

# Northern Virginia Transportation Authority

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## **AGENDA**

**Thursday, January 12, 2012**

**7:30 p.m.**

Fairfax City Hall

10455 Armstrong Street – Rooms 111A & B

Fairfax, Virginia 22030

1. **Call to Order**.....Chairman Nohe
2. **Roll Call**
3. **Approval of the Minutes of the July 14, 2011, Meeting**
4. **Action Items**
  - A. Approval of FY 2013-FY 2018 CMAQ/RSTP Recommendations
  - B. Approval of the 2012 Work Program and Meeting Schedule
  - C. Approval of JACC Chairman and Vice-Chairman
  - D. Appoint Town Representative
5. **Discussion Items**
  - A. TransAction 2040 Update
  - B. Lawsuit-Kelly A. Gourlay v. NVTa et al.
6. **Information Items**
  - A. Update on the TIP Amendments
  - B. Update on I-95 HOT Lanes Project
  - C. Update on I-66 Projects and Studies
  - D. Update on the TIP/CLRP
  - E. Update on Air Quality and Climate Change Initiatives
7. **Other Business**
8. **Adjournment**

### **NEXT MEETING:**

February 9, 2012 – 5:30 p.m.

General Assembly Building

901 East Broad Street, Conference Room 3 West

Richmond, Virginia 23219

**SUMMARY MINUTES  
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

**July 14, 2011  
Fairfax City Hall  
Fairfax, Virginia**

**NVTA Members Present:**

**Voting Members:**

Chairman Martin Nohe	Prince William County
Board Member Christopher Zimmerman	Arlington County
Chairman Sharon Bulova	Fairfax County
Council Member David Snyder	City of Falls Church
Council Member Daniel Drummond	City of Fairfax
Council Member Jonathan Way	City of Manassas
Kerry Donley	Governor's Appointee
Mr. Gary Garczynski	CTB Representative

**Non-voting Members:**

Garrett Moore	VDOT
Bob Wilson	DRPT (arriving at 7:40 p.m.)

**Staff:**

Pam Martin	Clerk
Various jurisdictional staffs	

**Item I: Call to Order**

Chairman Nohe called the meeting to order at 7:34 p.m.

**Item II: Roll Call**

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

**Item III: Approval of the Minutes**

Chairman Bulova moved and Board Member Zimmerman seconded the approval of the minutes. The motion carried with Council Member Drummond abstaining.

**Item IV: Action Items:**

**(A) Approval of FY 12 to FY 17 CMAZ/RSTP Recommendations for Additional Funding**

Chairman Bulova moved and Mr. Donley seconded and the motion was carried unanimously.

**(B) Approval of Project List and Performance Evaluation Measures for TransAction 2040**

Monica Backmon briefed the members of the proposed list of projects under consideration for the TransAction 2040 plan. Included in the 2030 plan, was the Western Transportation Corridor and the Easter Bypass which has now been included in the 2040 plan. Anthony Foster (DRPT) briefed the members on the power point presentation referring the scoring criteria. Mr. John (Jay) Evan of Cambridge Systematics also informed the members of the weighing and scoring criteria. Considerable discussion was held between the Board members and staff regarding weighing, scoring criteria, regional and comprehensive plans in each jurisdictions. The consensus of the Board was the following motion stated by Chairman Nohe, moved by Chairman Bulova and seconded by Council Member Drummond:

Motion: The Board approves the project list as well as pec's and to allow flexibility within the criteria of scoring. The Board directs JACC to add additional modeling with the additional of funding not to exceeding \$45,000. The Board also requests the definition of "gaps" within corridors be defined.

**(C) Approval of Projects for Bonus Obligation Funding**

Ms. Backmon briefed the Board requested approval of the project list for FY 2011 of Federal Bonus Obligation.

Chairman Bulova moved and Board Member Zimmerman seconded and the motion was carried unanimously.

**V. Discussion and Action Items:**

**(A) CTB Decision on CMAQ Funding for Hybrids**

Ms. Backmon briefed the Board members on the JACC meeting in which JACC is requested that NVTA draft a letter the CTB regarding hybrids and air quality. After discussions with Board members and staff, Council Member Snyder moved and Chairman Bulova seconded and motion unanimously that a letter be sent the CTB regarding the

Governor's recent action on hybrid vehicles and the CTB establish where the money is available be sent to the original jurisdiction.

Council Member Zimmerman moved and Mr. Donley seconded and motion carried unanimously that a letter be written to the Secretary of the Governor requesting with dialogue with CTB regarding \_\_\_\_\_.

## **VI. Information Items**

### **(A) Update on the TIP Amendments**

No comment.

### **B) Update on I-95 HOT Lanes Project**

No comment.

### **(C) Update on I-66 Projects and Studies**

No comment.

### **(D) Update on TIP/CLRP**

No comment.

### **(D) Update on Air Quality and Climate Change Initiatives**

No comment.

## **Item VII. Other Business**

## **Item XIII. Adjournment**

The meeting adjourned at 9:00 p.m.

Next Meeting:  
November 10, 2011  
Fairfax City Hall  
10455 Armstrong Street – Rooms 111A & B  
Fairfax, Virginia 22030

**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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** FY 2013- FY 2018 Congestion Mitigation and Air Quality Program/  
Regional Surface Transportation Program Recommendations (Item 4.A.)

**DATE:** January 12, 2012

**Recommendation:**

The Jurisdiction and Agency Coordinating Committee (JACC) recommends that the Northern Virginia Transportation Authority endorse the attached list of projects for funding through FY 2013 – FY 2018 Congestion Mitigation and Air Quality (CMAQ) program and the Regional Surface Transportation Program (RSTP).

The JACC also recommends the approval of project transfers for the City of Fairfax, City of Manassas, and the Town of Vienna.

**Background:**

Based on past practice, the JACC established Friday, September 30, 2011, as the submission deadline for FY 2013 – FY 2018 CMAQ and RSTP applications.

VDOT staff provided estimates of the CMAQ and RSTP funding that will be available for distribution from FY 2013 – FY 2018. The following is a summary of those available allocations.

**Projected FY 2013 – FY 2018 Regional Funding**  
(subject to change based on final Federal allocations)

▪ CMAQ	\$173,581,561
▪ RSTP	<u>\$238,856,748</u>
	\$412,438,309

Chairman Martin E. Nohe  
Members, Northern Virginia Transportation Authority  
January 12, 2012  
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VDOT provides the local matches for both the CMAQ and the RSTP funds, provided that the projects utilize the funds within established timelines. For the CMAQ program, the recipient has 24 months to obligate the funds and then 48 months to expend the funds. For the RSTP program, the recipient has 12 months to obligate the funds and then 36 months to expend the funds.

NVTA received 44 CMAQ applications and 46 RSTP Applications, totaling \$702.543 million. The JACC reviewed the projects submitted, and recommends that the NVTA endorse the attached list of CMAQ and RSTP projects for submission to VDOT and the Commonwealth Transportation Board for approval.

In addition, the JACC recommends that the following transfers be approved to allow the respective jurisdictions to utilize previously approved CMAQ funds for newly identified projects.

Traffic Signal Optimization in the City of Fairfax

- Transfer \$200,000 in FY 2012 RSTP funds from Fairfax County's Tysons Corner Roadway Improvements project (UPC 100478) to a new project for the City of Fairfax for Traffic Signal Optimization. Fairfax County has agreed that these funds can be made available to the City of Fairfax to replace funding previously de-allocated from a hybrid vehicle project. Adjustments have been included in the attached FY 2013-2018 CMAQ and RSTP programs to return \$200,000 to UPC 100478 for Fairfax County.

GPS Fleet Management Efficiency Improvement System

- Transfer \$121,000 in FY 2012 RSTP funds from Fairfax County's Tysons Corner Roadway Improvements project (UPC 100478) to a new project for the City of Manassas for a GPS Fleet Management Efficiency Improvement System. Fairfax County has agreed that these funds can be made available to the City of Manassas to replace funding previously de-allocated from a hybrid vehicle project. Adjustments have been included in the attached FY 2013-2018 CMAQ and RSTP programs to return \$121,000 to UPC 100478 for Fairfax County.

Traffic Signal Synchronization and Reconstruction in the Town of Vienna

- Transfer all remaining CMAQ funds, approximately \$1,253, on the Vienna Traffic Signal Vehicle Video Detection project (UPC # 70581) to the Traffic Signal Synchronization and Reconstruction project (UPC # 95412). The Video Detection project has been completed.

Jurisdiction and Agency Coordinating Committee members and I will be available at the NVTA meeting on January 12, 2012, to answer questions.

Attachment: a/s

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee

## CMAQ/RSTP Allocations for Northern Virginia

November 10, 2011

	FY13	FY14	FY15	FY16	FY17	FY18	Totals
Final Allocation							
CMAQ NoVA	\$22,024,675	\$22,546,565	\$22,996,479	\$23,454,710	\$23,921,409	\$23,921,410	\$138,865,248
CMAQ Match NoVA	\$5,506,169	\$5,636,641	\$5,749,120	\$5,863,678	\$5,980,352	\$5,980,353	\$34,716,313
CMAQ Total	\$27,530,844	\$28,183,206	\$28,745,599	\$29,318,388	\$29,901,761	\$29,901,763	\$173,581,561
RSTP NoVA	\$30,503,911	\$31,067,729	\$31,641,968	\$32,226,821	\$32,822,484	\$32,822,485	\$191,085,398
RSTP Match NoVA	\$7,625,978	\$7,766,932	\$7,910,492	\$8,056,705	\$8,205,621	\$8,205,622	\$47,771,350
Total	\$38,129,889	\$38,834,661	\$39,552,460	\$40,283,526	\$41,028,105	\$41,028,107	\$238,856,748
Regional Combined Total	\$65,660,733	\$67,017,867	\$68,298,059	\$69,601,914	\$70,929,866	\$70,929,870	\$412,438,309
FY 2013 - 2018 Proposed Strawman							
	Proposed Amount (\$000)	Proposed Amount (\$000)	Proposed Amount (\$000)	Proposed Amount (\$000)	Proposed Amount (\$000)	Proposed Amount (\$000)	Proposed Amount (\$000)
<b>CMAQ</b>							
<b>Regional Projects</b>							
Clean Air Partners	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$900,000
Commuter Connections Operations Center	\$187,000	\$196,000	\$205,000	\$215,000	\$225,000	\$225,000	\$1,264,000
I-66 Active Traffic Management Initiative	\$5,400,000	\$0	\$0	\$0	\$0	\$0	\$5,400,000
Metropolitan Area Transportation Operations Coordination (MATOC)	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$600,000
<b>Bicycle &amp; Pedestrian Projects</b>							
Bicycle Sharing Initiative - Alexandria	\$400,000	\$100,000	\$300,000	\$0	\$0	\$270,000	\$1,070,000
Kettle Run Road Sidewalk	\$1,000,000	\$500,000	\$0	\$0	\$0	\$0	\$1,500,000
Route 7 Bicycle and Pedestrian Bridge - Loudoun County	\$0	\$0	\$0	\$0	\$0	\$4,721,000	\$4,721,000
Sidewalks to Metrorail - Vienna	\$335,000	\$0	\$335,000	\$0	\$330,000	\$0	\$1,000,000
Tysons Metrorail Access Improvements	\$0	\$0	\$0	\$0	\$0	\$1,443,944	\$1,443,944
Vint Hill Road Sidewalk	\$0	\$1,500,208	\$0	\$0	\$0	\$819	\$1,501,025
W&OD Trail Crossing Improvements (Bridge Overpass at Crestview Road)	\$225,000	\$250,000	\$275,000	\$0	\$0	\$0	\$750,000
<b>Bus Replacement</b>							
DASH Bus Replacement	\$1,950,000	\$2,650,000	\$2,050,000	\$2,100,000	\$2,870,000	\$2,160,000	\$13,780,000
PRTC - Commuter Bus Replacements (45 ft. Buses)	\$0	\$0	\$1,000,000	\$1,000,000	\$600,000	\$2,100,000	\$4,700,000
WMATA - Virginia Metrobus Replacement	\$1,613,000	\$4,800,000	\$4,800,000	\$4,800,000	\$4,800,000	\$4,800,000	\$25,613,000
<b>Commuter Assistance &amp; Transportation Demand Management Projects</b>							
Commuter Services Program (ACCS) - Arlington	\$4,305,000	\$4,413,000	\$4,523,000	\$4,636,000	\$4,752,000	\$5,000,000	\$27,629,000
Countywide Transit Stores - Fairfax County	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,000,000
PRTC Commuter Assistance Program	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,800,000
<b>Traffic Signal, Intelligent Transportation Systems (ITS) and Intersection Projects</b>							
Closed Loop System - Falls Church	\$45,000	\$0	\$0	\$0	\$0	\$0	\$45,000
GPS Fleet Management System - Manassas	\$60,000	\$62,000	\$64,000	\$66,000	\$68,000	\$0	\$320,000
Traffic Signal Improvements - Manassas	\$270,000	\$315,000	\$410,000	\$0	\$0	\$0	\$995,000
Traffic Signal Optimization - Arlington	\$0	\$400,000	\$0	\$0	\$450,000	\$0	\$850,000
Traffic Signal Reconstruction - Vienna	\$0	\$335,000	\$0	\$330,000	\$0	\$330,000	\$995,000
<b>Transit Infrastructure Improvements</b>							
Braddock Road Metro Multimodal Connections	\$0	\$0	\$600,000	\$0	\$0	\$0	\$600,000
Broadlands South Park & Ride Lot Lease	\$75,000	\$75,000	\$75,000	\$77,388	\$79,000	\$0	\$381,388
Columbia Pike Streetcar Project - Fairfax County Contributions	\$4,952,844	\$2,509,000	\$4,929,589	\$2,650,000	\$5,085,761	\$0	\$20,127,204
Dulles North Transit Center Canopy	\$1,068,000	\$0	\$0	\$0	\$0	\$0	\$1,068,000
Leesburg Supplemental Park & Ride (300 spaces)	\$1,500,000	\$1,500,000	\$2,500,000	\$0	\$0	\$0	\$5,500,000
Lowe's Island Park & Ride Lot Lease	\$27,000	\$28,000	\$29,000	\$30,000	\$31,000	\$0	\$145,000
PRTC Western Facility	\$0	\$1,000,000	\$0	\$1,000,000	\$900,000	\$0	\$2,900,000
Route 28 Metrorail Station	\$0	\$0	\$0	\$0	\$0	\$3,000,000	\$3,000,000
Springfield Multimodal Transportation Hub	\$1,068,000	\$4,500,000	\$2,000,000	\$7,444,000	\$6,161,000	\$0	\$21,173,000
VRE Broad Run Parking Deck	\$0	\$0	\$0	\$0	\$0	\$4,790,000	\$4,790,000
VRE Lorton Platforms	\$2,000,000	\$2,000,000	\$1,500,000	\$1,920,000	\$500,000	\$0	\$7,920,000
VRE Rippon Platforms	\$0	\$0	\$2,100,000	\$2,000,000	\$2,000,000	\$0	\$6,100,000
<b>FY 2013 - 2018 Total CMAQ</b>	<b>\$27,530,844</b>	<b>\$28,183,206</b>	<b>\$28,745,599</b>	<b>\$29,318,388</b>	<b>\$29,901,761</b>	<b>\$29,901,763</b>	<b>\$173,581,561</b>
	0	0	0	0	0	0	0
<b>RSTP</b>							
<b>Major Infrastructure Improvements</b>							
Columbia Pike Streetcar Project	\$0	\$2,489,000	\$2,918,000	\$5,943,526	\$1,984,000	\$0	\$13,334,526
East Eldon Street Widening & Improvements	\$293,000	\$1,000,000	\$1,066,000	\$0	\$0	\$700,000	\$3,059,000
Lexington Drive Overpass	\$1,000,000	\$1,000,000	\$2,545,000	\$7,821,000	\$7,969,105	\$4,665,000	\$25,000,105
Liberia Avenue Widening - Manassas	\$0	\$0	\$0	\$0	\$0	\$600,000	\$600,000
Repaving of Various Streets in the City of Fairfax	\$850,000	\$750,000	\$0	\$0	\$0	\$0	\$1,600,000
Rolling Road Loop Ramp	\$3,000,000	\$3,000,000	\$7,000,000	\$0	\$0	\$0	\$13,000,000
Rolling Road widening - Delong Drive to Fullerton Road	\$0	\$0	\$0	\$0	\$0	\$3,500,000	\$3,500,000
Rolling Road widening - Old Keene Mill Road to Fairfax County Parkway	\$0	\$0	\$0	\$0	\$0	\$3,500,000	\$3,500,000
Route 1 North Improvements - Prince William	\$0	\$0	\$0	\$0	\$0	\$4,403,000	\$4,403,000
Route 7 Truck Climbing Lane - Loudoun County	\$0	\$1,980,000	\$980,000	\$0	\$0	\$0	\$2,960,000
Route 7 widening - Reston Avenue to Reston Parkway	\$0	\$0	\$0	\$0	\$0	\$3,500,000	\$3,500,000
Route 15 (South King Street) Widening - Leesburg	\$2,000,000	\$2,000,000	\$2,000,000	\$769,000	\$0	\$0	\$6,769,000
Route 28 Widening-from Linton Hall Rd to Fitzwater Drive	\$8,691,000	\$6,272,000	\$8,893,000	\$8,625,000	\$11,750,000	\$0	\$44,231,000
Route 28 Widening Project - Manassas	\$940,000	\$1,160,000	\$1,100,000	\$700,000	\$0	\$500,000	\$4,400,000
Route 50 Widening - Loudoun County contributions	\$2,400,000	\$3,050,000	\$1,650,000	\$0	\$0	\$0	\$7,100,000
Route 236/Beauregard Street Intersection Improvements	\$0	\$0	\$0	\$0	\$0	\$3,500,000	\$3,500,000
Sycolin Road Widening - Leesburg	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$1,000,000
Tysons Corner Roadway Improvements	\$3,999,889	\$2,568,661	\$3,400,460	\$6,400,000	\$7,400,000	\$6,200,000	\$29,969,010
Vienna Ramp (I-66/Vienna Metrorail Accessibility & Capacity Improvements)	\$6,000,000	\$6,500,000	\$0	\$0	\$0	\$0	\$12,500,000
<b>Traffic Signal, Intelligent Transportation Systems (ITS) and Intersection Project</b>							
Herdon Parkway Intersections (at Van Buren Street, Sterling Road & Spring Street)	\$600,000	\$0	\$0	\$0	\$0	\$0	\$600,000
Parking Technologies - Alexandria	\$0	\$0	\$0	\$0	\$0	\$110,000	\$110,000
Prince William Parkway @ Hillandale - Intersection Improvements	\$0	\$0	\$0	\$0	\$0	\$1,006,000	\$1,006,000
Traffic Signal at Chain Bridge Road and Fairfax County Judicial Center	\$20,000	\$230,000	\$0	\$0	\$0	\$0	\$250,000
Visual Messaging Boards - Manassas	\$0	\$210,000	\$0	\$0	\$0	\$0	\$210,000
<b>Bicycle, Pedestrian, &amp; Spot Improvement Projects</b>							
Bicycle Parking at Major Metro Stops - Alexandria	\$0	\$0	\$0	\$25,000	\$225,000	\$0	\$250,000
Multimodal Enhancements - Dumfries	\$236,000	\$0	\$0	\$0	\$0	\$0	\$236,000
Pedestrian, Bicycle and Traffic Calming Improvements	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,800,000
Rebuilding the Mt. Vernon Trail Parallel to E. Abingdon Drive	\$50,000	\$450,000	\$0	\$0	\$0	\$0	\$500,000
Reston Metrorail Access Group (RMAG) Recommendations	\$3,000,000	\$2,000,000	\$3,000,000	\$4,000,000	\$5,000,000	\$3,500,000	\$20,500,000
Roberts Road Sidewalk Improvements - City of Fairfax	\$50,000	\$175,000	\$0	\$0	\$0	\$0	\$225,000
Tysons Metrorail Access Improvements	\$3,000,000	\$2,000,000	\$3,000,000	\$4,000,000	\$5,000,000	\$2,324,107	\$19,324,107
<b>Commuter Assistance, Transportation Demand, &amp; Transportation System Management</b>							
Transit Store - Alexandria	\$0	\$500,000	\$0	\$500,000	\$0	\$560,000	\$1,560,000
Transit Analysis Study - Alexandria	\$0	\$0	\$500,000	\$0	\$0	\$0	\$500,000
Transportation Demand Management - Alexandria	\$700,000	\$500,000	\$500,000	\$500,000	\$700,000	\$560,000	\$3,460,000
Transportation System Management & Communications Plant Upgrade - Arlington	\$1,000,000	\$700,000	\$700,000	\$700,000	\$700,000	\$600,000	\$4,400,000
<b>FY 2013 - FY 2018 Total RSTP</b>	<b>\$38,129,889</b>	<b>\$38,834,661</b>	<b>\$39,552,460</b>	<b>\$40,283,526</b>	<b>\$41,028,105</b>	<b>\$41,028,107</b>	<b>\$238,856,748</b>
	0	0	0	0	0	0	0
<b>FY 2013 - 2018 CMAQ and RSTP</b>	<b>\$65,660,733</b>	<b>\$67,017,867</b>	<b>\$68,298,059</b>	<b>\$69,601,914</b>	<b>\$70,929,866</b>	<b>\$70,929,870</b>	<b>\$412,438,309</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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** CY 2012 Work Program and Meeting Schedule (Item 4B.)

**DATE:** DRAFT: January 3, 2012

**Recommendation:**

**The Jurisdiction and Agency Coordinating Committee (JACC) recommends that the NVTA approve the CY 2012 Work Program and meeting schedule.**

**Background:**

Following the practice established in 2002, the JACC met to discuss a proposed NVTA work program for 2012. In preparing the proposed CY 2012 work program, the JACC reviewed the CY 2012 work program and noted the progress that was made on each of the items included in the work program. A copy of the analysis is attached.

The proposed work program continues many of the activities undertaken by the NVTA during CY 2011. The work program and meeting schedule reflect the current status of regional transportation funding. If the General Assembly restores funding for NVTA during the 2012 General Assembly session, the work program and schedule will likely be revised.

The schedule includes one public forum in January 2012 to give the public the opportunity to comment on NVTA's 2012 Work Program and transportation issues. A second opportunity for public comment is scheduled for November 2012 to allow the public to comment on transportation issues and NVTA's legislative program.

Jurisdiction and Agency Coordinating Committee members and I will be available at the January 12, 2012, NVTA meeting to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee  
Council of Counsels



Proposed CY 2012 Meeting Schedule  
Northern Virginia Transportation Authority  
DRAFT: January 3, 2012

January 12, 2012 – 7:30 p.m.

February 9, 2012 – 5:30 p.m. (Joint Meeting with NVTC in Richmond) VaCo/VML Day schedule)

March 8, 2012 – 7:30 p.m.

May 10, 2012 – 7:30 p.m.

November 8, 2012 – 7:30 p.m.

Proposed CY 2012 Work Activities  
Northern Virginia Transportation Authority  
DRAFT: January 5, 2012

Continuation of Past Activities

- Adopt an FY 2011 NVTB Budget
- Participate in Securing Federal Appropriation of Dedicated Funding for WMATA
- Discuss and Participate in the Regional TIP/CLRP Update
- Discuss regional air quality issues, including strategies to reduce greenhouse gases
- Participate in I-66 Multimodal Study
- Participate in I-66 Tier 1 EIS
- Adopt Presentation to CTB Fall Transportation Meeting (Pre-Allocation Public Hearing)
- Seek Public Input on Transportation Issues
- Follow Up on ATLAS Study Recommendations
- Endorse an FY 2014-FY2019 CMAQ/RSTP Project List
- Endorse a 2013 Legislative Agenda
- TransAction 2040 Plan
- Participate in SUPERNOVA Study
  
- Receive Periodic Briefings on Major Regional Transportation Studies and Projects, including
  - Base Realignment and Closure Commission (BRAC) Updates
  - I-95/395 HOT Lanes Project
  - I-66 Tier 1 EIS & I-66 Multimodal Study
  - VRE Extension to Haymarket
  - VTrans 2035
  - Statewide Rail Plan
  
- Discuss TPB/MWAQC/MWCOG Issues, as needed

Proposed CY 2012 Work Program  
Northern Virginia Transportation Authority  
DRAFT: January 5, 2012

January 12, 2012 (NVRTA Annual Meeting)

- Public Discussion – Open Forum on NVRTA’s 2012 Work Program and Transportation Issues, and the Revised Schedule for TransAction 2040
- Approval of 2012 Work Program and Meeting Schedule
- Update on the TransAction 2040 Plan
- Receive Briefing on the TIP/CLRP Update and Northern Virginia submissions
- Discuss TPB/MWAQC/MWCOG Issues, if any

February 9, 2012 (*VaCo/VML Day in Richmond; Joint Meeting with NVTC*)

- Discuss Relevant Transportation Legislation Introduced During the General Assembly Session
- Discuss TPB/MWAQC/MWCOG Issues, if any

March 8, 2012

- Discuss Outcome of Relevant Transportation Legislation Considered by the General Assembly
- Adopt Presentation for CTB Public Hearing on Six Year Program
- Receive Briefing on I-66 Multimodal Study
- Briefing on Initial TransAction 2040 Model Run Results/Summary
- Receive Briefing on Regional Air Quality Activities
- Discuss TPB/MWAQC/MWCOG Issues

May 10, 2012

- Endorse Testimony for the CTB’s Fall Transportation (Pre-Allocation) Public Hearing ??
- Receive Briefing on a Major Regional Transportation Study or Project, if appropriate
- Discuss TPB/MWAQC/MWCOG Issues, if any
- Discuss comments received during the Public Open House on the TransAction 2040 Plan
- Authorize the Consultant to proceed with the second model-run for TransAction 2040 Plan

November 8, 2012

- Endorse TransAction 2040 Plan
- Public Discussion – Open Forum on Transportation Issues, TransAction 2040 and Legislative Program
- Establish Nominating Committee for 2012 Officers
- Accept FY 2012 Audit, if appropriate
- Adopt 2013 Legislative Program
- Adopt FY 2014-FY2019 CMAQ/RSTP Project List
- Discuss Proposed CY 2013 Work Program and Meeting Schedule
- Receive Briefing on a Major Regional Transportation Study or Project, if appropriate
- Discuss TPB/MWAQC/MWCOG Issues, if any



## 4.C.

### **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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Appointment of Chairman and Vice Chairman for the NVTA Jurisdiction and Agency Coordinating Committee (Agenda Item 4.C.)

**DATE:** January 12, 2012

#### **Recommendation:**

**The Jurisdiction and Agency Coordinating Committee (JACC) recommends that the Northern Virginia Transportation Authority appoint Monica Backmon of Prince William County as the Chairman and Jay Guy of Fairfax County as the Vice Chairman of the JACC.**

#### **Background:**

In February, 2011, Tom Biesiadny, Chairman of the Jurisdiction and Agency Coordinating Committee, was appointed Acting Director of Fairfax County's Department of Transportation. This appointment required him to focus primarily on Fairfax County transportation activities. To ensure that both NVTA and Fairfax County receive adequate staff support, at the April 8, 2011, NVTA meeting, the Authority appointed me as interim chairman and Jay Guy as interim vice chairman for the JACC. In October, 2011, Mr. Biesiadny was appointed Director of the Fairfax County Department of Transportation. As a result, the JACC recommends that the Northern Virginia Transportation Authority appoint me, Monica Backmon, as the Chairman and Jay Guy as the Vice Chairman of the JACC.

I have represented Prince William County on the JACC for more approximately five years, and have served as interim chairman of the JACC since April, 2011. I have also chaired NVTA's TransAction 2040 Long Range Transportation Plan effort. I also represent Prince William County at the Transportation Planning Board.

Chairman Martin E. Nohe  
Members, Northern Virginia Transportation Authority  
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Mr. Guy has worked for Fairfax County's Department of Transportation for more than seven years. He has supported numerous NVTA activities during that time period. Most notably, he has coordinated the NVTA's Congestion Mitigation and Air Quality/Regional Surface Transportation Program funding allocation process for the past two years. One of his principal assignments at Fairfax County is to secure transportation funds for various types of transportation projects and services.

JACC members and I will be available at the January 12, 2012, NVTA meeting to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee  
Council of Counsels

**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:** Monica Backmon, Acting-Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Appoint Town Representative (Item 4.D.)

**DATE:** January 12, 2012

**Recommendation:**

**The Jurisdictional and Agency Coordinating Committee (JACC) recommends that the Northern Virginia Transportation Authority appoint Mayor Robert W. Lazaro, Jr., of the Town of Purcellville, as the Town representative, until January 2013.**

**Background:**

In 2008, the General Assembly added a non-voting town representative to NVTAs membership. The towns recommended that Leesburg Mayor Kristin Umstaddt be the town representative effective July 1, 2008, and NVTAs concurred. At its meeting on May 14, 2009, Leesburg Mayor Kristin Umstaddt asked that NVTAs approve Herndon Mayor Steve DeBenedittis as the Town representative on NVTAs. NVTAs concurred. However, at the time, NVTAs members noted that the NVTAs Bylaws are silent as to how frequently the Town representative should rotate. The NVTAs asked the JACC and the Council of Counsels to recommend a change to the Bylaws which would clarify that the Town representative should rotate annually at the time of the NVTAs Annual Meeting in January of each year. NVTAs approved this change to the Bylaws on November 12, 2009. A copy of the current Bylaws showing the change is attached.

The NVTAs recently received a letter from the Northern Virginia Town Coalition (attached) requesting the Robert W. Lazaro, Jr., Mayor of Purcellville, be appointed as the Town Representative. In order to comply with NVTAs Bylaws, the Jurisdiction and Agency Coordination Committee recommends that Mayor Lazaro be appointed as the Town Representative until January 2013.

Chairman Nohe  
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Jurisdiction and Agency Coordinating Committee members and I will be available at the January 12, 2012, NVTa meeting to answer questions.

Attachments: a/s

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee  
Members, Council of Counsels



**BYLAWS  
OF  
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

**ARTICLE I  
POWERS AND DUTIES**

The Northern Virginia Transportation Authority, (the “Authority”) shall have all of the rights, powers and duties, and shall be subject to the limitations and restrictions, set forth in Chapter 48.2 of Title 15.2 of the Code of Virginia, the Northern Virginia Transportation Authority Act, §15.2-4829 *et seq. Va. Code Ann.*, as such may be amended from time to time.

**ARTICLE II  
MEMBERSHIP**

**A. Jurisdictions Embraced by Authority.** The Authority shall embrace the counties of Arlington, Fairfax, Loudoun, and Prince William, and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

**B. Authority Members.** The Authority shall consist of seventeen (17) members as follows:

(1) The chief elected officer of the governing body of each of the counties and cities embraced by the Authority. The chief elected officer may, in his or her discretion, appoint a designee upon written notice signed by the chief elected officer provided to the Chairman, which designee shall be a current elected officer of the same governing body as the chief elected officer, to serve as a member of the Authority in the place and stead of the chief elected officer and who shall serve until the designee resigns as the designee or ceases to be an elected officer of the governing body, the chief elected officer making the appointment leaves office, the chief elected officer replaces the designee, or the duration of the designation expires.

(2) Two members of the House of Delegates who reside in different counties or cities embraced by the Authority. The House members shall be appointed to the Authority by the Speaker of the House and shall be, to the extent practicable, from the membership of the House Committee on Appropriations, the House Committee on Finance, or the House Committee on Transportation.

(3) One member of the Senate who resides in a county or city embraced by the Authority. The Senate member shall be appointed by the Senate Committee on Privileges and Elections and shall be, to the extent practicable, from the membership of the Senate Committee on Finance and the Senate Committee on Transportation.

(4) Two citizens appointed by the Governor. One of the citizens shall be a member of the Commonwealth Transportation Board who resides in a county or city embraced by the Authority. The other citizen appointed by the Governor shall be a person who has significant experience in transportation planning, finance, engineering, construction, or

management who resides in a county or city embraced by the Authority but who is not a resident of the same county or city as the other citizen appointed by the Governor to the Authority.

(5) The Director of the Virginia Department of Rail and Public Transportation, or his or her designee, shall be a non-voting member of the Authority.

(6) The Commonwealth Transportation Commissioner, or his or her designee, shall be a nonvoting member of the Authority.

(7) The chief elected officer of one town in a county which the Authority embraces to be chosen by the Authority shall be a non-voting member of the Authority. The Town member shall be selected at the annual meeting and shall be rotated on an annual basis.

### **ARTICLE III OFFICERS AND DUTIES**

- A. **Officers.** The Authority shall annually elect from its members a Chairman and a Vice Chairman. The Authority may further elect such other subordinate officers from among its members as it may from time to time deem appropriate. The election of officers shall be conducted in accordance with the voting procedures set forth in Article IV, section L.
- B. **Terms of Office.** Officers of the Authority shall be elected at the annual organizational meeting of the Authority to serve for a term of one (1) year, unless sooner removed by the Authority, the officer ceases to be a member of the Authority, or until a successor is elected. All officers shall be eligible for re-election. Any vacancy occurring in an office will be filled for the unexpired term by the Authority at the next regular meeting following the occurrence of such vacancy.
- C. **Appointment.** At a regular meeting held preceding the annual organizational meeting at which the election of officers will be held, the Chairman shall appoint a nominating committee. At the annual organizational meeting, the nominating committee shall submit the name or names of one or more persons for each office to be filled. Further nominations may be made by any member at the annual meeting.
- D. **Chairman.** The Chairman shall preside over all meetings of the Authority at which he or she is present, and shall vote as any other member. The Chairman shall be responsible for the implementation of the actions taken and policies established by the Authority, shall have all of the powers and duties customarily pertaining to the office of Chairman, and shall perform such other duties as may from time to time be established by the Authority.
- E. **Vice Chairman.** In the event of the absence of the Chairman, or the inability of the Chairman to perform any of the duties of the office or to exercise any of the powers thereof, the Vice Chairman shall perform such duties and possess such powers as are conferred on the Chairman, and shall perform such other duties as may from time to time be assigned to the Vice Chairman by the Chairman or be established by the Authority.

## **ARTICLE IV MEETINGS**

- A. **Annual Organizational Meeting.** Effective with calendar year 2009, the Authority hereby establishes as its annual organizational meeting the first meeting held by the Authority in the month of January.
- B. **Regular Meetings.** At its annual organizational meeting, the Authority shall adopt a schedule of times, dates, and places of its regular meetings for the relevant calendar year, and shall assess the need for adoption of, or revisions to, meeting procedure rules for the Authority.
- C. **Changing Meetings.** The Authority may change the date, time, or place of any regular meeting to another, when such change is deemed necessary by the Authority, or it may establish additional regular meetings in any month. The Authority may eliminate any regular meetings shown on its annual schedule of meeting dates in the event that it determines that it can successfully complete its work in fewer meetings.
- D. **Special Meetings.** Special meetings shall be held when requested by two or more Authority members. Such request shall be in writing, addressed to the Chairman, and shall specify the matter(s) to be considered at the meeting. Upon receipt of such request, the Chairman shall immediately ensure the necessary coordination for a meeting site and time and cause notice to be provided to each member of the Authority to attend the special meeting at the time and place specified. Such notice shall specify the matter(s) to be considered at the meeting, and shall be sent by electronic (e.g., email) or telephonic means. No matter not specified in the notice shall be considered at such meeting unless all of the members of the Authority are present.
- E. **Adjourned Meetings.** Any regular or special meeting may be adjourned to a date and time certain.
- F. **Public Notice.** All meetings of the NVTa shall be preceded by public notice of at least three business days. Public notice shall include, as a minimum, providing the date, time and place, as well as the agenda, for all meetings on the NVTa website and available in the office of the Executive Director. Notice shall be posted on the NVTa website and at the NVTa office site.
- G. **Public Hearing.** Public hearings may be held at the direction of the Authority and shall, unless otherwise specified by the Authority or these Bylaws, be upon notice provided on the NVTa website and in a newspaper or newspapers having general circulation in the geographic area encompassed by the Authority.
- H. **Open Meetings.** All Authority meetings shall be open to the public in accordance with The Virginia Freedom of Information Act (§2.2-3700 *et seq.* Va. Code Ann), provided that the Authority may meet in closed session for those purposes authorized by, and held in accordance with the requirements of The Virginia Freedom of Information Act, to include requirements for public notice.

- I. **Quorum.** A majority of the Authority, which majority shall include at least a majority of the representatives of the counties and cities embraced by the Authority and a majority of the members of the Authority, shall constitute a quorum. The three nonvoting members of the Authority shall be included for purposes of constituting a quorum.
- J. **Temporary Absence.** No decision shall be made by the Authority unless a quorum is present; provided, however, that the temporary absence from the meeting room of members sufficient to constitute a quorum shall not be deemed to prevent the hearing of presentations or the discussion of matters submitted to the Authority. The Chairman or any other Authority member may suggest the absence of a quorum prior to the taking of any action by the Authority, but a failure to suggest the absence of a quorum shall not be deemed to alter the effect of this rule requiring a quorum as a prerequisite to any decision.
- K. **Decisions of the Authority.** The Authority shall act in one of the following ways:  
(1) Resolution - The Authority may act upon adoption of a resolution. Resolutions shall be in writing, and a copy shall be delivered to all members of the Authority, to the extent practicable, at least three business days before the resolution is proposed for adoption.  
(2) Motion - The Authority may act on oral motion made by a voting member of the Authority.
- L. **Voting.** (1) Votes - Votes shall be taken only upon motions made and seconded. Each member of the Authority, with the exception of the Director of the Virginia Department of Rail and Public Transportation, or his designee, the Commonwealth Transportation Commissioner, or his designee, and the town representative, shall be entitled to one (1) vote in all matters requiring action by the Authority. Decisions of the Authority shall require the affirmative vote of two-thirds of the Authority members present and voting, and two-thirds of the representatives of the counties and cities embraced by the Authority who are present and voting and whose counties and cities include at least two-thirds of the population embraced by the Authority. However, no vote to fund a specific facility or service shall fail because of the aforesaid population criterion if such facility or service is not located or to be located, or provided or to be provided within the county or city whose representative's sole negative vote caused the facility or service to fail to meet the population criterion. For purposes of the foregoing, the population of the counties and cities embraced by the Authority shall be determined in accordance with Article VIII, section D of these Bylaws.  
(2) Methods of Voting - All voting shall be taken by voice or by roll call if requested by any voting member of the Authority.  
(3) Restating the Question - The Chairman shall restate the question prior to the taking of a vote, provided, however, that at the request of the Chairman, an Authority member may restate the question if it is the opinion of the Chairman that such procedure will expedite the decision of the question.  
(4) Reconsideration - Action on a resolution or motion may be reconsidered only upon motion of a member voting with the prevailing side on the original vote, which motion must be made at the same or immediately subsequent regular meeting. A motion to reconsider may be seconded by any member. Any such matter defeated by a tie vote may be reconsidered upon motion by any Authority member having voted to defeat the matter at the same or the next regularly scheduled meeting.

- M. **Commencement of Meetings.** At the times specified for the commencement of regular meetings, and at the hour specified for adjourned or special meetings, the Chairman shall call the meeting to order, and shall ensure that the presence or absence of Authority members is noted. A quorum shall be required for the commencement of any meeting.
- N. **Agenda.** The Chairman shall cause to have prepared an agenda for each meeting. Any member having matters to be considered by the Authority shall submit them to the Chairman for inclusion on an appropriate agenda. The agenda for an upcoming meeting shall be sent to the Authority members at least one (1) week prior to the meeting date.
- O. **Minutes.** Minutes of the meetings of the Authority shall be kept, which minutes shall be a public record, except closed sessions. Copies of the minutes shall be provided to each member of the Authority prior to the meeting at which the minutes are to be presented for approval by the Authority.
- P. **Closed Sessions.** If a closed session is required at a meeting, consistent with the purposes permitted by *Va. Code Ann. §2.2-3711*, the agenda shall specify a time or position on the agenda, generally after all public business has concluded, for such a closed session properly called and conducted in accordance with The Virginia Freedom of Information Act §2.2-3712. When so requested, the Chairman may permit a closed session at any other time prior to consideration of any agenda item.
- Q. **Order in Conduct of Business.** (1) Persons Addressing the Authority – Prior to public comment and public hearings, the Authority will provide guidelines for length of presentations by individuals and group representatives. Persons speaking at public hearings shall confine their remarks to the subject of the public hearing. At the discretion of the Chairman, the conduct of business by the Authority may be reordered to allow earlier consideration of matters about which a substantial number of persons desire to address the Authority. Persons addressing the Authority may furnish the Chairman and members of the Authority with a written copy of their remarks, at or before the meeting. (2) Recognition - Recognition shall be given only by the Chairman. No person shall address the Authority without first having been recognized. (3) Questions - Questions by members of the Authority shall be reserved insofar as possible for the end of a presentation to avoid interrupting the speaker, disrupting the timekeeping process, and duplicating ground the speaker may cover. (4) Authority Discussion - Discussion and debate by the Authority shall be conducted following the presentation of the item of business pending. Members shall not speak to the item until recognized by the Chairman.
- R. **Decorum.** (1) Authority Members - Decorum of Authority members shall be maintained in order to expedite disposition of the business before the Authority. Questions and remarks shall be limited to those relevant to the pending business. Members shall address all remarks to the Chairman. (2) Others - Decorum of persons other than members shall be maintained by the Chairman, who may request such assistance as may appear necessary. Persons addressing the Authority shall first be recognized by the Chairman and shall audibly state their name and address, and, if applicable, who they represent. Speakers shall limit their remarks to

those relevant to the pending items and to answering questions. They shall address the Authority as a whole unless answering an individual member's questions. Persons whose allotted time to speak has expired shall be warned by the Chairman to conclude after which such person shall leave, unless he or she is asked to remain to answer questions from the Authority. The Chairman shall call the speaker to order if out-of-order remarks are made or other indecorous conduct occurs. If such persists, the Chairman shall rule the speaker out of order and direct the speaker to leave. Groups or a person in the audience creating an atmosphere detrimental or disturbing to the conduct of the meeting will be asked to leave by the Chairman.

## **ARTICLE V COMMITTEES**

**A. Open Meeting Requirement.** Consistent with § 2.2-3701 and § 2.2-3707Va Code Ann., all Authority-appointed committees and subcommittees (e.g., Finance Committee) of the Authority shall comply with the open meeting requirements of the Virginia Freedom of Information Act.

### **B. Finance Committee.**

(1) Charge. This committee shall be responsible for advising the Authority on all financial matters and overseeing financial activities undertaken by the NVTa professional staff, including:

- (a) Reviewing, commenting on, and recommending the annual budget presented by the Executive Director
- (b) Reviewing, commenting on, and recommending any budget amendments presented by the Executive Director
- (c) Overseeing the NVTa's financial policies (e.g, bond, investment, procurement, risk management) and making appropriate recommendations
- (d) Monitoring contracts for incidental services, including incidental financial services, and recommending task orders
- (e) Monitoring NVTa's expenditures for compliance with policies and guidance of the NVTa
- (f) Reviewing annual revenue estimates
- (g) Approving the selection of an audit firm and audit work plan supporting the annual preparation of financial statements
- (h) Assisting with other financial activities as may be directed by the NVTa.

(2) Membership. The Committee shall consist of five (5) members of the NVTa appointed by the Chairman for staggered two year terms.

(3) Chairman. The chairman and the vice chairman of the Committee shall be appointed by the Chairman of the NVTa.

(4) Staff Support. Staff support will be provided by the NVTa staff. As requested by the committee chairman, additional support may be provided by jurisdictional or agency staffs.

(5) Quorum and Voting. A quorum shall consist of a majority (3) of the committee members. The committee shall strive for consensus when developing recommendations. Approval of recommendations or actions shall require an affirmative vote of a majority of

the members present, which shall include at least three jurisdictional representatives in the affirmative.

### **C. Technical Advisory Committee (TAC).**

(1) Charge. This committee of individuals with multi-modal expertise and regional focus shall be responsible for reviewing the development of major projects and potential funding strategies and providing recommendations to the NVTa.

“Development of projects” means the identification of projects for the NVTa Long Range Transportation Plan and the NVTa Six Year Program, and the application of performance-based criteria to the projects identified.

(2) Membership. The committee shall consist of nine (9) individuals who reside or are employed in counties and cities embraced by the Authority and have experience in transportation planning, finance, engineering, construction, or management. An effort shall be made to have multi-modal representation, to include highway, transit, pedestrian, and bicycle expertise as well as being balanced regionally. The NVTa will recommend a list of members each year and request that the chief elected officer from relevant jurisdictions appoint selected persons to the committee. Initially, half the locally appointed members will serve a one (1) year term. The other half will serve two (2) year terms. Subsequently, members will serve three (3) year terms. The chairman of the Commonwealth Transportation Board (CTB) will appoint three members to three (3) year terms. Locally appointed members may be removed by the Chairman of the NVTa for failure to attend three consecutive meetings or if the member no longer resides or is employed in an NVTa jurisdiction.

(3) Chairman. The chairman and vice chairman shall be appointed by the Chairman of the NVTa.

(4) Staff Support. Staff support shall be provided by NVTa professional staff, with additional support as may be needed from time to time from the Jurisdictional and Agency Coordinating Committee (JACC).

(5) Quorum and Voting. A quorum shall consist of a majority (5) of members. The committee shall strive for consensus when developing recommendations. If consensus cannot be achieved, majority and minority reports that identify issues that need to be addressed shall be presented to the NVTa.

### **D. Planning Coordination Advisory Committee (PCAC).**

(1) Charge. This committee shall be responsible for advising the NVTa on broad policy issues related to the periodic update of the NVTa’s Long Range Transportation Plan (e.g., TransAction 2030) and the development of the NVTa’s Six Year Program with special consideration to regional transportation, land use and growth issues and provide advisory recommendations to the NVTa.

(2) Membership. All members shall be elected officials from jurisdictions embraced by the NVTa. Such membership shall include, as a minimum, one elected official from each town that is located in any county embraced by the NVTa and receives street maintenance payments.

(3) Chairman. The chairman and vice chairman shall be appointed by the Chairman of the NVTa.

(4) Staff Support. Staff support shall be provided by the NVTa staff. The chairman may request additional support from jurisdictional and agency staffs as needed.

(5) Quorum and Voting. A quorum shall consist of a majority of the committee members. The committee shall strive for consensus when developing recommendations. In the event that consensus cannot be attained, approval of an advisory recommendation or other actions shall require an affirmative vote of two thirds of the members present representing two thirds of the region's population. For purposes of such votes, town populations shall be subtracted from county populations and voted independently.

E. **Ad Hoc Committees.** As needed, the chairman of the NVTa may appoint ad hoc committees to pursue specific tasks (e.g., nominating committee).

## **ARTICLE VI**

### **NVTa TRANSPORTATION PLAN**

A. **NVTa Regional Transportation Plan.** The Authority shall adopt a NVTa Regional Transportation Plan for Northern Virginia. The Plan shall consist of the NVTa Long Range Transportation Plan and the NVTa Six Year Program.

(1) NVTa Long Range Transportation Plan. The Authority shall adopt an unconstrained NVTa Long Range Transportation Plan (*TransAction 2030* or its successor) for Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of regional consensus, set regional transportation policies and priorities for regional transportation projects. In support of regional consensus, it is desirable that NVTa secure the formal approval of each of its member jurisdictions before adoption of the plan. The policies and priorities shall be guided by performance-based criteria such as the ability to improve travel times, reduce delays, connect regional activity centers, improve safety, improve air quality, and move the most people in the most cost-effective manner.

(2) NVTa Six Year Program. The Authority shall adopt a NVTa Six Year Program for Northern Virginia that includes, but not necessarily be limited to, transportation improvements of regional significance and those improvements necessary or incidental thereto. The NVTa Six Year Program shall include all transportation improvements to be funded from NVTa-generated funding over a six (6) year period. The Authority shall from time to time, not less than annually, review and, as necessary, revise and amend the Six Year Program. The provisions of §§15.2-4527 *et seq.*, *Va Code* shall apply to preparation and adoption of the Six Year Program.

B. **Procedure for Adoption and Amendment of Long Range Transportation Plan and Six Year Program.** The Long Range Transportation Plan and the Six Year Program, separately or at the same time, shall be adopted, altered, revised or amended only after a public hearing held upon thirty (30) days' notice consistent with NVTa public notice procedures.

## **ARTICLE VII**

### **ADMINISTRATION**



- A. **Executive Director.** The Authority shall employ an Executive Director who shall have direct authority for the employment, retention, and supervision of all of the other employees of the Authority. The Executive Director shall have direct control, subject to the Authority, of the management of the day-to-day administrative affairs of the Authority. The Executive Director shall propose activities to the Authority and shall carry out policies, programs and projects approved by the Authority, and shall be responsible for preparing and presenting the annual budget. The Executive Director may not contemporaneously serve as a member of the Authority.
- B. **Staff.** The Authority may employ such staff of qualified professional and other persons as the Authority determines to be necessary to carry out its duties and responsibilities. Staff of the Authority may not contemporaneously serve as a member of the Authority.
- C. **Execution of Instruments.** The Executive Director, on specific authorization by the Authority, shall have the power to sign or countersign in its behalf any agreement or other instrument to be executed by the Authority including checks and vouchers in payment of obligations of the Authority.

## **ARTICLE VIII FINANCES**

- A. **Finances and Payments.** The monies of the Authority shall be deposited in a separate bank account or accounts in such banks or trust companies as the Authority designates, and all payments (with the exception of those from petty cash) shall be made in the most practicable manner as determined by the Authority. Checks and drafts shall be signed in the name of the Authority by the Executive Director or, in the Executive Director's absence, those authorized from time to time by vote of the Authority. An Authority financial policy shall be developed that prescribes threshold requiring any countersignatures.
- B. **Audits.** At least once each year, the Authority shall cause an audit to be made by an independent certified public accountant of all funds of the Authority. Such audits will, at a minimum, obtain an opinion as to the accuracy of the annual financial statements from a certified public accounting firm. Additional audit activity may be obtained by the Finance Committee as it deems prudent.
- C. **Budget and Fiscal Year.** After a duly convened public hearing held in accordance with the requirements of these Bylaws, the Authority shall adopt an annual budget prior to the start of its fiscal year which budget shall provide for all of the revenues and the operating, capital, and administrative expenses of the Authority for the fiscal year. The fiscal year of the Authority will commence on July 1st each year and will terminate on the following June 30th.
- D. **Administrative Expenses.** The administrative expenses of the Authority, as provided for in the Authority's annual budget, and which shall not include funds for construction or acquisition of transportation facilities and/or the performance of any transportation service, shall be allocated, to the extent funds for such expenses are not provided for from

other sources, among the component counties and cities on the basis of relative population as determined by the most recently preceding decennial census, except that on July 1 of the fifth (5<sup>th</sup>) year following such census, the population of each county and city shall be adjusted based on population projections made by the Weldon Cooper Center for Public Service of the University of Virginia.

- E. **Per Diem Payments.** The Authority may pay its members for their services to the Authority a per diem in either: (1) the amount provided in the general appropriations act for members of the General Assembly engaged in legislative business between sessions, or (2) a lesser amount determined by the Authority.
- F. **Bond of Officers and Others.** The officers of the Authority and such employees as the Authority so designates, may, prior to taking office or starting employment, respectively, be required by the Authority to give bond payable to the Authority conditioned upon the faithful discharge of that officer or employee's duties, in such amount as the Authority may require. The premium for each such bond shall be paid by the Authority and the bond(s) shall be filed with the Authority. The Authority may fulfill this bonding requirement through plans or agreements offered by the Commonwealth of Virginia.

## **ARTICLE IX AMENDMENTS**

Any proposed amendment, repeal or alteration, in whole or in part, of these Bylaws shall be presented in writing and read for a first time at a regular meeting of the Authority. Such proposal may be considered and amended at such meeting, and the Authority may act on the proposal, following consideration and amendment germane to the section or sections affected by such proposal in accordance with the voting requirements of these Bylaws, if the amendment was distributed to the members of the Authority in writing at least 10 days before the meeting. If such amendment was not distributed in writing 10 days in advance or the Authority chooses to defer action, the proposed amendment will be scheduled for consideration at a subsequent regular meeting or a special meeting called for the purpose. At such subsequent meeting, such proposal shall be read a second time, shall be subject to further consideration and amendment germane to the section or sections affected by such proposal, and shall thereafter be acted on in accordance with the voting requirements of these Bylaws.

## **ARTICLE X PROCEDURES**

Parliamentary Procedure. In all matters of parliamentary procedure not specifically governed by these Bylaws or otherwise required by law, the current edition of *Robert's Rules of Order, newly revised*, shall apply.

# TOWN ASSOCIATION OF NORTHERN VIRGINIA

Towns of ~ Dumfries ~ Herndon ~ Leesburg ~ Purcellville ~ Vienna

**December 2, 2011**

**VIA EMAIL**

Honorable Martin Nohe  
Chairman, Northern Virginia Transportation Authority  
4031 University Drive, Suite #200  
Fairfax, Virginia 22030

**Re. Town Non-Voting Member of Northern Virginia Transportation Authority**

Dear Chairman Nohe:

In accordance with HB451, mayors from each of the five participating towns in the Virginia Department of Transportation street maintenance program are appointed on a rotating basis to serve one-year terms. The appointments of the mayor representative follow the order of population for those localities ~ Leesburg, Herndon, Vienna, Purcellville, and Dumfries. NVTa amended its bylaws so that "...the chief elected officer of one town in a county which the Authority embraces ..... shall be selected at the annual meeting and shall be rotated on an annual basis.'

Mayor Jane Seeman, of the Town of Vienna, will conclude her term on December 31, 2011. Therefore, the Town Association of Northern Virginia (TANV) respectfully **recommends the appointment of Mayor Robert W. Lazaro, Jr., of the Town of Purcellville**, to serve as the next town representative to the NVTa for a term beginning January 1, 2012 and ending December 31, 2012.

Please use the following contact information for upcoming NVTa meeting schedules and materials.

Honorable Robert W. Lazaro, Jr., Mayor  
Town of Purcellville  
130 E. Main Street  
Purcellville, Virginia 20132  
540-338-7421  
540-338-6205 fax  
[blazaro@purcellvilleva.gov](mailto:blazaro@purcellvilleva.gov)

Robert Lohr, Jr., Town Manager  
Town of Purcellville  
130 E. Main Street  
Purcellville, Virginia 20132  
540-338-7421  
540-338-6205 fax  
[rlahr@purcellvilleva.gov](mailto:rlahr@purcellvilleva.gov)

**Honorable Martin Nohe, Chairman**  
**Northern Virginia Transportation Authority**  
**December 2, 2010**  
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Please do not hesitate to contact us should you need additional information.

Sincerely,

***Nancy West***

Nancy H. West  
Mayor, Town of Dumfries  
PO Box 56  
17755 Main Street  
Dumfries, Virginia 22026  
[honnwest@dumfriesva.gov](mailto:honnwest@dumfriesva.gov)

***Steve DeBenedittis***

Stephen J. DeBenedittis  
Mayor, Town of Herndon  
PO Box 427  
Herndon, Virginia 20172-0427  
[Mayorsteve@herndon-va.us](mailto:Mayorsteve@herndon-va.us)

***Kristen Umstattd***

Kristen C. Umstattd  
Mayor, Town of Leesburg  
PO Box 88  
25 West Market Street  
Leesburg, Virginia 20178  
[umstattd@starpower.net](mailto:umstattd@starpower.net)

***Bob Lazaro***

Robert W. Lazaro, Jr.  
Mayor, Town of Purcellville  
130 E. Main Street  
Purcellville, Virginia 20132  
[blazaro@purcellvilleva.gov](mailto:blazaro@purcellvilleva.gov)

***Jane Seeman***

M. Jane Seeman  
Mayor, Town of Vienna  
127 Center Street, South  
Vienna, Virginia 22180  
[mayor@viennava.gov](mailto:mayor@viennava.gov)  
[jseeman@viennava.gov](mailto:jseeman@viennava.gov)

- c. Members of the Town Association of Northern Virginia
- Members of the Herndon Town Council
- Arthur A. Anselene, Herndon Town Manager
- Tom Biesiadny, Director, Fairfax County Department of Transportation
- Elizabeth M. Gilleran, Director of the Department of Community Development
- Mark Duceman, Herndon Transportation Program Manager

## **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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Update on TransAction 2040 (Agenda Item 5A.)

**DATE:** DRAFT: January 3, 2012

At its July 14th, 2011 meeting, the Authority reviewed and approved the proposed list of transportation projects that were going to be analyzed in the TransAction 2040 plan update. During this same meeting, the Authority commented on the proposed performance measures and scoring schemes to assist with ranking and prioritizing these transportation projects. After some discussion, the Authority members suggested that the project team examine the possibility of giving more emphasis on reducing congestion and reducing time spent travelling. The project team promised to incorporate input from the Authority on the performance criteria and make any necessary adjustments. The Authority approved staff's request to use the proposed evaluation criteria.

The Authority directed the project team to identify congestion chokepoints and document how these problem areas are being addressed by the plan. Under this direction, the project team will work with the Subcommittee, TAC and PCAC to discuss these chokepoints or missing transportation links in the network after the release of initial model run results. Cambridge Systematics will include a narrative about these "missing transportation links" were addressed in the plan update.

The project team informed the Authority about the interest among stakeholders to have another model run in order to prioritize projects that will yield maximum benefits on the respective transportation corridor. After some discussion, the Authority approved staff's request to amend the existing contract with Cambridge Systematics for an amount no greater than \$45,000 to fund an additional model run.

Martin E. Nohe, Chairman  
Members, Northern Virginia Transportation Authority  
January 3, 2012  
Page Two

In response to the additional model run approval, Cambridge Systematics adjusted the project schedule to accommodate this request. As a consequence, the consultant is expected to release the initial model run outputs to the project team in mid-January 2012. Upon receipt, the Subcommittee will review the output and make technical corrections, if deemed necessary. At its proposed March 8, 2012, the Authority will be briefed on the model run summary results prior to the public "open house" event scheduled for mid to late April in Falls Church. The Authority will be briefed on comments from the public at their March meeting prior to the second-model run. In May 2012, project stakeholders will review the second model-run output from Cambridge Systematics. In July 2012, other plan update deliverables will be reviewed by the Subcommittee, PCAC and the TAC. The Authority is expected to adopt the TransAction 2040 update at their proposed November 2012 meeting.

As mentioned in previous briefings, the project team has encountered delays with the release of MWCOG's Version 2.3 model. In response, the project team directed Cambridge Systematics to use the most current version available as of September 30, 2011. The project team decided to set this cut off date because further delays or minor corrective releases would compromised the overall project schedule. Also, the project team was confident that September 2011 version will closely resemble the model version being by the Transportation Planning Board (TPB) for their CLRP conformity analysis in November 2011.

Jurisdiction and Agency Coordination Committee members, the Council of Counsels and I will attend the January 12, 2012, NVTa meeting to answer questions.

Attachments: a/s

Cc: Members, Jurisdiction and Agency Coordinating Committee  
Members, Council of Counsels

# TransAction 2040 Schedule

Date	Major Topic(s)
Sept. 2011	30 <sup>th</sup> - Use most current available Version 2.3 for model run at this date (Release 28)
Oct. 2011	<p>20<sup>th</sup> - Subcommittee conference call: revised project schedule / briefing to respective boards / revised project ratings / update on modeling / PCAC meeting date recommendations</p> <p>28<sup>th</sup> – <i>Note: Last date for transitioning model activity to focus on output processing (i.e., last <u>start date</u> for calculating quantitative project ratings and benefits; drafting LOS maps)</i></p>
Nov. 2011	<p>4<sup>th</sup> - Submit a draft summary of the model results (tables and graphs) for all-project run compared with our CLRP run. Project ratings and benefits calculations and LOS maps will not be part of this package.</p> <p>7<sup>th</sup> - Management conference call – discussion of draft summary model run results; scope for LOS maps; details on plans for generating project ratings</p> <p>7<sup>th</sup> – <i>Consultant Notified of Issue with Version 2.3 Release 28; suspended work that would require repeating</i></p> <p>Obtain Conformity Release of model and initiate re-do of Existing 2007, CLRP 2040, and Build 2040 runs and associated post-processing (requires additional resources or in-kind contribution)</p> <p>28<sup>th</sup> – <i>Note: Last date for starting re-do of model application</i></p>
Dec. 2011	<p>5<sup>th</sup> - TPB staff confirm 12/30 delivery plan for model results</p> <p>30<sup>th</sup> – <i>Note: Last date for transitioning model activity to focus on output processing (i.e., last <u>start date</u> for calculating quantitative project ratings and benefits; drafting LOS maps)</i></p>
Jan. 2012	<p>6<sup>th</sup> - Submit a draft summary of the model results (tables and graphs) for all-project run compared with our CLRP run. Project ratings and benefits calculations and LOS maps will not be part of this package.</p> <p>9<sup>th</sup> - Management conference call – discussion of draft summary model run results; scope for LOS maps; details on plans for generating project ratings</p> <p>16<sup>th</sup> - Submit updated summary results (revised for technical corrections or adjusted presentation)</p> <p>19<sup>th</sup> - Subcommittee meeting (Agenda: summary model results)</p> <p>31<sup>st</sup> – <i>Note: Last finish date for “Analysis of Model Output” subtask</i></p>
Feb. 2012	4 <sup>th</sup> - Submit draft model output materials resulting from Jan. 31 completion and draft Newsletter #1

Date	Major Topic(s)
	<p>6<sup>th</sup> – Management conference call to discuss</p> <p>8<sup>th</sup> - Subcommittee meeting (Agenda: quantitative and qualitative project ratings; Newsletter #1)</p> <p>3<sup>rd</sup> week in February – TAC meeting (14, 15, 16) (project prioritization and quantitative and qualitative project ratings should be available; cost/benefit ratings will still be pending)</p> <p>25<sup>th</sup> – Submit draft LOS maps</p> <p>28<sup>th</sup> (Tuesday) – Management conference call to discuss draft LOS maps</p> <p>29<sup>th</sup> – <i>Note: Last finish date for “Development of LOS maps” and “Cost/Benefit Analysis for Prioritization” subtasks</i></p>
<b>Mar. 2012</b>	<p>2<sup>nd</sup> – Deadline for any materials for distribution at NVTA meeting</p> <p>3<sup>rd</sup> – Submit final draft LOS maps resulting from December completion; submit cost/benefit analysis</p> <p>5<sup>th</sup> – Management conference call to discuss LOS Maps</p> <p><i>Make Newsletter #1 Available in March</i></p> <p>8<sup>th</sup> – NVTA Meeting (brief on model run summary results)</p> <p>12<sup>th</sup> – Management conference call to discuss upcoming meeting</p> <p>15<sup>th</sup> – Subcommittee meeting date: LOS maps; cost/benefit analysis; preliminary prioritization; open house preparations;</p> <p>24<sup>th</sup> – Submit draft Open House content and boards</p> <p>26<sup>th</sup> – Conference call to discuss Open House plans</p>
<b>Apr. 2012</b>	<p>2<sup>nd</sup> to 6<sup>th</sup> – Spring Break</p> <p>3<sup>rd</sup> or 5<sup>th</sup> - TAC/PCAC Meeting – discuss Open House content (exact date TBD)</p> <p>Mid-Month Open House (10<sup>th</sup>, 11<sup>th</sup>, or 12<sup>th</sup>)</p> <p>19<sup>th</sup> – Subcommittee meeting: preliminary second model run project list</p>
<b>May. 2012</b>	<p>9<sup>th</sup> – <i>Note: Brief Marty Nohe by this date</i></p> <p>10<sup>th</sup> – NVTA Meeting (brief on open house comments; final 2<sup>nd</sup> model run project list)</p> <p>17<sup>th</sup> – Subcommittee meeting: open house debrief; progress update</p> <p>26<sup>th</sup> – Submit draft Newsletter #2</p>
<b>Jun. 2012</b>	<p>8<sup>th</sup> - Second model run complete; begin analysis of second model run output;</p>



<b>Date</b>	<b>Major Topic(s)</b>
	commence project rating and prioritization update
	18 <sup>th</sup> – Management conference call to discuss subcommittee meeting
	21 <sup>st</sup> – Subcommittee meeting; progress report; summary model run information; finalize Newsletter #2
<b>July 2012</b>	14 <sup>th</sup> – Analysis of model output complete
	16 <sup>th</sup> – Management conference call to discuss model output and meeting
	<i>Make Newsletter #2 Available in July</i>
	19 <sup>th</sup> - Subcommittee meeting; second model run results; project rating updates; preliminary draft deliverables
	PCAC / TAC meetings – possible dates July 24, 25, 26 <sup>th</sup>
<b>Aug. 2012</b>	11 <sup>th</sup> - Preliminary deliverables submitted
	13 <sup>th</sup> – Management conference call to discuss deliverables and meeting
	16 <sup>th</sup> – Subcommittee meeting; draft plan; draft final deliverables
<b>Sep. 2012</b>	8 <sup>th</sup> – Final deliverables submitted
	10 <sup>th</sup> – Management conference call to discuss deliverables
	17 <sup>th</sup> – Management conference call to discuss subcommittee meeting
	20 <sup>th</sup> – Subcommittee meeting; final plan
<b>Oct. 2012</b>	Endorsement of Plans
<b>Nov. 2012</b>	8 <sup>th</sup> – NVTA Meeting; Adoption of TransAction 2040
<b>Dec. 2012</b>	31 <sup>st</sup> – Contract End

## Attachment II – Recommended TransAction 2040 Scoring and Weighting Process (Weight Varies by the Number of PECs Under Each Goal)

Weighting		
Performance Evaluation Criteria (PEC)	TransAction 2040 Performance Measure	Weighting (100 Points)
<b>GOAL: Provide an integrated, multi-modal transportation system</b>		<b>20</b>
Freight Movement	Project improves the capacity, reliability of freight while also improving other impacted systems such as highways or passenger rail	7
Improved Bicycle and Pedestrian Travel Options	Project supports multiple use development patterns in a walkable environment	7
Multi-modal Choices	Project creates multimodal choice for travelers as indicated by increases in non-SOV mode share	3
	Project creates multimodal choice for travelers as indicated by increases in transit capacity	3
<b>GOAL: Provide responsive transportation service to customers</b>		<b>47</b>
Urgency	Project addresses existing significant Level of Service (LOS) deficiencies for all modes of transportation	3
	Project addresses existing structural and maintenance deficiencies for all modes of transportation	3
Project Readiness	Project is able to be readily implemented as indicated by percent environmental clearance complete; percent preliminary engineering complete; or other factors (e.g., right-of-way acquired)	7
Reduce VMT	Project effects on vehicle miles traveled	7
Safety	Project improves the safety of the transportation system	7
Person Throughput	Project provides for increased person-capacity within a corridor as indicated by increases in person miles traveled by non-SOV modes	3
	Project provides for increased person-capacity within a corridor as indicated by increases in person miles traveled by SOV mode	3
Reduce Roadway Congestion	Project reduces roadway congestion	7
Reduce Time Spent Traveling	Project reduces person hours traveled	7
<b>GOAL: Respect historical and environmental factors</b>		<b>7</b>
Environmental Sensitivity	Project right-of-way impacts on sensitive areas	7
<b>GOAL: Maximize community connectivity by addressing transportation and land use together</b>		<b>13</b>
Activity Center Connections	Project improves connections between multiple Activity Centers	7
Land Use Supports Transportation Investment	Project is supported by land use plan	7
<b>GOAL: Incorporate the benefits of technology</b>		<b>7</b>
Management and Operations	Project improves the management and operation of existing facilities through technology applications	7
<b>GOAL: Identify funding and legislative initiatives needed to implement the Plan</b>		<b>7</b>
Cost Sharing	Project improves private or other outside funding	7
<i>Project Score</i>		<i>100</i>

SERVE

COMMONWEALTH OF VIRGINIA



PRINCE WILLIAM CIRCUIT COURT

Civil Division  
9311 LEE AVENUE  
MANASSAS VA 20110  
(703) 792-6029

Summons

To: NORTHERN VIRGINIA TRANSPORT  
SERVE: RICHARD K TAUBE  
EXECUTIVE DIRECTOR  
2300 WILSON BOULEVARD  
SUITE 620  
ARLINGTON VA 22201

Case No. 153CL11000027-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Thursday, December 22, 2011

Clerk of Court: MICHELE B MCQUIGG

by

A handwritten signature in black ink, appearing to read "Michele B. McQuigg", written over a horizontal line.

(CLERK/DEPUTY CLERK)

Instructions:

COMPLAINT

Hearing Official:

Attorney's name:

SMITH, JACQUELINE C  
8986 BURKE LAKE ROAD SUITE 304  
703 323 7000  
BURKE VA 22015

**VIRGINIA:**

**IN THE PRINCE WILLIAM COUNTY CIRCUIT COURT**

**KELLY A. GOURLAY  
4055 Edgeland Trail  
Middleburg, Florida 32068**

**Plaintiff,**

**v.**

**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
Serve: Kenneth T. Cuccinelli, II, Attorney General  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219**

**and**

**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF THE TREASURY  
Serve: Kenneth T. Cuccinelli, II, Attorney General  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219**

**and**

**NORTHERN VIRGINIA TRANSPORTATION AUTHORITY  
Serve: Marty Nohe, Chairman  
4031 University Drive, Suite 200  
Fairfax, Virginia 22030**

**and**

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION:  
Serve: Catherine Hudgins, Chairman  
Serve: Richard K. Taube, Executive Director  
4350 N. Fairfax Drive, Suite 720  
Arlington, Virginia 22230**

**Defendants.**

**Case No:** CL11-0027-DL

**COMPLAINT**

COMES NOW, the Plaintiff, by Counsel, and moves this Honorable Court for judgment against the Defendants, jointly and severally on the grounds and in the amount set forth below:

1. January 4, 2009, at approximately 2:30 p.m., Mrs. Kelly Gourlay was injured while visiting the rest area located at or about Exit 158 on Interstate 95 southbound in Woodbridge, Virginia.

2. While visiting this rest area, Mrs. Gourlay tripped and fell over a cracked and separated lip/edge of the sidewalk, which was elevated vis-a-vis the rest of the level sidewalk.

3. At all times herein, this rest area was owned, operated, occupied and/or maintained by the Defendants.

4. The Plaintiff, at the time of the fall, was walking free of any negligence.

**COUNT I**  
**Gross Negligence**

5. Paragraphs 1 through 4 are incorporated herein as if fully recited.

6. The Defendants as owners, occupiers and/or operators of the relevant premises had a duty to maintain the common areas of the complex in a safe condition for the use of the Plaintiff and others similarly situated.

7. The Defendants breached this duty owed to the Plaintiff when they, their agents, employees and/or servants allowed an unsafe condition to exist on the premises; failed to warn the Plaintiff about this unsafe condition; failed to remove the unsafe condition; failed to reroute foot traffic away from this unsafe condition; failed to properly inspect, maintain, repair and/or ensure the safety of the walkways and/or premises for persons and invitees such as Mrs. Gourlay; negligently designed and/or

constructed the sidewalk and/or failed to inspect, repair and/or maintain the sidewalk in this rest area thereby creating or allowing to exist an uneven/unlevel area.

8. As a direct and proximate result of the negligent and/or grossly negligent acts and/or omissions of the agents, employees and/or servants of the defendants, the Plaintiff was seriously injured.

**COUNT II**  
**Negligence**

9. Paragraphs 1 through 8 are incorporated herein as if fully recited.

10. The Defendants as owners, occupiers and/or operators of the relevant premises had a duty to maintain the common areas of the complex in a safe condition for the use of the Plaintiff and others similarly situated.

11. The Defendants breached this duty owed to the Plaintiff when they, their agents, employees and/or servants allowed an unsafe condition to exist on the premises; failed to warn the Plaintiff about this unsafe condition; failed to remove the unsafe condition; failed to reroute foot traffic away from this unsafe condition; failed to properly inspect, maintain, repair and/or ensure the safety of the walkways and/or premises for persons and invitees such as Mrs. Gourlay; negligently designed and/or constructed the sidewalk and/or failed to inspect, repair and/or maintain the sidewalk in this rest area thereby creating or allowing to exist an uneven/unlevel area.

12. As a direct and proximate result of the negligent and/or grossly negligent acts and/or omissions of the agents, employees and/or servants of the defendants, the Plaintiff was seriously injured.

**COUNT III**  
**Negligence per se**

13. Paragraphs 1 through 12 are incorporated herein as if fully recited.

14. The Defendants as the owners, occupiers and/or operators of the premises had a duty to maintain the premises in accordance with the standards contained in the BOCA National Building Code, the Council of American Building Officials, the Virginia Uniform Standard Building Code, the National Property Maintenance Code, the Fauquier County Code and all other applicable ordinances, codes, and laws.

15. Defendants failed to maintain the premises in accordance with the standards contained in the aforementioned codes. Such standards included but were not limited to the requirement to maintain the common areas of the property in a safe condition for invitees and others.

16. The Plaintiff was in a class of people that these codes were intended to benefit and protect. Due to the Defendants' failure to comply with the applicable codes, the Plaintiff was not benefited or protected and was in fact seriously injured.

17. The injuries sustained by the Plaintiff were of the kind of harm against which these codes were designed to protect.

18. The Defendants' failure to properly maintain the premises in accordance with the standards contained in these codes is negligence per se and is a direct and proximate cause of the Plaintiff's injuries.

#### **Count IV**

#### **Nuisance**

19. Paragraphs 1 through 18 are incorporated herein.

20. Pursuant to the conduct of the Defendants in not providing safe premises, which constituted a dangerous and hazardous condition in and of itself and this

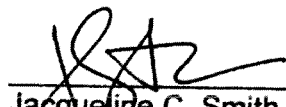
condition unreasonably interfered with the use and enjoyment of the subject property and therefore, constituted a nuisance. Said nuisance caused the Plaintiff's injuries.

**WHEREFORE**, as a result of the gross negligence, negligence, negligence per se and/or nuisance recited herein, the Plaintiff demands judgment against the Defendants, jointly and severally, in the sum of **ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)** and her costs in this action along with interest from January 4, 2009 and for such other relief that this Court may deem just and proper.

TRIAL BY JURY IS DEMANDED.

  
\_\_\_\_\_  
KELLY A. GOURLAY  
By Counsel

**TURBITT, O'HERRON & LEACH, PLLC**

  
\_\_\_\_\_  
Jacqueline C. Smith, Esquire  
VA. Bar No. 79075  
8996 Burke Lake Road, Suite 304  
Burke, Virginia 22015  
(703) 323-7000 Phone  
(703) 323-7224 Fax



**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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Update on TIP Amendments (Item 6.A.)

**DATE:** January 12, 2012

VDOT submitted an FY 2011-2016 Transportation Improvement Program (TIP) amendment to the Transportation Planning Board (TPB) for approval in October. The amendment is summarized below. The TPB Steering Committee approved amendment on November 4, 2011.

- Route 7-Widen to Six (6) Lanes—PE Only (UPC 52328). The proposed project involves the reconstruction from four lanes to six lanes of Route 7 from Reston Avenue to the west approach of the bridge over the Dulles Toll Road, a total of 6.90 miles. The amendment provides funding for the PE and right of way (RW) phases of the project. The project was included in the 2010 CLRP and the currently approved regional air quality conformity analyses for the CLRP.

Jurisdiction and Agency Coordinating Committee members and I will be available at the January 12, 2012, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

GREGORY A. WHIRLEY  
COMMISSIONER

October 26, 2011

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

RE: National Capital Region FY 2011-2016 Transportation Improvement Program Amendment

Dear Chairman Bowser:

Fairfax County and the Virginia Department of Transportation request amending the FY 2011-2016 Transportation Improvement Program (TIP) to provide funding for the preliminary engineering (PE) phase of the following project:

- Route 7 – Widen to Six (6) Lanes – PE Only (UPC 52328). The proposed project involves the reconstruction from four lanes to six lanes of Route 7 from Reston Avenue to the west approach of the bridge over the Dulles Toll Road, a total of 6.90 miles. The amendment provides funding for the PE and right of way (RW) phases of the project. The project was included in the 2010 CLRP and the currently approved regional air quality conformity analyses for the CLRP.

This TIP Amendment is to add \$10,000,000 in bond proceeds for PE in FY 2012; \$14,967,558 in bond proceeds for PE in FY 2013; and \$40,000,000 in AC-Other funds for RW phase in FY 2014. These funds have been allocated by the Virginia Commonwealth Transportation Board's latest Six Year Improvement Program and are not being diverted from other projects that are already in the TIP. The bond and state funds were part of the overall financial plan for the 2010 CLRP (previously adopted by the TPB, and approved by the FHWA and FTA). Attached is an addendum table for the FY 2011-2016 TIP.

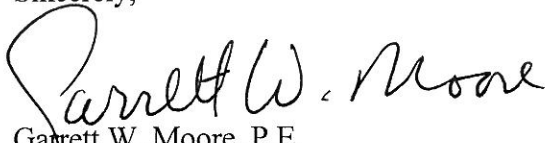
It is requested that the TIP amendment be considered and acted upon by the Transportation Planning Board's Steering Committee at the November 4, 2011, meeting. Representatives from Fairfax County and VDOT plan to attend the meeting and be available to answer any questions.

The Honorable Muriel Bowser  
October 26, 2011  
Page 2

Please provide copies of the approved amendment to Ms. Renée Hamilton, VDOT's Assistant District Administrator for Programming and Investment Management in Northern Virginia, and Mr. Chad Tucker, VDOT's District Coordinator for the Transportation and Mobility Planning Division in Richmond.

Thank you for your consideration of this request.

Sincerely,



Garrett W. Moore, P.E.  
District Administrator  
Northern Virginia District

Attachment

Copy: Renée N. Hamilton  
Chad Tucker  
Kanathur N. Srikanth  
Jay Guy

NORTHERN VIRGINIA  
TRANSPORTATION IMPROVEMENT PROGRAM  
CAPITAL COSTS (in \$1,000)

FY 2011 - 2016

TIP Amendment - 11/16/2011

Phase		Previous Funding	Funding Source	Funding Shares			FY11	FY12	FY13	FY14	FY15	FY16	Source Total	
		Funding	Source	Fed	State	Local								
VDOT-Primary														
TIP ID:	Agency ID: 52328			Title: Route 659 - Reconstruction to four (4) lanes.							Complete: 2015			
Facility:	Rte 7	PE	DEMO	100%	0%	0%	\$0	\$2,378	\$0	\$0	\$0	\$0	\$2,378.00	
From:	Reston Avenue	PE	Bond	0%	100%	0%	\$0	\$12,654	\$14,967	\$0	\$0	\$0	\$27,621.00	
To:	West Approach of Bridge over Dulles Toll Rd (6.9000MI)	RW	AC-Other	80%	20%	0%	\$0	\$0	\$0	\$40,000	\$0	\$0	\$40,000.00	
							Total funds							\$69,999.00
Description: Fund Preliminary Engineering and Right of Way for widening of Rte 7 to six (6) lanes														
Jurisdiction: Fairfax County														
Amendment: TIP Amend. To add \$10,000,000 FY12 & \$14,967,558 FY 13 Bond proceeds PE Ph.; add \$40,000,000 AC-Other RW Phase FY14.														
Air Quality: The TIP Amendment is for the PE and RW phase only. Project was included in regional air quality conformity analyses for the 2010 CLRP.														

**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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Update on I-95 High Occupancy Toll (HOT) Lanes Project (Item 6.B.)

**DATE:** January 12, 2012

Since the July 14, 2011, NVTA meeting, activities related to the I-95 HOT Lanes project include:

- VDOT is preparing an environmental assessment for the HOT lanes project.
- VDOT is preparing an environmental assessment for the I-395/Seminary Road HOV/Transit ramp as a separate project from the I-95 HOT Lanes Project.
- There are currently two initiatives underway to address the transit component of the revised HOT Lanes project... DRPT's I-95 HOT Lanes Transit/TDM study concentrates on transit and TDM programs and services AFTER the HOT lanes are constructed. The I-95 HOT Lanes TMP Working Group concentrates on transit and TDM programs and services that can be implemented DURING construction that will mitigate traffic in the construction area.
- The National Capital Transportation Planning Board (TPB) conducted an air quality conformity assessment that reflects the new I-95 HOT lanes project and the I-395/Seminary Road HOV/Transit ramp. Based on these results, the TPB added these projects to the 2010 Constrained Long Range Plan at the July 20<sup>th</sup> meeting.
- Construction of the I-95 HOT lanes project is expected to begin in 2012
- Construction of the I-395/Seminary Road HOV/Transit ramp is expected to begin in 2013.

Jurisdiction and Agency Coordination Committee members and I will be available at the January 12, 2012, NVTA meeting to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee

## **ITEM 8 - Action**

July 20, 2011

VDOT Response to TPB Request for Additional Transit and Park-and Ride Project Information Regarding the Amendment to the 2010 CLRP to Modify the I-95/395 HOV/HOT Lanes Project, and Comment Letters Supporting the Project



# COMMONWEALTH of VIRGINIA

*Office of the Governor*

Sean T. Connaughton  
Secretary of Transportation

June 28, 2011

The Honorable Muriel Bowser  
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 Bowser:

As a follow up to a request made by members of the Transportation Planning Board (TPB) on June 15, 2011, I am writing to reaffirm the Commonwealth's commitment to funding and delivering transit and transportation demand management (TDM) options along the Interstate 95 corridor. There are several efforts underway to identify, fund and deliver these critical improvements.

First, the Virginia Department of Transportation (VDOT) is advancing the I-95 HOT/HOV Lanes Project to provide infrastructure for a regional network of managed lanes that will link High Occupancy Vehicles (HOV) and transit services to key destinations in Virginia. While the original scope of the I-95 HOT/HOV Lanes Project has been substantively downsized, the project remains an important step forward in providing quality HOV and transit service in the corridor. It will address major bottlenecks in the current system, provide new access points, enhance incident response and improve enforcement.

Second, VDOT is advancing plans to construct a direct ramp from the existing HOV lanes on I-395 to Seminary Road, which will connect the growing Mark Center site to this expanded regional transit and HOV network. These improvements have been included in the Constrained Long Range Plan (CLRP) and an environmental study is underway.

Third, the Commonwealth is moving forward with efforts to expand park-and-ride capacity in the corridor. Full or partial funding for previously identified park-and-ride needs has been included in the FY2012-2017 Six-Year Improvement Program. These improvements include the Horner Road lot expansion, leasing of the parking spaces to replace the spaces lost at Potomac Mills Mall, Staffordboro Boulevard park-and-ride lot expansion and Gordon Road park-and-ride lot expansion.

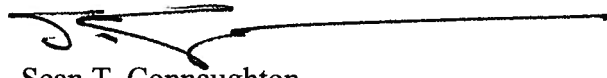


Finally, the Commonwealth has initiated a study to identify even further opportunities to expand transit and TDM in the corridor. Because the scaled-back project no longer includes a concession payment to fund transit beyond the core scope of the project, the previously developed transit and TDM plan is no longer part of the CLRP. Consequently, the Virginia Department of Rail and Public Transportation (DRPT) is developing a new transit and TDM plan to maximize the capacity of the I-95 HOT/HOV Lanes and to respond to the demand for transportation options within the corridor. The I-95 Transit and TDM Plan will be largely limited to those jurisdictions within the I-95 HOT/HOV Lanes Project area, but will examine improvements such as bus bays at points north of the project's terminus to serve destinations including the Pentagon and the Mark Center.

DRPT has formed a steering committee of stakeholders in the project area to collaboratively advance the study. Recommendations from the study will be submitted to the steering committee and the public for comment this fall. Once recommendations have been established for transit and TDM improvements along the corridor, funding will need to be identified in order to advance the recommendations into the CLRP and toward implementation. This proactive approach will enable DRPT to identify improvements today so as funding becomes available those improvements can be quickly implemented with the full support of the region.

I thank the Board for its interest in providing transportation choices along the I-95 corridor, which is one of Virginia's busiest corridors and supports important economic activities across multiple jurisdictions. The Commonwealth recognizes that only a comprehensive and multimodal solution with the state, regional and local agencies working together will help address the mobility and accessibility needs and remains committed to advancing such a solution.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean T. Connaughton". The signature is stylized with a long horizontal line extending to the right.

Sean T. Connaughton



6434 Brandon Avenue, Suite 208, Springfield VA 22150

June 27, 2011

The Honorable Muriel Bowser, Chair  
National Capital Region Transportation Planning Board  
777 North Capitol Street NE, Suite 300  
Washington, DC 20002-4239

Dear Councilwoman Bowser and TPB Board Members,

On behalf of the Greater Springfield Chamber of Commerce **I urge the Transportation Planning Board to support the inclusion of the new I-95 HOV/HOT Lanes project in the 2011 Constrained Long Range Plan (CLRP) and the proposed amendment to the 2010 CLRP.**

With the soon to arrive increase in traffic associated with BRAC, we need this project more than ever. HOT Lanes on I-95 will provide one more transportation option for our workforce, area residents and long-distance travelers, without taking away any of the means already in place.

Following VDOT's announcement on February 3 we sent a letter to Fairfax County Board of Supervisors Chairwoman Sharon Bulova, reiterating our long-standing support for HOV/HOT Lanes along I-95.

Our Chamber would like to yet see HOT Lanes all the way to Eads Street in Arlington County, but we understand that resolution to our transportation issues will have to be done within current limits.

VDOT's desire to move forward with HOV/HOT Lanes on I-95 will support economic development in Fairfax County, grow jobs and improve the quality of life for our commuters. New ramps and lanes will improve conditions for travelers who currently travel on the I-95 HOV lanes and for those who will use the future Beltway HOV/HOT lanes.

Our Chamber is appreciative that VDOT continues its commitment to keep current SLUG options available to commuters along I-95 by adding access points in Fairfax County and commuter lots to the south. This long-standing commuting option is one that should be protected as an integral part of any transportation improvement plan.

Again, please support the inclusion of the new I-95 HOV/HOT Lanes project in the 2011 CLRP and the proposed amendment to the 2010 CLRP.

Sincerely,

A handwritten signature in black ink that reads 'Nancy-jo Manney'.

Nancy-jo Manney  
Executive Director

Cc: The Honorable Linda Smyth, FC Board of Supervisors  
The Honorable Cathy Hudgins, FC Board of Supervisors



GREATER WASHINGTON

Board of Trade

Growing Business, Building Community.

June 23, 2011

The Honorable Muriel Bowser, Chair  
National Capital Region Transportation Planning Board  
777 North Capitol Street NE, Suite 300  
Washington, DC 20002-4239

**Re: Support for I-95 HOV/HOT Lanes Project**

Dear Chair Bowser:

I am writing to reiterate the Greater Washington Board of Trade's strong support for the I-95 HOV/HOT lanes project which, along with other regional projects, is under conformity review for inclusion in the 2011 CLRP.

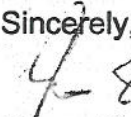
The I-95 HOV/HOT lanes project will offer major improvements to mobility in the I-95 corridor and will provide critical infrastructure and capacity for future regional transportation needs. The transit and roadway capacity improvements will provide our region much needed travel options of particular importance given the anticipated impacts of BRAC on this part of our region.

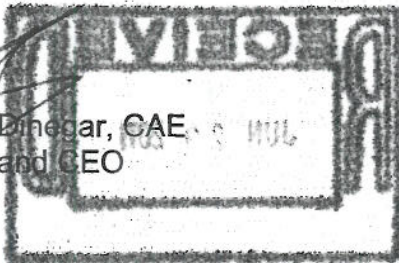
By adding a third HOV lane from Edsall Road to the Prince William Parkway, extending two additional HOV lanes to Garrisonville Road in Stafford County, and improving access at major interchanges, new opportunities will emerge for alternative commuting and travel options for commuters and businesses.

This project offers an important step forward for transit. Busses, vanpools, and cars with three or more riders – including sluggers – can use the new HOT lanes at no cost. Other motorists will have a toll option to ride the HOT lanes on occasions when time is of critical importance, otherwise the general purpose lanes can always be used at no charge. The new HOT lanes will be kept congestion-free by variable toll rates with tolls fluctuating in response to real-time traffic volumes.

We thank the TPB for its ongoing support of this important addition to our region's transportation infrastructure.

Sincerely,

  
James C. Dinegar, CAE  
President and CEO



**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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Update on I-66 Projects and Studies (Agenda Item 6.C.)

**DATE:** DRAFT: January 6, 2012

The following is a summary of changes to several I-66 projects and studies since the July 14, 2011 NVTA meeting.

**I-66 Multi-Modal Study (DC line to I -495)**

This planning level study will determine options and recommend strategies which promote and enhance multi-modal transportation in the I-66 corridor inside the Beltway. Market research in the corridor was completed in the fall of 2011, and an interim study report was produced in December. Public meetings were held in Arlington and Falls Church/Fairfax County in December to get feedback on specific mobility options. These options are currently being evaluated, and the best of these will be combined into packages for more detailed evaluation. The study is advised by a Participating Agency Review Committee (PARC), comprised of local and federal staff and operating agencies. Study details are available on the VDOT website. The study is scheduled to be completed in May 2012.

**I-66 TIER 1 EIS (I-495-Rt. 15)**

The I-66 EIS study team has collected and is compiling environmental resource data into GIS mapping. The team has developed the preliminary purpose and need. Traffic data from previous studies as well as available traffic/accident data from VEOT, Fairfax and Prince William Counties has also been collected. The study is expected to be completed July 2012.

**I-66 Vienna Metro Access Ramp (I-66 at Vaden St.)**

Provision of a bus-only ramp from the east and west-bound HOV lanes of I-66 to Vaden St. near the Vienna Metro Station. The project is in the design phase.

Martin E. Nohe, Chairman

### **I-66 ATM - Active Traffic Management (DC line - Rt.15)**

Design-Build project delivery of phased deliverables including gantry structures, lane/shoulder control display, queue/incident detectors, robust CCTV coverage, queue/speed warning DMS for lane/shoulder control, responsive incident management, emergency areas with detection/surveillance to enhance mobility/safety.

### **1-66 Improvements/Widening (Rt. 29 - Rt. 15)**

Design-Build delivery of pavement widening to provide additional lanes on 1-66. The project also includes phased improvements to the interchange at I-66/Rt.15 interchange. Project engineering of preliminary plans as required for D/B procurement, has just started and a project delivery schedule is under development.

### **I-66 Reconstruction Project**

On April 4, 2011, VDOT began reconstructing I-66 from Route 50 to the Beltway (I-495). Work will be conducted between 9 p.m. and 5 a.m. Sunday through Thursday. This is a Design-build project for concrete patching and asphalt overlay on the east and west bound mainline and ramps. The project also includes upgrades to corridor drainage, concrete barrier and guardrail. Construction is underway and scheduled for an October 2012 completion date.

### **I-66/I-495 HOT Lanes**

Project team reconstruction of existing bridges, access ramps and construction of a new HOT lane access ramp at the I-66/I-495 interchange. This project is expected to be completed in Fall 2012.

### **I-66 Spot Improvements**

I-66 Spot Improvement #1 (George Mason Dr. - Sycamore St.): Addition of a west-bound auxiliary lane by continuation of an on-ramp to an off-ramp. No right-of-way is required and no impacts outside of the immediate 1-66 corridor are proposed. The project is under construction and scheduled for a December 2011 completion.

I-66 Spot Improvement #2 (Westmorland Dr. - Haycock Rd.): Addition of a west-bound auxiliary lane by continuation of an on-ramp to an off-ramp. No right-of-way is required. A public hearing was held on October 27, 2008 and the project awaits completion of the I-66 Multi-Modal Study before re-initiating design.

I-66 Spot Improvement #3 (Glebe Rd. - Lee Hwy.): Addition of a west-bound auxiliary lane by continuation of an on-ramp to an off-ramp. No right-of-way is required. A public hearing was held on October 27, 2008 and the project awaits completion of the I-66 Multi-Modal Study prior to re-initiating design.

Martin E. Nohe, Chairman  
January 6, 2012

**1-66 (Rt. 29/Linton Hall Rd. Interchange)**

The first phase, major work along 1-66 is done. Interchange improvements at the nearby Rt. 29 and Linton Hall Rd. which is the next phase is underway and will further improve 1-66 operations. Project completion is scheduled for June 2015.

Jurisdiction and Agency Coordinating Committee members and I will be available at the January 12, 2012, NVTa meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee

**6.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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

**SUBJECT:** Update on Constrained Long Range Plan (CLRP) Amendment (Item 6.D.)

**DATE:** January 12, 2012

The Transportation Planning Board (TPB) adopted the air quality conformity determination for the 2011 CLRP at their November 16, 2011 TPB meeting. At the October 19 meeting, the TPB was briefed on the air quality conformity analysis for the 2011 CLRP. The analysis showed that mobile emissions are well within the mobile budgets for ozone season VOC and NOx, as well as wintertime CO, and are well below the 2002 base year levels for the PM2.5 pollutants. These results are based upon analyses contained in the technical report, Air Quality Conformity Determination Of the 2011 Constrained Long Range Plan for the Washington Metropolitan Region.

The TPB also adopted the 2011 CLRP. The TPB was briefed on the draft 2011 CLRP at the October 16, 2011 TPB meeting. On October 13, the draft 2011 CLRP and associated conformity analyses were released for public comment. The public comment period ended on November 12, 2011. Significant Proposed Additions and Changes to the CLRP, as adopted by the TPB on November 17, 2010. Projects 3, 4, and 6 were approved as amendments to the CLRP on July 18, 2011.

- H STREET, NW PEAK PERIOD BUS-ONLY LANE
- CRYSTAL CITY-POTOMAC YARD STREETCAR
- I-395/I-95 HOV AND HOT LANES PROJECT LIMIT CHANGES
- I-395 HOV LANES REVERSIBLE RAP FROM/TO SEMINARY ROAD
- WIDENING OF US 1 PROJECT LIMIT CHANGE
- WIDEN I-66 GENERAL PURPOSE AND HOV LANES

VDOT submitted an amendment to the FY 2011 Constrained Long Range Plan (CLRP) to the TPB Steering Committee. The amendment is summarized below. The TPB Steering Committee approved the amendment on January 6, 2012.



Martin E. Nohe, Chairman  
Members, Northern Virginia Transportation Authority  
January 12, 2012  
Page Two

- Boundary Channel Drive Modifications (ARL 0019). This project involves modifications to the intersection of Boundary Channel Drive and Old Jefferson Davis Highway immediately off of the I-395/Boundary Channel Drive Interchange. The project is part of the County's Long Bridge Park redevelopment initiative, to include the construction of a large Regional Aquatic Center. The project provides for multimodal options in the vicinity of Long Bridge Park and improves safety security at the entrance to the Pentagon.

Jurisdiction and Agency Coordinating Committee staff and I will be available at the Authority's January 12, 2012, meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee  
Council of Counsels



## 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:** Monica Backmon, Acting Chairman  
Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority

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

**DATE:** January 12, 2012

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

- The 2011 Ozone Season began on April 15, 2011. As of September 23, 2011, there have been 2 Code Red Days and 19 Code Orange days. There have been 21 days which exceeded the 75 parts per billion federal standards for ozone. In addition, there have been no violations of the federal particulate matter standard of 35 micrograms per cubic meter. The ozone season runs until September 30, 2011.
- The TPB was briefed on the draft conformity analysis of the 2011 CLRP. The analysis shows that mobile emissions are well within the mobile budgets for ozone season VOC and NOx, as well as wintertime CO, and are well below the 2002 base year levels for the PM2.5 pollutants. The results, based upon analyses contained in the technical report, Air Quality Conformity Determination Of the 2011 Constrained Long Range Plan for the Washington Metropolitan Region. The conformity assessment and draft plan were released for public comment on October 13, 2011. The public comment period will end on November 12, 2011. The TPB adopted the plan and conformity assessment at its November 16, 2011 meeting.

The new emissions estimates from these test runs indicate that estimates of emissions from the region's CLRP/TIP would comply with the approved (Ozone) and submitted (PM2.5) emissions budgets in the region's State Implementation Plans (SIPs) in the outer years (2020 and beyond). The test runs also indicate that the region would not comply with the approved (Ozone) and submitted (PM2.5) emissions budgets in some of the years between 2011 and 2020. Normally such a situation would require updating the emissions budgets in the SIP and/or adopting transportation emissions reductions measures. At this time, however, the

EPA has proposed (in an action not related to MOVES model) certain changes affecting the procedures for conducting air quality conformity analyses for the CLRP and TIPs including the years for which such analyses is to be conducted for. Should these proposed changes be finalized, it is likely that the TPB will be able to select an earlier than 2020 year in which CLRP/TIP emissions estimates would comply with the approved/submitted emissions budgets. Additionally members of the MOVES Task Force, working with the Association of Metropolitan Planning Organizations (AMPO) and AASHTO, have requested the EPA to consider extending the deadline for using MOVES in regional transportation conformity analyses. The EPA has agreed that such an action is merited and is currently examining the process for granting such an extension.

- 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 tightening the standard by lowering the design hour value to between 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 expected to issue final standards on August 31, 2010; however, the new standard has not been issued yet. Based on the original issue date, EPA expected to make final regional non-attainment designations by July 2011. If designations are made in 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. EPA states that it intends to maintain the original target dates, but changes in some of these dates is likely given the amount of work involved in the different phases of this process.

JACC members and I will be available at the Authority meeting on January 12, 2012, to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee