grant program that would have taken an equal amount of funding from the transit capital program and reduced formula assistance. The proposed grant program could have cost Northern Virginia approximately \$40 million over the biennium.
- Contains budget language to match HB 421 (Hope) that will allow the Commonwealth Transportation Board to allocate up to 20% of transit capital funding to transit operating expenses, if funds available for operating expenses in the next fiscal year are projected to be less than the current fiscal year.
- Waives the requirement for a private match for Rail Enhancement funds for passenger rail service from Richmond to Norfolk and authorizes the use of Rail Enhancement funds to pay the operating costs for existing Washington to Lynchburg Amtrak service following the three year demonstration (rather than using transit funds).
- Includes language directing the Secretary of Transportation to consider downsizing or eliminating the Virginia Transportation Research Council.
- Redirects the source of \$15 million in each year of the biennium for the local revenue sharing program from the HB 3202 Transportation Capital Project Revenue Bonds to the Commonwealth Transportation Fund.
- Directs the Secretaries of Transportation and Administration, along with impacted agency heads, to conduct an assessment of unused VDOT facilities to determine which could be sold or leased.
- Requires the Secretary of Transportation to review VDOT's vegetation management policies and identify cost savings associated with limiting mowing and vegetation removal to actively used pavements or shoulders consistent with traffic safety and convenience.
- Continues language ensuring that sound walls will be built in conjunction with the Dulles rail project along the Dulles Access/Toll Road Connector.
- Requires VDOT and the Department of Historic Resources to ensure that proposed road improvements along Georgetown Pike, including the intersection with Route 7 respect the historic nature of Georgetown Pike.

2010 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Position	Notes
Transportation Funding Bills						
HOUSE						
HB 756	Stolle	Offshore drilling; royalties to be deposited in Transportation Trust Fund	Senate Floor	Passed House; Passed Senate (20-19)		Governor's Bill. Substitute requires that 70% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund; 20% to Virginia Coastal Energy Research Consortium; 10% to affected localities for infrastructure and transportation
HB 1329	Lingamfelter	Motor fuels sales tax; defines gross sales and sales price for purposes of tax in Northern Virginia	S Floor	Passed House (99-0); Passed Senate		Defines "gross sales" and "sales price" for purposes of the state motor fuels sales tax in Northern Virginia. "Gross sales" means the same as its definition in provisions of the Retail Sales and Use Tax and would exclude separately stated federal diesel excise taxes. "Sales price" means the same as its definition in provisions of the Retail Sales and Use Tax but would include all transportation and delivery charges, even if separately stated.
SENATE						
Transportation Allocation Formula Bills						
HOUSE						
HB 421	Hope	Transportation Board; allocating funds for transit projects	S Floor	Passed House (94-3); Passed Senate (40-0)		NVTC Bill. Substitute allows the Commonwealth Transportation Board (CTB) to allocate up to 20% of transit capital funds to operating in any year in which transit operating funds are projected to be less than the current year.
SENATE						
Protecting the Transportation Trust Fund						
House						
Senate						
Other Transportation Bills						
House						
Senate						
House						
Senate						
Legislation No Longer Under Consideration						
Transportation Funding Bills						
HOUSE						
HB 37	Marshall, R.	Overload and overweight permits; fees established by Commissioner	H Trans	Passed by with a letter to JCTA		Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council
HB 230	Watts	Motor fuels tax rate increase; allocation of construction funds for primary highway system	H Finance	Left in H Finance		Increases motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax will be indexed every 2 years beginning July 1, 2011, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. Revenue generated is used for transportation purposes as required by existing law, and allocates primary system highway construction funds among the 9 highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90%, and a need factor, weighted 10%.
HB 269	Englin	Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.	H Finance, Sub. #1	Left in H Finance		NVTC Bill. Increases the rate of the state sales tax on motor fuels in Northern Virginia from 2.1 percent to 4.2 percent.

2010 General Assembly Session Transportation Funding/Allocation Bills

HB 342	Marshall, R.	Alcoholic beverage control; privatization of ABC stores	H Gen Laws	Left in H Gen Laws	Provides for the issuance of a "package store" license to authorize the retail sale of alcoholic beverages for off-premises consumption. Bill also requires the ABC Board to sell at auction all real estate used as ABC stores, and to terminate leased property upon which the ABC Board has operated a government store. Bill requires the ABC Board to complete an implementation study by December 31, 2010, on how it will privatize government stores. Bill has a delayed effective date of January 1, 2011, to achieve full retail privatization of government stores. Bill provides that any monetary savings realized by the ABC Board from the implementation of the bill shall be applied to the Transportation Trust Fund.
HB 344	Marshall, R.	Efficiency in Government Advisory Councils; established	H Rules; Sub #3	Left in H Rules	Establishes an Efficiency in Government Advisory Council for each secretariat of state government to review the operations of the agencies within the assigned secretariat for the purposes of identifying efficiencies and determining specific operational areas where savings may be realized. All recommendations that result in identifiable monetary savings among agencies within the assigned secretariat shall be presented in the form of a bill or budget amendment. Savings resulting from implementation of the recommendations will go to the Transportation Efficiency Fund to be used to (i) supplement transportation projects that are aimed at reducing congestion, increasing the efficiency of mass transit, or reducing harmful emissions associated with vehicle traffic, and (ii) facilitate economic development associated with transportation projects.
HB 404	Oder	Transportation funding and administration; provides funding in certain localities	H Trans	Substitute passed by and referred to Governor's Gov't Reform Commission by H Approp.	Provides for transportation funding and administration in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District, and the Salem Highway Construction District. The amount of funding is based on: (i) for No. Va., a portion of the growth in certain state tax revenues in No. Va.; (ii) for Hampton Roads, a portion of the growth in certain state tax revenues generated or facilitated by the marine terminals in Hampton Roads; (iii) for the Richmond Highway Construction District, a portion of the growth in certain state tax revenues generated or facilitated by the Port of Richmond; (iv) for the Staunton Highway Construction District, a portion of the growth in certain state tax revenues generated or facilitated by the Inland Port at Front Royal; and (v) for the Salem Highway Construction District, a portion of the growth in certain state tax revenues expected to be generate or facilitated by the Elliston Intermodal Facility. Substitute changes projects in the Salem District and removes language requiring VDOT to develop requests for PPTA proposals for projects in Hampton Roads
HB 540	Marshall, D.	Salem Highway Construction District; transportation funding	H Trans	Left in H Approp.	Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County. Substitute allocates 25% of the growth in tax revenue from Inland Port to the Bristol Highway Construction District.
HB 665	May	Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund	S Finance	Passed House (65-35); Carried over to 2011.	Governor's Bill. Requires Governor, in submitting his biennial budget bill, to provide for additional appropriations to the Transportation Trust Fund from general fund revenues in cases in which general fund revenues for a fiscal year are projected to grow by at least 3%. Any such additional appropriation to the TTF recommended by the Governor would be required to be in an amount not less than 1% of the projected growth in general fund revenues for the fiscal year
HB 666	May	Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects	H Trans	Passed by with the letter to the Joint Comm on Trans Account.	Governor's Bill. Provides that at least 50% of the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds would be used for new road or highway construction projects. The bill defines a new road or highway construction project as the construction of, enhancement of, or addition to a road or highway (or a portion or segment of a road or highway), which construction, enhancement, or addition did not commence prior to January 1, 2010. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds were authorized for issuance in 2007 pursuant to HB 3202 (2007)
HB 782	LeMunyon	Surplus real property; DGS to inventory all real property owned and update at least annually	H Gen Laws; FOIA Sub	Continued to 2011 by H Approp.	Provides for the Department of General Services to inventory all real property owned by the Commonwealth by October 30, 2010, and update the inventory at least annually thereafter. The bill also provides for the Department to submit an annual report to the Governor and the General Assembly containing the full inventory of real property owned by the Commonwealth and recommendations regarding property that may be disposed of as surplus property. The bill also changes the portion of the proceeds from sales or leases of, or from the conveyance of any interest in, surplus property by the Commonwealth from the Conservation Resources Fund to the Transportation Trust Fund.
HB 805	Poindexter	Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund	H Appr. Trans. Sub	Incorporated into HB 756	Requires that 80% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. The remaining 20% shall be used to encourage and incentivize non-petroleum based transportation fuels.
HB 900	Comstock	Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund	H Appr. Trans. Sub	Incorporated into HB 756	Apportions 80% of any royalties that the Commonwealth might receive from offshore drilling for natural gas and oil to the Transportation Trust Fund, and 20% to programs developed by the Secretary of Natural Resources to clean up the Chesapeake Bay
HB 970	Rust	Transportation Trust Fund; designation of annual surplus	Senate Finance	Passed House; Left in S Finance	Governor's Bill. Increases from 2/3 to 75% the amount of the general fund surplus designated to the Transportation Trust Fund within the Comptroller's annual report following the close of each fiscal year. The governor would include in his budget bill an amount for deposit into the TTF equivalent to the amount designated by the Comptroller
HB 971	Rust	Northern Virginia Transportation Authority Sales and Use Tax Fund; established	H Finance; Sub #1	Continued to 2011.	Potential Northern Virginia Vehicle. Provides additional funding for transportation by (i) imposing a transportation infrastructure users fee of 1% on motor fuels to be used for highway maintenance in the highway construction district in which the fuel is sold; (ii) increasing the state sales tax in No. Va. by 0.5 % for transportation projects in No. Va.; and (iii) imposing a regional congestion relief fee in No. Va. at a rate of \$0.40 per \$100. Neither the fees nor the tax increase shall become effective until the unemployment rate in the Commonwealth is equal to or lower than it was in January 2008 for six consecutive months. Substitute (yet to be introduced) will require No. Va. local government to impose a commercial and industrial property tax of \$0.125 per \$100 valuation to benefit from the sales tax and congestion relief fee.
HB 1059	Marshall, R.	Transportation Capital Projects Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended tabling	Authorizes the CTB to issue bonds in an aggregate amount not to exceed \$3,963,000,000 for specific transportation projects throughout the Commonwealth. The bonds will be paid for by the revenues collected for each project through tolls and other fares or fees
HB 1061	Marshall, R.	Transportation Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended tabling	Authorizes issuance of general obligation bonds in an amount not to exceed \$3,963,000,00 to finance capital transportation projects
HB 1153	Scott, J.	Motor fuels tax	H Finance; Sub #2	Left in H Finance	Converts the rates of taxation on motor fuels from cents per gallon to percentage rates. Percentage rates shall be calculated by the Commissioner of the DMV in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the DMV over rolling six-month periods, to determine the cents to be charged.

2010 General Assembly Session Transportation Funding/Allocation Bills

HB 1323	May	Tolls; provided at Monitor Merrimac Memorial Bridge-Tunnel & Hampton Roads Bridge-Tunnel	H Trans	Continued to 2011		Provides for tolls at the Monitor Merrimac Memorial Bridge-Tunnel and the Hampton Roads Bridge-Tunnel.
SENATE						
SB 76	Reynolds	Salem Highway Construction District; transportation funding	S Finance	Left in S Finance		Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County.
SB 114	Petersen	Motor fuels taxes; rate increase or decrease each year using fuel efficiency index	S Finance	Continued to 2011		Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the FHWA. Establishes 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes.
SB 115	Petersen	Surcharge on fuels sales; locality to impose a one percent surcharge	S Finance	Continued to 2011		Authorizes each city and county to impose a 1% surcharge on the retail price of motor fuels sold at retail in the city or county. The Tax Commissioner would collect the surcharge in the same manner that he collects the retail sales and use tax. Revenues from the surcharge would be used solely for funding of roads or highways in the urban or the secondary system of state highways
SB 132	Obenshain	Retail Sales and Use Tax; increases distribution to Transportation Trust Fund	S Local Govt	Left in S Finance		Increases the distribution to the Transportation Trust Fund from the sales and use tax revenue generated by a 1/2% sales and use tax to the sales and use tax revenue generated by a 1% sales and use tax upon the Comptroller determining in any fiscal year that (i) the growth in general fund revenues for the most recently completed fiscal year was at least 3%, and (ii) the actual dollar increase in general fund revenues for the most recently completed fiscal year was at least equal to the sales and use tax revenue generated by a 1/2% sales and use tax.
SB 164	Edwards	Transportation; source of revenue by increase of motor vehicle sales and use tax	S Finance	Left in S Finance		Creates additional sources of revenue for transportation by increasing the motor vehicle sales and use tax by 1/2% and the motor vehicle rental tax by 1%, and by imposing a five percent tax on the wholesale price of gasoline. The new revenue sources will be directed to the Rail Enhancement Fund, the Transportation Trust Fund, the Highway Maintenance and Operating Fund for transportation projects and needs of the Commonwealth, and certain priority transportation projects, as designated by the Commonwealth Transportation Board, in No. Va. and Hampton Roads. The bill would also eliminate the 1/2% sales tax on food currently going to the Transportation Trust Fund, and would raise the allowed credit for low-income taxpayers
SB 223	Barker	Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates	S Finance	Left in S Finance		Replaces current fuels tax on gasoline, gasohol, and diesel fuel with a tax that is a percentage of the wholesale price of a gallon of self-serve unleaded regular gasoline. Percentage shall be established by the Commissioner by determining the percentage that would most closely yield 17.5 cents per gallon, based on the average wholesale price of a gallon of self-serve unleaded regular gasoline for the period beginning October 1, 2009, and ending March 31, 2010.
SB 343	Hanger	Fuels taxes; annually adjusted	House Finance, Sub. #2	Passed Senate (31-9); H Fin continued to 2011.		Adjusts fuels taxes each year on April 1 by the percentage increase in the Corporate Average Fuel Economy (sales volume weighted), Total Fleet (the CAFE) for the immediately preceding calendar year over the CAFE for calendar year 2009. The first adjustment would occur on April 1, 2011. Could eventually generate \$200+ million annually.
SB 418	Vogel	Infrastructure in Urban Development Areas Loan Fund; created	S Local Govt	Continued to 2011.		Creates the Virginia Infrastructure in Urban Development Areas Loan Fund. Fund would be administered by the Virginia Resources Authority. Money in the Fund would be used exclusively for the financing of road, small water facility, and wastewater treatment facility projects located or to be located within an urban development area and undertaken by a local government. Priority for loans would be given to projects that will serve two or more local governments to encourage regional cooperation
SB 513	Norment	Racing Commission; allocations from simulcast horse racing	House General Laws; ABC/Gaming Sub.	Passed Senate (25-14); Left in H Gen Laws		Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with fifty percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining fifty percent distributed to other entities. In addition, the bill (i) requires the existing race track to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) requires the promulgation of emergency regulations. Could generate \$33 million for transportation annually.
SB 541	Newman	Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects	S Finance	Left in S Finance		Governor's Bill. Provides that at least 50% of the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds would be used for new road or highway construction projects. Bill defines a new road or highway construction project as the construction of, enhancement of, or addition to a road or highway (or a portion or segment of a road or highway), which construction, enhancement, or addition did not commence prior to January 1, 2010. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds were authorized for issuance in 2007 pursuant to HB 3202 (2007)
SB 600	Wagner	Transportation Trust Fund; increases amount of general fund surplus.	S Finance	Failed to Report		Governor's Bill. Increases from 2/3 to 75% the amount of the general fund surplus designated to the Transportation Trust Fund within the Comptroller's annual report following the close of each fiscal year. Governor would include in his budget bill an amount for deposit into the Transportation Trust Fund equivalent to the amount designated by the Comptroller
SB 601	Wagner	Offshore drilling; royalties to be deposited in Transportation Trust Fund.	S Finance	Continued to 2011.		Governor's Bill. Requires that at least 80% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. Substitute allocates 70% of any revenues to the state General Fund, 10% to localities for infrastructure and transportation; and 20% to Virginia Coastal Energy Research Consortium.

2010 General Assembly Session Transportation Funding/Allocation Bills

SB 684	Miller, J.	Transportation funding.	S Finance	Left in S Finance		(i) decreases fuels tax from \$0.175 to \$0.05/gallon & establish a 5% tax on fuel based on state average ws price of gas; (ii) subject to the additional revenues generated in (i), increases fuels tax by \$0.10/gallon in increments of \$0.02/gallon per yr for 5 yrs starting in 2011; (iii) starting in 2011 increases vehicle sales/use tax by 1/2% each yr for 4 yrs; (iv) provide that of the retail sales/use tax revenues generated by the 4% tax on auto parts/accessories, an amount equivalent to the revenues generated by a 3% retail sales/use tax on such parts/accessories would be sent to the HMOF; (v) subject to federal approval, authorize CTB to impose a \$1 per axle toll on vehicles entering VA from NC on I-85 & I-95; (vi) dedicate for hwy maintenance 10% of future growth in certain state taxes attributable to economic activity generated/facilitated by cargo marine terminals & inland ports; and (vii) dedicate for trans purposes royalties paid to the Commonwealth from offshore drilling. Amounts generated would be deposited into the HMOF, except revenues from tolls on vehicles entering VA from NC & revenues from royalties as a result of offshore drilling, which would be deposited into the TTF.
SB 694	McWaters	Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund	S Finance	Failed to Report (6-9)		Authorizes the Governor, in submitting his biennial budget bill, to provide for additional appropriations to the Transportation Trust Fund from general fund revenues in cases in which general fund revenues for a fiscal year are projected to grow by at least 3%. Any such additional appropriation to the Transportation Trust Fund recommended by the Governor would be required to be in an amount not less than 1% of the projected growth in general fund revenues for the fiscal year.
Transportation Allocation Formula Bills						
HOUSE						
HB 224	Watts	Highways; payments to cities and towns for maintenance	H Trans	Tabled by H Trans Sub #4		Equalizes municipal street payments to comparable amounts paid for state maintenance
HB 276	Albo	Highway maintenance funds; requires CTB to allocate funds on basis of achieving level of disparity	S Trans	Passed House (59-37); Continued to 2011 by Senate Transportation		Requires the CTB, when allocating funds for highway maintenance, to do so on the basis of achieving a minimal level of disparity among highway construction districts in meeting asset performance standards in § 33.1-13.02. Substitute directs the CTB to prepare a comparison of proposed funding allocations with funding allocations that would be based entire on asset performance standards.
HB 1047	Kory	Mass Transit Fund; increases percentage of Transportation Trust Fund revenues in.	H Appr. Trans. Sub	Left in H Approps.		Increases the percentage of Transportation Trust Fund revenues flowing into the Commonwealth Mass Transit Fund from 14.7 to 19 %
HB 1103	Sickles	Primary system highway construction funds; allocation.	H Trans Sub # 4	Passed by with a letter to JCTA.		Allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90%, and a need factor, weighted 10%.
HB 1124	Keam	Street maintenance payments; provides for increased payments where traffic volumes exceed average	H Trans	Tabled by H Trans		Provides for increased payments where traffic volumes exceed the statewide average by more than 20%.
HB 1131	Keam	Transportation Board; formulas for allocating funds	H Trans	Left in H Trans		Adds one member from the Northern Virginia highway construction district to the CTB. Bill also provides for allocation of highway construction funds within primary, urban, and secondary systems by the CTB on the basis of (i) population, (ii) traffic congestion, (iii) ambient air quality, (iv) functional classifications of highways, and (v) other important objectives as determined by the CTB, with each such factor being given equal weight.
SENATE						
Transportation Trust Fund Bills						
HJR						
HJ 5	Oder	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with interest by the end of the 4th fiscal year following the date of the borrowing.
HJ 67	Marshall, R.	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits use of moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan or reduction must be repaid with interest within 4 years.

2010 General Assembly Session Transportation Funding/Allocation Bills

HJ 69	Watts	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with interest within 4 years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
HJ 86	Marshall, D.	Constitutional amendment; Transportation Trust Fund	H Priv. & Elections	Left in H Priv. & Elections		Provides that the Transportation Trust Fund established in 1986 will be a permanent fund & receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. Amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements; public transportation; railways; seaports; and airports. The General Assembly may use fund proceeds for other purposes only by a 2/3 vote of the members in each house and, fund proceeds thus approved for other purposes must be repaid to the Fund within 3 years
SJR						
SJ 100	Newman	Constitutional amendment; Transportation Funds	H Priv. & Elections	Continued to 2011 by H Priv. & Elections		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. Amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3s + 1 of the members voting in each house, and the loan must be repaid with reasonable interest within 4 years.
SJ 137	Norment	Constitutional amendment; Transportation Funds	H Priv. & Elections	Continued to 2011 by H Priv & Elections		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment requires Funds be appropriated only for transportation systems and projects. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan or reduction must be repaid with interest within 3 years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for certain debt service payments.
Other Transportation Bills						
House						
Senate						

5.B.

Jurisdiction and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on Constrained Long Range Plan (CLRP) and Transportation Improvement Program (TIP) Development, include Financial Analysis (Agenda Item 5.B.)

DATE: DRAFT: May 5, 2010

The Transportation Planning Board (TPB) has begun the annual process of updating the TIP and CLRP. In addition, as part of this year's update, the TPB is updating the financial plan element of the CLRP. The financial plan element of the CLRP documents the total revenues and expenditure for all projects and programs included in the TIP and CLRP. The revenues are an estimate of the amount of transportation funds that are reasonably expected to be available to during the CLRP period (2010 to 2040). The expenditures reflect not just the latest scopes for the projects and programs, but more importantly are constrained by the estimated amount of revenues available. Federal regulations require the MPOs to undertake such an analysis once every four years.

Staff from TPB, and state, regional and local transportation and transit agencies has completed the Northern Virginia financial analyses for the 2010 CLRP and FY 2011-2016 TIP. A draft of both the financial plan and the list of projects/programs for inclusion in the 2010 CLRP and FY 2011-2016 TIP were submitted to the TPB on April 2, 2010. The proposed list of projects/programs was released for public comment, by the TPB, on April 15, 2010 with the comment period ending on May 16, 2010. TPB will be asked to approve the list of projects/programs for inclusion in the air quality conformity analyses on May 19, 2010. The TPB is scheduled to adopt the updated 2010 CLRP and FY 2011-2016 TIP at its November 17, 2010, meeting.

Points of interest, for Virginia, from the updated financial plan include:

1. Funding for highway projects in Virginia has been significantly reduced. In the past, short term reductions were considered temporary; however, as part of this update, with no significant new revenue sources on the horizon, revenue estimates have been reduced over the life of the analysis.
2. Projected annual average growth in Maintenance cost (3.5%) is higher than projected Revenue growth (1%). Consequently, greater amounts of construction funds are forecasts to

be used for operations and maintenance tasks. During the 2010 CLRP period proportion of State & Federal funds forecast to be spent on Highway Maintenance increased by 24% points (from 50% to 74%) compared to the 2006 CLRP.

3. With funding available for construction forecasts to decrease significantly formula funding for Primary, Secondary and Urban programs have been mostly eliminated (reduced by 90 %) in this financial plan. Proportion of total State & Federal funds spent on Highway Capital/Expansion projects decreased by about 17% points (from 41% to 24%).
4. Although 10 years have been added to the CLRP, no new federal/state funding was available either to advance projects already in the CLRP or add new previously prioritized projects in to the CLRP. Instead, numerous projects are being delayed and some removed from the CLRP due to reduced funding available for construction.
5. About \$1.5 billion in new source of local funds (Commercial and Industrial Real Estate Tax) has been added to the CLRP. This funding has helped retain many projects in the CLRP and minimize cuts to the projects/program in the CLRP.
6. The financial plans for the “mega projects” in the region (Woodrow Wilson Bridge - Interchanges; Dulles Corridor Rail; I-495 HOT Lanes project; I 95 4th Lane) have been updated and secured. These projects indicate availability of funding to complete the projects per schedule.
7. The Metropolitan Washington Airports Authority has identified its planned future increase in tolls (Mainline tolls increase from \$1.25 in 2010 to \$6.25 in 2040 and Ramp tolls increase from \$1.00 in 2010 to \$3.75 in 2040) which will be used to fund improvements the corridor including the Dulles Corridor Rail.
8. New state funds (\$500 million) dedicated for WMATA (to match dedicated federal grants) for the 2011-2020 period has been included in the CLRP. The source of funding to continue this match for the 2021 to 2040 period has not yet been identified nor has the federal commitment for its share of money for this period been secured. As such these funds have been excluded from the CLRP.

VDOT, the regional transportation agencies and the local jurisdictions submitted a list of projects that can be supported, based on the financial analysis. No new projects are being proposed for Virginia or Maryland. (The District is proposing to add four projects). In Virginia, numerous highway projects are being delayed or removed from the CLRP.

The following is a summary of the Virginia project and program changes:

- Project Completion Delayed
 - 1) Build Bus Right Turn Lane U.S. Route 1 (between Va. 235 to I-95): 2025 to 2035
 - 2) Widen Va. 7 Bypass from 4 to 6 lanes (Va. 7 West to U.S. 15 East): 2025 to 2035
 - 3) Widen U.S. Route 15 from 2 to 4 lanes (U.S. Route 29 to I-66): 2030 to 2040
 - 4) Build HOV Lanes on Fairfax Co. Parkway (I 66 to Dulles Toll Rd.) 2015 to 2035
 - 5) Build Tri-County Parkway (I-66 to Loudoun County line): 2025 to 2035.
- Project proposed to be removed from CLRP
 - 1) Build SOV Access Ramp To/From I-95 & Franconia-Springfield Parkway
 - 2) Widen U.S. Route 1 from 4 to 6 lanes (Stafford County line to Joplin Road)
 - 3) Widen U.S. Route 1 from 4 to 6 lanes (Featherstone Road to Va. 235)
 - 4) Widen Va. 7 from 4 to 5 lanes (Va. 9 to Market Street)
 - 5) Widen U.S. Route 15 from 2 to 4 lanes (Va. 234 to Loudoun County line)

- 6) Widen Va. 28 from 4 to 6 lanes (N. Manassas Park City Limit to Old Centreville Road)
- 7) Widen U.S. Route 50 from 6 to 8 lanes (I-66 to the west city limit of Fairfax City)
- 8) Widen Va. 123 from 6 to 8 lanes (I-495 to Va. 267)
- 9) Widen Va. 234 from 4 to 6 lanes (South of Manassas to I-66)
- 10) Widen Fairfax County Parkway from 4 to 6 lanes (Va. 636 to Va. 640)
- 11) Build Fairfax County Parkway HOV Lanes (Va. 640 to the Franconia-Springfield Parkway).

Initial conclusions: Based on current revenue and expenditure forecasts even with 10 additional years added to the long range plan Northern Virginia is: (1) not able to retain all of its planned transportation improvement projects/programs in the plan; and (2) more of its projects/programs in the plan are being delayed by ten years or more. Most of the revenues available are being used for maintenance needs. Significant new revenues are needed, urgently, to implement the prioritized transportation improvements in Northern Virginia.

A summary of Northern Virginia's submission is attached. Staff will discuss this submission in greater detail on the May 13, 2010, meeting and answer questions.

Cc: Members, NVTAA Jurisdiction and Agency Coordinating Committee

Table 6 NoVA 2010 CLRP FINANCIAL PLAN - VIRGINIA RAILWAY EXPRESS

4/7/2010

REVENUES (In Thousands of Year of Expenditure \$s): 2011 - 2040

<u>SOURCE</u>	<u>CAPITAL</u>	<u>OPERATING</u>	<u>TOTAL</u>
FARES			\$1,439,775,757
ADVERTISEMENT			\$3,812,384
FEDERAL SUBSIDY			\$1,002,217,463
STATE AID	\$252,794,392	\$398,562,672	\$651,357,064
LOCAL GOVTS.			\$636,247,229
OTHER			\$10,731,862
<u>TOTAL</u>			<u>\$3,744,141,759</u>

EXPENDITURES (In Year of Expenditure \$s): 2011 - 2040

<u>CATEGORY</u>	<u>CAPITAL</u>	<u>OPERATING</u>	<u>TOTAL</u>
Operating - Vehicles	\$0	\$1,923,104,506	\$1,923,104,506
Operating - Facilities	\$0	\$123,233,054	\$123,233,054
Administration	-	-	\$531,490,260
Capital - Vehicles	\$231,430,187	\$0	\$231,430,187
Capital - Facilities	\$399,631,763	\$0	\$399,631,763
Debt Service	-	-	\$535,251,974
<u>TOTAL</u>			<u>\$3,744,141,744</u>

VRE's Other Revenues include Interest Income, Merchandise sales and appropriation from Reserves.

VRE's Other Expenditure represents Debt Service.

Table 1 2010 CLRP REVENUE FORECASTS FOR 2011 - 2040 PERIOD (Millions of YOY \$s)
(Preliminary Incomplete Draft - 05/7/10) **(Work in Progress)**

	<u>Federal</u>	<u>State</u>	<u>Local</u>	<u>Toll/Bond/Pvt</u>	<u>Fares (1)</u>	<u>TOTAL</u>
<u>District of Columbia</u>						
Highway						\$0
Local Transit						\$0
WMATA Transit Capital (3)						
WMATA Transit Operations						
Sub-total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Maryland</u>						
Highway						\$0
Local Transit						\$0
Commuter Rail						\$0
WMATA Transit Capital (3)						
WMATA Transit Operations						
Sub-total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Virginia</u>						
Highway	\$4,903	\$12,074	\$2,819	\$9,024	\$0	\$28,820
Local Transit	\$355	\$1,040	\$3,483	\$697	\$2,260	\$7,834
Commuter Rail	\$1,002	\$651	\$636	\$0	\$1,454	\$3,744
WMATA Transit Capital (2, 3)	\$1,123	\$2,850	\$2,884	\$1,778	\$0	\$8,635
WMATA Transit Operations	\$0	\$5,562	\$4,849	\$0	\$0	\$10,410
Sub-total	\$7,382	\$22,177	\$14,671	\$11,499	\$3,714	\$59,443
<u>WMATA - Non Jurisdictional Revenues</u>						
Capital (4)						\$0
Operating						\$0
Sub-total	\$0	\$0	\$0	\$0	\$0	\$0
GRAND TOTAL	\$7,382	\$22,177	\$14,671	\$11,499	\$3,714	\$59,443

Regional Significant Capital Project Revenues (Included above)

	<u>Federal</u>	<u>State</u>	<u>Local</u>	<u>Toll/Bond/Pvt</u>	<u>Fares</u>	<u>TOTAL</u>
<u>District of Columbia</u>						
11th Street Bridge						
D.C. Street Cars						
	\$0	\$0	\$0	\$0	\$0	\$0
<u>Maryland</u>						
Inter County Connector						
Purple Line Transit						
Corridor Cities Transit						
	\$0	\$0	\$0	\$0	\$0	\$0
<u>Virginia</u>						
I 495 HOV/HOT Lanes	\$213	\$34	\$0	\$217	\$0	\$477
I 95/395 HOV/BUS/HOT Lanes	\$0	\$0	\$0	\$428	\$0	\$428
I 95/395 HOT Lanes Bus Service	\$38	\$0	\$0	\$195	\$157	\$390
Dulles Corridor Rail	\$975	\$1,667	\$1,222	\$1,778	\$0	\$5,642
Columbia Pike Streetcar	\$186		\$150			\$336
	\$1,412	\$1,701	\$1,372	\$2,618	\$157	\$7,273
Total All 3 Jurisdictions	\$1,412	\$1,701	\$1,372	\$2,618	\$157	\$7,273

1. Includes other transit operating revenues.
2. Includes \$5.642B in total revenues for the Capital Cost of Dulles Corridor Rail project.
3. Excludes \$1.253B in matching funds for the dedicated Federal Grant funds for the 2021-2040 period. Maryland has identified its source of funds and prepared to commit if commitments for federal and other matching funds are received.
4. An additional \$7.5B in potential federal and state matching funds for WMATA's Capital Program needs for the period 2021 thru 2040 are not reflected as funding sources are yet to be finalized at this time.

Key Features of NoVA's 2010 CLRP Financial Plan Update

4-13-10
DRAFT

REVENUES

GOOD NEWS	
1	Half a billion dollars in new State funds for WMATA Metrorail over ten years.
2	About \$600M dollars in private sector funds for Highway & Transit improvements on I 95/395.
3	About \$300M dollars in new federal funds for Highway & Transit projects anticipated. ¹
4	About \$1.5B in new source of local funds - Commercial and Industrial Real Estate Tax, available for Highway & Transit project. ²
5	Compared to 2006 CLRP, revenues, from the Dulles Toll Road, available for improvements in the Dulles corridor is about 50% higher. ³
NOT SO GOOD NEWS	
1	State funding for Highways is lower by about 40 percent lower compared to the 2006 CLRP. ⁴
2	Amount of State construction funds available for distribution, via formula, to NoVA reduced by about <u>90 percent</u> . Significant portion of construction funds being used for Maintenance.
3	<u>Most</u> of the new State NoVA Bond revenues are forecast to be used to match federal funds (as opposed using some of it for construction).

EXPENDITURES

GOOD NEWS	
1	About \$400M worth of new transit service proposed for the I 95/395 corridor.
2	The \$5.6B Dulles Corridor Rail retained in the CLRP with full funding identified.
3	A portion of the regional total of \$3B in additional Capital investment for WMATA's Metrorail to be realized in NoVA.
4	Capital improvements worth: (a) \$300M for the Dulles Toll Rd & (b) \$225M elsewhere (\$20M in the City of Manassas; \$25M in Leesburg & \$180M, Pvt. Funds, in Fairfax Co.) added (mostly due to Private / Toll funds). ⁵
NOT SO GOOD NEWS	
1	In spite of adding 10 years to the Plan no new Highway Capital/Expansion projects could be added to the Plan. Instead about \$350M worth of Highway Capital/Expansion projects had to be removed / downgraded to PE only. ⁶
2	Proportion of State & Fed. funds spent of Highway Maintenance increased by 24% points (from 50% to 74%). Average annual Maintenance cost growth rate (3.5%) greater than Revenue growth (1%)
3	Proportion of total State & Fed. funds spent on Highway Capital/Expansion projects decreased by about 17% points (from 41% to 24%).
4	Northern Virginia transit revenues insufficient to fully fund WMATA Metrorail's Capital program.

1. \$185M for Columbia Pike St. Car (FTA New Start \$) & \$150M for US 1-BRAC related (Fed earmark).
2. Fairfax County (\$600M – Hwy); Arlington County (\$900M-Hwy) and City of Fairfax (\$65M-Hwy)
3. Comparing current revenue forecasts (normalized to 23 years & in 2010 \$) with 2006 Toll revenues.
4. Comparing current revenue forecasts (normalized to 23 years & in 2010 \$) with 2006 revenues forecasts.
5. Manassas - Rte. 28 (Goodwin to City limits) & Liberia Ave. (Rte. 28 to Quarry Rd.); Lou. Co. - Rte. 15 Bypass interchange @ Edwards Ferry Rd.; Fairfax Co. extend I 495 HOV/HOT lanes by 2 miles to north.
6. Non-interstate formula funded projects: \$300M P.W. Co. (US 1 \$225M, US 15 \$52M, Devlin Rd. \$29M, Williamson Blvd \$3M; Ashton Ave. \$1M); \$18M Lou. Co. (Belmont Ridge Rd. \$16M; Ashburn P&R \$2M) and \$32M Alexandria (Clermont Ave.).

6.A.

Jurisdiction and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on TransAction 2040 Update (Item 6.A.)

DATE: May 7, 2010

Background

NVTA's statutory authority requires the Authority to prepare and update a long range transportation plan for Northern Virginia. NVTA's By-Laws direct that this plan should be updated every five years. In the past, this update has taken approximately two years to complete. In order to meet the statutory requirements, the process of updating the plan has been initiated and will need to be completed during fiscal year 2012. The Request for Proposals was released on March 5, 2010.

Below is a synopsis of the status of the TransAction 2040 Update.

Pre-proposal Meeting

A pre-proposal meeting was held on March 30, 2010 at 2pm at NVTC. There were several firms in attendance including:

- VHB
- Michael Baker
- Travesky & Associates
- The Perspectives group
- Cambridge Systematics
- Onyx Group
- HDR Engineering
- Daniel Consultants, Inc.

Technical Advisory Committee

- A Kick-Off Meeting with the Technical Advisory Committee was held on March 25, 2010, at 7pm at Fairfax County's Department of Transportation.
- 7 of the 9 appointed members attended
- The two women previously appointed to the TAC have withdrawn from the committee
- The Jurisdiction and Agency Coordinating Committee will make recommendations on individuals to replace them at the July 8, 2010, NVTA meeting

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
May 7, 2010
Page Two

- Next meeting of the TAC is scheduled for September 23, 2010, at 7pm at the Fairfax County Government Center

Planning Coordination Advisory Committee Membership

- Letters were sent in early March to the highest ranking elected official for the counties, cities and towns in which the NVTA is comprised, requesting appointments to the PCAC
- To date, we have received some but not all, PCAC recommendations
- The study team will schedule a Kick-Off Meeting with the PCAC after all or most of the members have been appointed.

Next Steps

- Proposals due on May 24, 2010 at 4pm
- Project Evaluation/Selection
 - Interviews will be scheduled on June 8, 2010, and June 9, 2010 (if necessary)
 - The project evaluation committee is comprised of the following individuals:
 - Monica Backmon, Prince William County
 - Tom Biesiadny, Fairfax County
 - Anthony Foster, PRTC
 - George Phillips, Loudoun County
 - Mark Kellogg, WMATA
 - Bob McDonald, VDOT
 - Kate Youngbluth, Arlington County
- NVTC action on selection committee recommendation....July 1, 2010
- NVTA action on selection committee recommendation....July 8, 2010
- Consultant Contract Awarded...July 9, 2010
- Recommendations presented to NVTA and Local Governments... Fall 2011
- Transmission of Update to the General Assembly... December 2011
- Local Government consideration and endorsement ... Winter 2012
- NVTA Adoption... Spring 2012

Jurisdiction and Agency Coordinating Committee members and I will be available at the May 13, 2010, NVTA meeting to provide additional updates and answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee

6.B.

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on I-95/395 HOT Lanes Project (Agenda Item 6.B.)

DATE: May 7, 2010

In April, the project team released a report on the I-95/395 Bus Rapid Transit (BRT) Study (“the BRT Study”). The BRT Study is a follow up to the I-95/395 Transit/Transportation Demand Management Study (“the earlier study”) that was led by the Department of Rail and Public Transportation with participation from all the local transit operators in the corridor. The focus of the BRT Study was the BRT stations that were conceptually identified in the earlier study, to assess whether they are prudent investments in more depth and to define them with greater precision. The BRT Study also took stock of changed conditions since the completion of the earlier study (e.g., BRAC relocation decisions and Fluor/Transurban’s financing difficulties) to assess whether the services recommended in the earlier study warranted any changes. It also assessed the market demand for BRT.

The BRT Study recommends amendments to the “stations” element of the earlier study as well as specified transit services recommended in the earlier study. The “stations” amendments account for the deletion of the Lorton in-line station from Fluor/Transurban’s HOT lanes project scope and the finding that the stations are more cost-effective if they are off-line rather than in-line stations. Recommended “service” amendments are an outgrowth of the recommended “stations” amendments, the findings of further modeling work, and BRAC implications in the Mark Center area.

Martin E. Nohe, Chairman

Members, Northern Virginia Transportation Authority
May 7, 2010
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The BRT Study indicates that the elements of the earlier study recommended for amendment have a total (amended) cost of approximately \$72.5 million (one time capital plus 20 years of operation and maintenance costs), which reportedly is less than the cost of those same elements in the earlier study. Since the BRT Study also reaffirms the unchanged elements of the earlier study, but does not assemble the overall costs of the reconstituted plan in the report, it is difficult to determine what that overall cost is and how it relates to the anticipated available funding sources identified in the earlier plan, including the \$195 million concession payment pledged by Fluor/Transurban.

Transit operators who participated in the original Transit/TDM Study are continuing to review this new report. Several either have submitted or are planning to submit comments and concerns to Secretary of Transportation Sean Connaughton. Comments include concerns about assumptions used in the analysis and operating cost estimates, among other things. Copies of these letters are available upon request.

Jurisdiction and Agency Coordination Committee members and I will be available at the May 13, 2010, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

Jurisdiction and Agency Coordination Committee members and I will be available at the May 13, 2010, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on I-66 Projects and Studies (Agenda Item 5.A.)

DATE: May 7, 2010

The following is a summary of changes to several I-66 projects and studies since the January 14, 2010, NVTa meeting.

I-66 Multimodal Study

I-66 Multimodal Study activities are underway. VDOT staff is working with its consultants to refresh data that was previously collected for the study, explore issues, and define the modeling needed for the study. The project continues in the data collection phase. The consultant team is also working on the following issue papers:

- Modeling Processes
- Discontinuities between I-66 HOV operations and the evolving HOT/HOV system
- Right of way constraints
- Bus Rapid transit/express bus network (studied separately by DRPT)
- Latest Federal and State Regulations

Draft issue papers are expected to be available for review later this Spring or Summer.

Based on the conclusions of the earlier Major Investment Study, it is anticipated that no one project will solve the congestion in the corridor, but a suite of multimodal projects will be needed. The study will conceivably produce a variety of different recommendations with different timelines, funding sources and sponsors. The draft National Environmental Policy Act (NEPA) documents are due in late 2011.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
May 7, 2010
Page Two

I-66 Westbound Spot Improvements

The design for the westbound spot improvements between Glebe Road and Sycamore Street is complete, and the construction project has been advertised. Bids have been received and are currently being evaluated by VDOT. It is anticipated that a construction contract could be awarded in Summer 2010. The other two spot improvements (Route 29 to Glebe Road and Westmoreland Street to the Dulles Toll Road Connector) are not yet funded.

Transportation Forum on I-66

Representative Frank Wolf and Fairfax County Supervisor Pat Herrity hosted a Transportation Forum on I-66 on April 19, 2010, at the Fairfax County Government Center. The forum included presentations on:

- the current level of service in the corridor;
- short term solutions (expanded use of shoulder lanes and bi-directional use of HOV ramps at Stringfellow Road and Monument Drive);
- the Bus Only Ramp at the Vienna Metrorail Station;
- the status of Beltway HOT Lanes construction at I-66;
- the potential use on messaging signs to indicate parking space availability at the Vienna Metrorail Station;
- the I-66 Multi-Modal Transportation & Environmental Study
- the I-66 Transit/Transportation Demand Management Study, and
- an introduction to Bus Rapid Transit.

Presentation materials are available at:

http://wolf.house.gov/uploads/BRT_TH_4-19-10.pdf

Jurisdiction and Agency Coordination Committee members and I will be available at the May 13, 2010, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

Jurisdiction and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on Federal Transportation Investments Generating Economic Recovery (TIGER) Grant Awards (Agenda Item 6.D..)

DATE: May 7, 2010

The American Recovery and Reinvestment Act included \$1.5 billion for competitive transportation grants. In May 2009, US DOT released the guidelines for the Transportation Investments Generating Economic Recovery (TIGER) grant program. The submission deadline was September 15, 2009.

The Transportation Planning Board's Scenario Task Force coordinated a regional TIGER application that focused on bus rapid transit, but also included transit stations and bike sharing projects. The application was developed in cooperation with regional transit agencies, state departments of transportation and local governments through TPB's Scenario Task Force. Although, the center piece of the application is the K Street Busway in the District of Columbia, the application also included a number of projects in Virginia. The total application of \$278 million was approved by the TPB Steering Committee on September 4, 2009.

In February 2010, USDOT awarded the region \$58 million for portions of the Regional Priority Bus Project. Most of the projects requested were funded, with the exception of the K Street Busway. Northern Virginia projects received approximately \$30 million. They include:

- Route 1 (\$8.5 million)
 - Transitway in Alexandria
- Route 7 (\$1.3 million)
 - Signal priority and skip-stop service
 - Part of WMATA Priority Corridor Network

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
May 7, 2010
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- I-95/395 (\$19.3 million)
 - Bus facility improvements at Pentagon and Franconia-Springfield Metrorail Stations;
 - ITS improvements for several systems.
- Van Dorn Street (\$0.7 million)
 - Signal priority and other priority treatments

TPB staff is working from staff from each of the affected agencies to begin implementing the projects. The deadline for completing the projects is February 2012.

Recently, USDOT announce a National Infrastructure Investment Grant program, also known as TIGER II. This is a similar multi-modal discretionary grant program. Total funding is \$600 million. Applications are due on August 23, 2010.

Jurisdiction and Agency Coordination Committee members and I will be available at the May 13, 2010, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

6.E.

Jurisdiction and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on TIP Amendments (Agenda Item 6.E.)

DATE: May 7, 2010

VDOT submitted an FY 2010-2015 Transportation Improvement Program (TIP) amendment to the Transportation Planning Board (TPB) for approval in May (attached). The amendment is summarized below. The TPB Steering Committee approved the amendment on May 7, 2010.

- BRAC Statewide Administration: The proposed amendment obligates \$1,504,319 in Federal Advanced Construction (AC) Conversion funds in FY 2010; \$589,602 in AC-Conversion funds in FY 2012; \$130,398 in National Highway System funds in FY 2012; \$450,000 in Interstate Maintenance funds in FY 2013 and \$32,795 in FY 2014 for preliminary engineering associated with BRAC related projects.
- Widening Route 1 (Joplin Road to Brady's Hill Road in Prince Williams County) from Four to Six Lanes: The amendment will obligate \$11,510,252 in Regional Surface Transportation Program funds and \$2,000,000 in VDOT revenue sharing funds for construction of this project.
- Widen West Ox Road (Ox Trail to Lawyers Road): This project involved widening this segment from two to four lanes. The project is now complete. The amendment will obligate \$1,114,0565 in Surface Transportation Program funds to close out right-of-way expenses for the project.
- I-95 – Springfield Interchange (Phases 6 and 7): This project is complete. The amendment will obligate \$238,088 in Interstate Maintenance funds and \$3,731,243 in National Highway System funds to close out construction expenses from the project
- I-95 – Springfield Interchange Improvements (Phases 4, 6 and 7): This project is complete. The amendment will add \$6,971,355 in AC Conversion and \$303,073 in Interstate Maintenance funds to the project to close out the right-of-way portion of the project.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
May 7, 2010

Jurisdiction and Agency Coordinating Committee members and I will be available at the May 13, 2010, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION ON AN AMENDMENT TO
THE FY 2010- 2015 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) THAT IS
EXEMPT FROM THE AIR QUALITY CONFORMITY REQUIREMENT TO ADD THE
BASE RELOCATION AND CLOSURE (BRAC) STATEWIDE ADMINISTRATION
PROJECT, ADD FUNDING TO THE WIDEN US 1 PROJECT IN PRINCE WILLIAM
COUNTY AND INCLUDE FUNDING FOR THREE COMPLETED ROAD PROJECTS
IN FAIRFAX COUNTY, AS REQUESTED BY THE VIRGINIA DEPARTMENT OF
TRANSPORTATION (VDOT)**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), which is the metropolitan planning organization (MPO) for the Washington Region, has the responsibility under the provisions of Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the Metropolitan Area; and

WHEREAS, on July 15, 2009 the TPB adopted the FY 2010-2015 TIP; and

WHEREAS, in the attached letter of April 30, 2010 VDOT has requested an amendment to the FY 2010-2015 TIP, as described in the attached materials, to:

- Add the BRAC Statewide Administration project with \$3.316 million funding,
- Add \$16.4 million in funding for construction of the widening of US 1 between Joplin Road and Brady's Hill Road in Prince William County,
- Include \$6.379 million in funding for three completed projects in Fairfax County:
 - Widening of Ox Road from Ox Trail to Lawyers Road
 - I-95 Springfield Interchange, Phases 6 & 7
 - I-95 Springfield Interchange, Phases 4, 6 & 7

WHEREAS, these projects are included in the current conformity analysis or are exempt from the air quality conformity requirement, as defined in Environmental Protection Agency (EPA) regulations "40 CFR Parts 51 and 93 Transportation Conformity Rule Amendments: Flexibility and Streamlining; Final Rule," issued in the May 6, 2005, *Federal Register*;

NOW, THEREFORE, BE IT RESOLVED THAT the Steering Committee of the National Capital Region Transportation Planning Board amends the FY 2010-2015 TIP, as described in the attached materials, to:

- Add the BRAC Statewide Administration project with \$3.316 million funding,
- Add \$16.4 million in funding for construction of the widening of US 1 between Joplin Road and Brady's Hill Road in Prince William County,
- Include \$6.379 million in funding for three completed projects in Fairfax County:
 - Widening of Ox Road from Ox Trail to Lawyers Road
 - I-95 Springfield Interchange, Phases 6 & 7
 - I-95 Springfield Interchange, Phases 4, 6 & 7



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

April 30, 2010

National Capital Region: FY 2010-2015
Transportation Improvement Program Amendment

The Honorable David Snyder
Chairman, National Capital Region
Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E.; Suite 300
Washington, DC 20002-4201

Dear Chairman Snyder:

On behalf of Fairfax County, Prince William County, and itself, VDOT's Northern Virginia District Office requests amending the FY 2010-2015 Transportation Improvement Program (TIP) / 2009 CLRP to obligate about \$28M in various federal funds, including funding attributable to AC-Conversion, to five Northern Virginia projects. The proposed amendment will not impact the currently approved air quality conformity analyses (three of the projects are complete) and uses funds previously allocated in the Commonwealth's Six Year Program and (RSTP) funds previously recommended by the Northern Virginia Transportation Authority.

1. BRAC – (Statewide Administration; UPC# 81738): This project was in a previous TIP and is included in the current VA Statewide TIP (STIP). The proposed amendment is to obligate \$1,504,319 in AC-Conversion for PE phase in FY10; \$589,602 AC-Conversion for PE phase in FY12; \$130,398 in NH funding in FY12, \$450,000 in IM funds in FY13 and \$32,795 in FY14 - all for the PE phase. The project is exempt from regional air quality conformity determination.
2. Widen Rte. 1 (UPC# 94904) Prince William County: This project is to widen US 1 from four to six lanes between Rte. 619 (Joplin Rd.) and Rte. 1109 (Brady's Hill Road), a distance of 0.60 miles. The proposed amendment will obligate \$11,510,252 in federal RSTP funds and add \$2,000,000 in Revenue Sharing funds for the construction phase of the

project in FY10. The project was included in the currently approved air quality conformity determination.


3. Widen Rte. 608 (West Ox Road - UPC# 16504) Fairfax County. This project widened West Ox Road, between Ox Trail and Lawyers Rd., to four lanes and is now complete. The project was in a previous TIP and is in the current VA-STIP. The proposed amendment is to obligate \$1,114,076 in STP funds in FY 10 towards right of way close out. The project was included in the currently approved air quality conformity determination.
4. I 95 – Springfield Interchange Improvements (Phase 6 and 7;UPC# 14680) Fairfax County. These phases of the project are now complete. The project was in a previous TIP and is in the current VA-STIP. The proposed amendment will obligate \$238,088 IM funds and \$3,731,243 in NH funds in FY10 towards the construction phase close out. The project was included in the currently approved air quality conformity determination.
5. I 95 – Springfield Interchange Improvements (Phases 4, 6 & 7;UPC# 54) Fairfax County. These phases of the project are now complete. The project was in a previous TIP and is in the current VA-STIP. The proposed amendment is to add \$6,971,355 AC Conversion and \$303,073 in IM Funds in FY10 towards right-of-way phase close out. The project was included in the currently approved air quality conformity determination.

The attached table presents the revised project funding for the FY 2010-2015 TIP document.

VDOT requests that this amendment be considered and approved by the Transportation Planning Board Steering Committee at its May 7, 2010 meeting. Representatives from VDOT and the counties will be in attendance at the meeting to answer any questions members of the Steering Committee may have. Upon approval of this amendment, please furnish copies of the approval to Ms. Jo Anne Sorenson (VDOT's Northern Virginia office) and to Mr. Chad Tucker in VDOT's Transportation and Mobility Planning Division in Richmond.

Thank you for your consideration of and action on this request.

Sincerely,


Asst. Dist. Admin.

Morteza Salehi
District Administrator
VDOT – Northern Virginia District

for

NORTHERN VIRGINIA

FY 2010 - 2015 TIP

New funding shown in bold

Agency Project ID	Facility, Location, Description	Phase	Previous Funding	FY10	FY11	FY12	FY13	FY14	FY15	Program Total FY 10-15	Funding Source	Funding Shares Fed	Sta	Loc
VDOT - Primary														
94904	Title: Rte.1 Widen from 4-6 lanes Facility: Rte.1 - Jefferson Davis Highway From: Rte. 619 Joplin Road To: Rte. 1109 Brady's Hill Rd. (0.6000 MI) Jurisdiction: Prince William County	P.E. ROW Const		0 0 \$16,388	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 \$14,388 \$2,000	Fed-RSTP Rev Shar.	80% 50%	20%	0%
Description: Widen Rte 1 from 4 lanes to 6 lanes between Rte 619 Joplin Rd. to Rte. 1109 Brady's Hill Road. Reason for Amendment: Amendment to add CN Ph. and to obligate \$11,510,252 RSTP funds and add \$2,000,000 in Revenue Shar. CN phase, FY10. Air Quality: The project is part of the Air Quality Analysis for the Metropolitan Washington Area.														
VDOT - Secondary														
16504	Title: Rte. 608 - West Ox Road Widen to four lanes Facility: Rte. 608 - West Ox Road From: 0.517 KM South Route 6985 (Ox Trail) To: 0.047 KM South Rte. 602 (Lawyers Rd) 2.9200KM Jurisdiction: Fairfax County	P.E. ROW Const	\$577 \$7,678 \$25,056	0 \$1,114 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 \$1,114 0	Fed-STP	80%	20%	0%
Description: Project was to widen Rte. 608 (West Ox Road) to four lanes between Ox Trail and Lawyers Road. Reason for Amendment: Proposed Amendment is to obligate \$1,114,076 in STP funds for the RW phase in FY10. Air Quality: Project is included in Air Quality Conformity Determination for the Metropolitan Washington Region.														
VDOT - Interstate														
14680	Title: Rte. 95 - Interchange Improvements (Phase 6 & 7) Facility: Rte. 95 From: Northbound Rte. I-95 to Rte. I-495 Inner Loop To: Rte. I-95 Northbound Express Lanes/Various ramps Jurisdiction: Fairfax County	P.E. ROW Const		0 0 \$4,928	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	Fed-IM Fed-NH	90% 80%	10%	0%
Description: Project to construct interchange improvements for Phase 6 & 7 for I-95 -Springfield Interchange Project. Reason for Amendment: Proposed Amendment is to obligate \$238,008 IM funds and \$3,731,243 in NH funds for CN phase in FY10. Air Quality: Project is included in Air Quality Conformity Determination for the Metropolitan Washington Region.														
54	Title: Rte. 95 - Interchange Improvements (PE/RW Only) Facility: Rte. 95 - Springfield Interchange From: At 95/395/495. (5.0000KM) To: Jurisdiction: Fairfax County	P.E. ROW Const		0 \$337 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	Fed-IM	90%	10%	0%
Description: Project for PE/RW only for the Springfield Interchange Project. Reason for Amendment: To add \$6,971,355 AC Conversion, add \$303,073 in IM Funds for RW Phase FFY 10. Air Quality: Project is included in Air Quality Conformity Determination for the Metropolitan Washington Region.														
81738	Title: BRAC - Economic Development Facility: Interstate From: Northern Virginia District-wide To:	P.E. ROW Const		\$1,880 0 0	0 0 0	\$900 0 0	\$500 0 0	\$36 0 0	0 0 0	0 \$163 \$2,617	Fed-NH AC-Conv Fed-IM	80% 80%	20%	0%
Description: Project is to finance BRAC Statewide Administration. Reason for Amendment: TIP amendment is to obligate \$1,504,319 in AC-Conv FY10 and \$589,602 AC-Conv FY12 and obligate \$130,398 in NH funds in FY12 Air Quality: Project does not impact Air Quality Conformity Determination for the Metropolitan Washington Region.														

Jurisdiction and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Update on Regional Air Quality (Agenda Item 6.F.)

DATE: May 7, 2010

This memorandum is intending to provide the NVTa with a brief update on regional air quality activities.

- The Council of Governments' Energy, and Environment Policy Committee (CEEPC) met on March 24, 2010. As part of their agenda, the Committee continued prioritizing the items in their work program. Most of the Committee's top priorities related to energy reductions. Related to transportation, their top priorities include replacing street lights with more efficient technology. Many of the other transportation elements recognize the air quality activities already being undertaken by the Transportation Planning Board and local governments.
- On January 6, 2010, the Environmental Protection Agency (EPA) proposed strengthening the 8 hour national ambient air quality standards for ground-level ozone. The current standard is 75 parts per billion (ppb). The EPA proposed reducing the standard to 60 to 70 ppb. In addition, the EPA is also proposing to establish a seasonal secondary standard to protect sensitive vegetation and ecosystems. The EPA conducted public hearings on its proposed standards in several locations around the country. EPA is expected to issue final standards on August 31, 2010. EPA is expected to make final regional non-attainment designations by July 2011. Non-attainment areas will have until December 2013 to complete their State Implementation Plans (SIPs). New regulations would need to be in place by 2014.
- On January 22, 2010, the EPA strengthened its national ambient air quality standards for nitrogen dioxide (NO₂). The EPA set a new 1-hour standard at 100 ppb. The current annual average standard is 53 ppb. As part of its regulation, EPA also required that road side monitors be established in regions with a population of more than 500,000. Community-wide monitors are also required. All monitors must be operational by January 1, 2013. EPA will designate non-attainment areas by January 2012.

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- The Environmental Protection Agency has released a production version of a new mobile emission calculation model, known as MOVES. This model is much more sophisticated than the current MOBILE 6 model. MWAQC and Transportation Planning Board (TPB) staff are evaluating the new model. TPB staff replaced default data in the model with region-specific data. While it will still be some time before the EPA requires air quality conformity to be conducted using the MOVES model, model runs have indicated that the production version of the MOVES model calculates significantly higher mobile emissions than MOBILE 6. The use of regional data versus the default data reduced the projected emissions levels somewhat. TPB staff is continuing to incorporate adjustments into the model. Ultimate MWAQC may need to consider amending the emissions budgets in the State Implementation Plans to address changes in the model.
- In April 2010, the Environmental Protection Agency and the U.S. Department of Transportation issued a joint rulemaking on greenhouse gas emissions. The rulemaking proposes new Corporate Average Fuel Efficiency (CAFE) standards for cars that would increase to 35.5 miles per gallon by 2016. These new CAFE standards could significantly assist the region in meeting its greenhouse gas emission goals by 2050.

JACC members and I will be available at the Authority meeting on May 13, 2010, to answer questions.

Cc: Members, NVTJ Jurisdiction and Agency Coordinating Committee

**Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Information on Formation of Virginia Association of Metropolitan Planning Organization (VAMPO) (Agenda Item 6.G.)

DATE: May 7, 2010

During the 2009 Session, the General Assembly passed HJ 756 which requested that the Secretary of Transportation support and assist in the establishment of a Virginia Association of Metropolitan Planning Organizations (attached). The Metropolitan Planning Organizations (MPOs) are federally designated organizations that are responsible for long-range transportation planning in metropolitan areas, among other things. In this region, the Transportation Planning Board of the National Capital Area (TPB) is the designated MPO. However, the General Assembly has also given NVTa some specific long-range planning and advocacy responsibilities. There are 14 MPOs that cover the urban areas in Virginia, two of them (TPB and the MPO in the Bristol area) are multi-state MPOs.

Since the passage of HJ 756, the MPOs in Virginia have drafted a white paper discussing the formation of VAMPO. A copy of the white paper is also attached. Both the legislation and the white paper include some recognition that TPB and Northern Virginia are somewhat different than the rest of the state. Between November 2009 and February 2010, TPB staff and the TPB Technical Committee worked on a resolution for TPB's consideration. In the resolution, also attached, the Transportation Planning Board:

- endorses the concept of the formation of a Virginia Association of Metropolitan Planning Organizations (VAMPO); and,
- encourages the Virginia Association of Planning District Commissions to complete its organizational recommendations for VAMPO and report back to Virginia's MPOs once the recommendations are completed; and,
- anticipates that the TPB will be represented in VAMPO by TPB member agencies in Northern Virginia working in collaboration with the NVTa.

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The Transportation Planning Board considered this resolution at it February 17, 2010, meeting and ultimately decided not to take any action on the resolution.

Jurisdiction and Agency Coordination Committee members and I will be available at the May 13, 2010, NVTa meeting to answer questions.

Attachments: a/s

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

2009 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 756

Requesting the Secretary of Transportation to support and assist in the establishment of a Virginia Association of Metropolitan Planning Organizations.

Agreed to by the House of Delegates, February 26, 2009

Agreed to by the Senate, February 24, 2009

WHEREAS, there are 14 Metropolitan Planning Organizations (MPO) operating in the Commonwealth of Virginia, all duly established pursuant to federal transportation legislation, 23 C.F.R. 450.300 series; and

WHEREAS, these MPOs are especially important in that, pursuant to federal legislation, they are, as the lead agencies, responsible for conducting the cooperative metropolitan transportation planning and programming process in their respective regions; and

WHEREAS, the transportation planning and programming decisions made by these MPOs presage the future investment and expenditure of hundreds of millions of dollars of public moneys on an annual basis; and

WHEREAS, while these MPOs are necessarily independent, whether large or small, they have numerous common interests at both the policy and technical levels, and they seek to interpret and adhere to the requirements of the same federal legislation; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Secretary of Transportation be requested to support and assist in the establishment of a Virginia Association of Metropolitan Planning Organizations (VAMPO). The VAMPO will augment, not supplant, the duties of the individual MPOs in carrying out their respective metropolitan transportation planning and programming functions

The Secretary of Transportation is further requested to assist the Virginia Association of Planning District Commissions and the Transportation Planning Board for the National Capital Area with the determination of the scope of VAMPO activities and responsibilities best suited to the professional needs of the Commonwealth of Virginia or adopt other measures to enhance the effectiveness, professionalism and confidence of the state's MPO organizations.

In consultation with the Secretary of Transportation, Virginia's Metropolitan Planning Organizations are requested to organize the VAMPO, define its mission, and report on statutory changes, if any, that are needed to improve the statewide planning and programming of transportation programs and projects to improve and streamline the Virginia transportation development process.

The Secretary of Transportation shall submit to the Division of Legislative Automated Systems an executive summary and report of its progress in meeting the requests of this resolution no later than the first day of the 2010 Regular Session of the General Assembly. The executive summary and report shall be submitted for publication as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

ENROLLED

HJ756ER

**Virginia Association of Metropolitan Planning Organizations
(VAMPO)
White Paper
September 2009**

Purpose: In accordance with HJR756, the purpose of this White Paper is to respond to the request by the General Assembly for the Metropolitan Planning Organizations (MPOs) of Virginia to form a Statewide Association, define a mission for that Association and recommend to the General Assembly what statutory changes, if any, are needed to improve transportation planning and programming in Virginia.

As shown below, the findings and recommendations in this White Paper have been the subject of discussions and consensus among MPO Administrators and Directors in meetings and correspondence dating back to the Spring of 2009. These findings and recommendations will require concurrence from the MPO Boards.

Current Virginia MPO Status: Virginia's fourteen MPOs are little recognized in the Virginia Code but play a major role in Federal transportation law. In Federal regulations, MPOs are created in each urbanized area (population of 50,000 or more, with a density factor defined by the Census) and charged with operating a comprehensive, continuing and cooperative ("3C") transportation planning process, governed by local elected officials and other transportation interests. As a result of this "3C" process, a Long Range Transportation Plan (LRTP) is required to show what transportation projects are needed and fundable for the next two plus decades. The LRTP is updated every four or five years depending on the population of the MPO's urbanized area. In addition an annual Transportation Improvement Program (TIP) is developed to show where identified State, Federal and local transportation funds will be spent in each of the next four years to implement the project priorities of the LRTP.

In simple terms Federal regulations require that MPOs chart out what the long term, fundable vision of transportation improvements is in the LRTP, and then move those projects from the LRTP to the TIP to apply Federal and other funds to the highest priorities. This is to be completed in close communication with the State (VDOT). VDOT is required in Federal regulations with collecting all MPO TIPs, plus its own plan for rural areas, and annually assembling them into a Statewide Transportation Improvement Program (STIP).

A Unified Planning Work Program (UPWP) is also developed annually to guide staff carrying out MPO activities. As a practical matter, MPOs are also involved in Bicycle Planning, Air Quality/Transportation Planning, Congestion Management Planning, Freight Transportation Planning and a host of other related planning projects.

MPOs are automatically granted annual formula Federal planning funds from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to complete the tasks described above.

The majority of MPOs in Virginia are housed within their corresponding Planning District Commissions (PDCs) for staff support and fiscal agent services. Exceptions include the Transportation Planning Board (TPB) Washington urbanized area, two primarily Tennessee based MPOs that extend into portions of Virginia near Bristol, and the Blacksburg-Christiansburg-Montgomery MPO housed in Montgomery County's Administration Offices. The choice of PDCs to deliver the staffing and administrative functions of the MPOs is generally based on the following benefits:

- **The desire not to create redundant or duplicative agencies or levels of government.**
- **The desire to coordinate PDC regional planning processes in Economic Development, Community Development, Hazard Mitigation, Water and Air Quality Analysis, Housing and other planning areas into the Urban Transportation Planning Process.** (Recent federal transportation legislation further reinforces the requirements of MPOs to consult and consider other planning processes within the MPO process.)
- **The desire to benefit from economies of scale in building costs, staffing costs, and other organizational costs.** (Small MPOs would have a difficult time solely providing office space and other indirect costs without sharing such costs with a PDC or local government.)
- **Coordination with the Rural Transportation Planning function delivered by PDCs.** (Some MPOs housed at PDCs have already produced combined Urban/Rural Long-Range Transportation Plans.)

Formation of the Virginia Association of Metropolitan Planning

Organizations (VAMPO): For the past several years, the Virginia Association of Planning District Commissions (VAPDC) has had a standing Transportation Committee which has hosted a variety of MPO discussions and functions. At two recent VAPDC Transportation Committee meetings, in July and August, HR 756 and the formation of a Statewide MPO Association (VAMPO) was discussed. The great majority of MPO Administrators and Directors present were in favor of forming a Statewide Association (VAMPO), although affirmative action by the MPO Boards will be required to make this a reality.

At these meetings there was a general consensus that VAMPO should be a stand-alone organization, but that VAMPO should meet in conjunction with the VAPDC, so as to combine travel and meeting costs and assure strong communications between the two organizations.

Structure: The final organizational structure of VAMPO, including By-laws, will be developed within the association's first year. Initially, the VAPDC named a "White Paper Committee" and an "Organizational Committee" at its August 25, 2009 meeting in Charlottesville. These committees are developing initial concepts to forward to the Secretary of Transportation's office, including the present White Paper. The initial administrative support during the formation of VAMPO will be provided by the staff of VAPDC. Long-term structure and staff support will be decided following the initial meeting(s) of VAMPO. At a minimum the "Organizational Committee" will:

- Investigate structures of other states which have associations of MPOs and the American Association of MPOs (AMPO);
- Develop a set of By-laws for consideration;
- Develop a voting system in which possible candidates include: weighted voting, formalized consensus voting or some other voting system;
- Develop a staffing plan either as an extension of VAPDC services, or a separate staffing plan;
- Hold a VAMPO annual conference

Mission: At these Transportation Committee meetings, the Mission for VAMPO was discussed. Participants were in agreement that the Mission Statement for VAMPO should be as follows:

It is the mission of the Virginia Association of Metropolitan Planning Organizations to bring together the Commonwealth's MPOs to enhance the State of urban transportation planning and programming by: 1) fostering a greater spirit of partnership with the Commonwealth's transportation agencies; 2) sharing "best practices" among the MPOs, and 3) continually informing the Commonwealth's executive and legislative branches about improvements needed in Virginia transportation planning and programming, both in law and in practice.

Subject to the approval of the various MPO Boards, VAMPO's mission will be executed as follows:

More Cooperation with Commonwealth Transportation Agencies: Over the course of the next year, VAMPO will work with VDOT and other Commonwealth Transportation Agencies to discuss and develop agreements in areas such as Memoranda of Understanding, oversight, procurement, information exchange, meeting schedules and other critical issues.

Best Practices Peer Exchange: VAMPO will serve as a forum to allow Virginia MPOs to easily learn from the most successful planning and business practices of other MPOs both in Virginia and the nation. VAMPO will organize an annual meeting or event designed for just this purpose. VAMPO will also investigate the feasibility of MPO peer exchanges or staff mentoring programs between MPOs. The details of this function will be further developed within the first year of VAMPO's establishment.

Legislative Recommendations: Two potential legislative recommendations are included below. These two recommendations are “likely candidates” for initial VAMPO discussions based on the aforementioned VAPDC Transportation Committee discussions.

MPO Long-Range Transportation Planning Processes and the State Short Term Transportation Programming Process: Currently, Federal regulations task MPOs with developing LRTPs constrained by verifiable State, Federal and local funds and programming those funds to specific project priorities in the short term TIP.

The current practice in Virginia is that the VDOT Six Year Improvement Program (SYIP) is developed by VDOT staff and the Commonwealth Transportation Board (CTB) largely independent of the MPO process. Only after the CTB adopts a SYIP are funds programmed in the TIPs. Projects selected for funding in the SYIP often differ from MPO priorities expressed in the Long Range Plans.

MPOs are then faced with either accepting the decisions in the SYIP, or challenging certain projects, with consequences such as funding on the challenged projects moving to another area in the State.

Consistent with Federal regulations, VAMPO is likely to recommend that MPOs have prior review and decision making authority in the SYIP development process for their regions. The details of this concept will be developed in discussions between the General Assembly, VDOT, and VAMPO during the 2010 Legislative Session.

Codification of MPO Roles in State Law: MPOs are well established in Federal Law, yet in the Virginia Code, MPOs are largely unrecognized and undefined. Some states, such as Florida, specifically codify MPOs at the state level. Benefits of this codification could include the recognition of the MPOs as “partners” with VDOT in planning for transportation improvements in the Commonwealth. After VAMPO is formed, it will investigate the various roles and responsibilities of MPOs to be defined within the Virginia Code, and work with VDOT and the General Assembly during the 2010 Legislative Session to recommend appropriate changes to the Virginia Code.

Final Recommendations: Virginia’s MPOs have listened to the General Assembly and are taking the task of forming VAMPO seriously. The MPOs will need the year 2010 to develop formalized procedures such as By-Laws and a staffing plan. Virginia’s MPOs respectfully request that the General Assembly take no additional action in 2010 concerning the structure of MPOs or VAMPO, thus allowing VAMPO to be formed and address the requirements of HJR756. VAMPO will report to the Secretary of Transportation and the General Assembly concerning progress achieved in the formation of VAMPO during the 2010 General Assembly Session.

APPENDIX A – Sample MPO Resolution Supporting VAMPO Concept:

WHEREAS, The Virginia General Assembly called for the formation of an association of Virginia's Metropolitan Planning Organizations (MPOs) in HJR 756; and,

WHEREAS, HJR 756 requested that the Secretary of Transportation assist the Virginia Association of Planning District Commissions and the Transportation Planning Board for the National Capital Area with the determination of the scope of Virginia Association of MPOs activities and responsibilities best suited to the professional needs of the Commonwealth of Virginia or adopt other measures to enhance the effectiveness, professionalism and confidence of the State's MPO organizations; and

WHEREAS, the Virginia Association of Planning District Commissions has empanelled an ad hoc committee to develop a recommended organization structure for a Virginia Association of Metropolitan Planning Organizations (VAMPO); and,

WHEREAS, the formation of VAMPO will allow Virginia's MPOs to: 1) More effectively cooperate with state transportation agencies, 2) More effectively exchange best practices and other useful information, and 3) Recommend legislation or other policies that will allow MPOs to be more effective and efficient with the resources they have;

NOW, THEREFORE BE IT RESOLVED, that the **(fill in the blank)** MPO endorses the concept of the formation of a Virginia Association of Metropolitan Planning Organizations (VAMPO); and,

NOW, THEREFORE BE IT FURTHER RESOLVED, that the **(fill in the blank)** MPO encourages the VAPDC to complete its organizational recommendations for VAMPO and report back to Virginia's MPOs once the recommendations are completed.

NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002

**DRAFT RESOLUTION ENDORSING THE CONCEPT OF THE FORMATION OF A
VIRGINIA ASSOCIATION OF METROPOLITAN PLANNING ORGANIZATIONS (VAMPO)**

WHEREAS, The Virginia General Assembly called for the formation of an association of Virginia's Metropolitan Planning Organizations (MPOs) in HJR 756; and,

WHEREAS, HJR 756 requested that the Secretary of Transportation assist the Virginia Association of Planning District Commissions and the National Capital Region Transportation Planning Board with the determination of the scope of Virginia Association of MPOs activities and responsibilities best suited to the professional needs of the Commonwealth of Virginia or adopt other measures to enhance the effectiveness, professionalism and confidence of the State's MPO organizations; and

WHEREAS, the National Capital Region Transportation Planning Board is distinct from the other MPOs in the Commonwealth because of its multi-state jurisdiction; and,

Whereas, the Northern Virginia Transportation Authority (NVTa), which was established by the Virginia General Assembly in 2002, has regional transportation planning responsibilities for the Northern Virginia area; and,

WHEREAS, the Virginia Association of Planning District Commissions has empanelled an ad hoc committee to develop a recommended organization structure for a Virginia Association of Metropolitan Planning Organizations (VAMPO); and,

WHEREAS, the formation of VAMPO will allow Virginia's MPOs to: 1) More effectively cooperate with state transportation agencies, 2) More effectively exchange best practices and other useful information, and 3) Recommend legislation or other policies that will allow MPOs to be more effective and efficient with the resources they have;

NOW, THEREFORE BE IT RESOLVED, that the National Capital Region Transportation Planning Board:

- endorses the concept of the formation of a Virginia Association of Metropolitan Planning Organizations (VAMPO); and,
- encourages the VAPDC to complete its organizational recommendations for VAMPO and report back to Virginia's MPOs once the recommendations are completed; and,
- Anticipates that the TPB will be represented in VAMPO by TPB member agencies in Northern Virginia working in collaboration with the NVTa.