

**ITEM 7 – Information**  
October 19, 2016

Correspondence associated with  
TPB Resolution R8-2016

**Staff**

**Recommendation:** Receive briefing

**Issues:** None

**Background:** At the March 16, 2016 meeting, the TPB approved Resolution R8-2016 requiring that the Commonwealth of Virginia complete the development of the transit and Travel Demand Management (TDM) components of the I-395 Express Lanes project and amend those into the CLRP upon completing the tasks outlined in the resolution.



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

**RESOLUTION ON INCLUSION IN AIR QUALITY CONFORMITY ANALYSIS OF SUBMISSIONS  
FOR THE 2016 FINANCIALLY CONSTRAINED LONG RANGE PLAN (CLRP) AMENDMENT AND  
THE FY 2017-2022 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

**WHEREAS**, the National Capital Region Transportation Planning Board (TPB), as the metropolitan planning organization for the Washington metropolitan area, has the responsibility under the provisions of Fixing America's Surface Transportation (FAST) Act for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the metropolitan area; and

**WHEREAS**, the Joint Planning Regulations issued February 14, 2007 by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) require that the long range transportation plan be reviewed and updated at least every four years; and

**WHEREAS**, the transportation plan, program and projects must be assessed for air quality conformity as required by the conformity regulations originally published by the Environmental Protection Agency in the November 24, 1993 Federal Register and with latest amendments published in April 2012; and

**WHEREAS**, on October 21, 2015 the TPB adopted resolution R2-2016 determining that the 2015 CLRP and the FY 2015-2020 TIP conform with the requirements of the Clean Air Act Amendments of 1990 and resolution R3-2016 approving the 2015 CLRP Amendment; and

**WHEREAS**, on December 16, 2015 the TPB issued a Call for projects soliciting inputs to develop a 2016 CLRP Amendment and FY 2017-2022 TIP; and

**WHEREAS**, the transportation implementing agencies in the region have submitted inputs to the 2016 CLRP Amendment and the FY 2017-2022 TIP, which have been reviewed by the Technical Committee at its meetings on February 5 and March 4, 2016; and

**WHEREAS**, at the TPB Citizens Advisory Committee meeting on February 11, the submissions for the 2016 CLRP Amendment were released for a 30-day public comment and interagency consultation period which ended March 12; and

**WHEREAS**, the TPB was briefed on the submissions to the 2016 CLRP Amendment at its February 17, 2016 meeting during the public comment and interagency consultation period and at the March 16, 2016 meeting, the TPB was briefed on the public comments received on the submissions for the 2016 CLRP, and the responses provided to the public comments; and

**WHEREAS**, the adoption of the 2016 CLRP Amendment and the FY 2017-2022 TIP by the TPB is scheduled for November 16, 2016 meeting upon completion of a 30 day public comment and interagency consultation on the results of the regional air quality conformity analysis for the 2016 CLRP Amendment and FY 2017-2022 TIP beginning on October 13, 2016; and

**WHEREAS**, the project submissions for the 2016 CLRP Amendment have been developed to meet the financial constraint requirements in the Metropolitan Planning Rules and show the consistency of the proposed projects with already available and projected sources of transportation revenues; and

**WHEREAS**, the TPB Resolution approving the 2015 CLRP Amendment on October 21, 2015, notes that the Commonwealth of Virginia will only implement the Transform66: Inside the Beltway project if the Commonwealth Transportation Board adopts a policy that the widening component of the project will be advanced after an evaluation of the effectiveness of the tolling and multimodal components, which will be conducted no sooner than two years after conversion to HOV-3+; and

**WHEREAS**, the Commonwealth of Virginia has proposed a new definition and scope for the Transform66: Inside the Beltway project for inclusion in the 2016 CLRP Amendment after the Virginia Governor and members from both political parties and both chambers of the Virginia General Assembly announced on February 10, 2016, a bipartisan agreement to move forward with a plan to reduce congestion on I-66 inside the beltway by converting I-66 inside the Beltway to a managed toll facility during a four hour period in the AM and PM peak direction, widening a four mile stretch from the Dulles Connector Road to Exit 71 (Fairfax Drive) near Ballston, improving transit throughout the corridor, and adding new options for single drivers (Transform66: Inside the Beltway), without the evaluation described in the 2015 TPB resolution (TPB R3-2016) The new lane is expected to be open to traffic in 2020; and

**WHEREAS**, the I-395 Express Lanes concessionaire (95 Express Lanes, LLC) will based on an evaluation of the estimated toll revenue and the concessionaire's costs, fund a substantive, guaranteed annual transit payment that will be escalated every year (amount to be determined), and provided to the Department under the terms and conditions of an Amendment to the Comprehensive Agreement relating to the I-95 HOV/HOT Lanes Project, which term shall expire on December 28, 2087; and

**WHEREAS**, as part of advancing the financial framework agreement with 95 Express Lanes, LLC, the Commonwealth will consult with local jurisdictions, NVTC and PRTC before finalizing the annual transit payment to ensure that the annual revenue will be sufficient to expand transit and other travel options in the corridor. The Transit /Transportation Demand Management (TDM) Study, managed by DRPT, will establish transit improvements that will be used to support the development of a multimodal program, in consultation with the local jurisdictions, NVTC and PRTC.

**NOW, THEREFORE, BE IT RESOLVED THAT:** the National Capital Region Transportation Planning Board approves for inclusion in the air quality conformity analysis of the 2016 CLRP Amendment and the FY 2017-2022 TIP, the project submissions as described in the attached memorandum; and

**BE IT FURTHER RESOLVED** that the Commonwealth of Virginia will complete the development of the transit and TDM components of the I 395 Express Lanes project and amend the same into the CLRP upon completing the following tasks: (1) conduct a transit TDM study led by DRPT in consultation with local jurisdictions, NVTC and PRTC by December of 2016; (2) complete the financial analysis by October 1, 2016, based on the estimated toll revenue and the concessionaire's costs in order to identify funding sufficient to expand the transit and TDM projects in the 395/95 multimodal corridor, and report the outcome of the analysis to the TPB prior to its November 2016 meeting; and (3) identify an annual guaranteed transit contribution, escalated every year, at a level sufficient to implement regionally significant multimodal projects identified in the Transit/TDM study by October 1, 2016.

**Approved by the Transportation Planning Board at its regular meeting on March 16, 2016**





# COMMONWEALTH of VIRGINIA

Office of the Governor

Aubrey L. Layne, Jr.  
Secretary of Transportation

August 31, 2016

The Honorable Sharon Bulova  
Fairfax County Government Center  
12000 Government Center Pkwy., Ste. 530  
Fairfax, VA 22035

The Honorable Allison Silberberg  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

The Honorable Libby Garvey  
Arlington County Board  
2100 Clarendon Blvd. Suite 300  
Arlington, VA 22201

Dear Chairman Bulova, Mayor Silberberg, and Chair Garvey:

I am writing to continue discussions related to the 395 Express Lanes extension project and follow up on my letter dated November 20, 2015.

The Commonwealth has taken many steps to help improve travel along this corridor. Earlier this year, the United States Department of Transportation notified the Commonwealth that it intends to award a FASTLANE grant of \$165 million to help improve travel along this corridor through the Atlantic Gateway proposal. The components of the Atlantic Gateway project include:

- 395 Express Lanes extension, including upgrades for transit and HOV access to the Pentagon;
- Reinvestment of toll revenues throughout the corridor to support capital and operating needs of new transit service and transportation demand management strategies;
- Long Bridge, phase I – construction of a fourth track from Alexandria to Potomac River;
- Construction of 8 miles of third track to the 95 rail corridor from Springfield south;
- New capacity for additional Virginia Railway Express trains upon completion of the rail capacity;
- 95 Express Lanes extension from Garrisonville to Fredericksburg;

*The Honorable Sharon Bulova  
The Honorable Allison Silberberg  
The Honorable Libby Garvey  
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- Construction of a southbound collector-distributor bridge on I-95 from Route 17 to Route 3; and
- New commuter park-n-ride lots, truck parking, technology upgrades, and pavement markings to help support autonomous vehicles.

I am writing today to provide more details on the reinvestment of toll revenues to support new and expanded transit and transportation demand management (TDM) throughout the I-95/I-395 corridor. The Commonwealth will commit to provide at least \$15 million annually for these purposes starting with the commencement of tolling on this facility. In addition, the Commonwealth will ensure that some portion of any revenue sharing of excess revenues received by the Department of Transportation will be provided for transit and TDM purposes on this corridor. This annual transit payment will be sufficient to expand transit and other travel options in this corridor and fund outcomes from the on-going Department of Rail and Public Transportation's Transit Transportation Demand Management study. This study is being conducted in a cooperative manner with jurisdictions along the corridor and will be complete by this December.

At this time, the Commonwealth is in the process of evaluating its options for the delivery of the 395 Express Lanes extension. The project will be delivered either through the current public-private partnership agreement for the 95 Express Lanes, a new public-private partnership procurement or as a publicly funded facility. A decision on the path forward will be made in the coming months, and we will ensure that the selected option will provide for the annual transit and TDM funding outlined above.

We will not be able to solely build our way out of congestion in large urban areas like Northern Virginia. With the completion of the Transform66 project, our major interstate corridors will have essentially reached their ultimate footprints where future widening will be cost prohibitive, impacts to communities too great, or both. This situation means the Commonwealth must find ways to move more people in the current Interstate capacity and right-of-way. Key to our success is dedicated and on-going funding for transit and TDM.

If you have any questions related to this matter please contact Nick Donohue, Deputy Secretary of Transportation, at (804) 786-8032 or [Nick.Donohue@governor.virginia.gov](mailto:Nick.Donohue@governor.virginia.gov).

Thank you for your leadership on transportation in Northern Virginia.

Sincerely,

  
Aubrey L. Layne, Jr.



Copy:

Timothy Lovain, Chair of TPB

Jay Fiset, Chair of NVTC

Frank Principi, Chair of PRTC

Mary H. Hynes, CTB NoVA District

F. Gary Garczynski, CTB Vice-Chairman and At-large urban

E. Scott Kasproicz, CTB at-large urban

Charlie Kilpatrick, VDOT Commissioner

Jennifer Mitchell, DRPT Director





# COMMONWEALTH of VIRGINIA

Office of the Governor

Aubrey L. Layne, Jr.  
Secretary of Transportation

October 5, 2016

The Honorable Timothy Lovain  
Transportation Planning Board  
Metropolitan Washington Council of Governments  
777 North Capitol Street NE, Suite 300  
Washington, DC 20002

Dear Chairman Lovain:

I am writing to provide information related to the 395 Express Lanes extension project as the Transportation Planning Board considers this project for inclusion in the Metropolitan Washington region's long-range constrained plan.

Earlier this year, the Transportation Planning Board indicated that it needed additional information regarding this project before it took final action for inclusion in the long-range plan. I am writing today to provide more details on the reinvestment of toll revenues to support new and expanded transit and transportation demand management (TDM) throughout the I-95/I-395 corridor. The Commonwealth will commit to provide at least \$15 million annually for these purposes starting with the commencement of tolling on this facility. This amount will increase annually by an inflationary factor that will be set in the coming months. In addition, the Commonwealth will ensure that a substantial portion of any revenue sharing of excess revenues received by the Department of Transportation will be provided for transit and TDM purposes on this corridor.

This annual transit payment will be sufficient to expand transit and other travel options in the corridor and fund outcomes from the on-going Department of Rail and Public Transportation's Transit Transportation Demand Management study. This study is being conducted in a cooperative manner with jurisdictions along the corridor and will be complete by this December. The Commonwealth is committed to a multi-modal solution focused on person throughput.

We will not be able to solely build our way out of congestion in large urban areas like Northern Virginia. With the completion of the Transform66 project, Northern Virginia's major interstate corridors will have essentially reached their ultimate footprints where future widening will be cost prohibitive, impacts to communities too great, or both. This situation means the Commonwealth must find ways to move more people in the current

*The Honorable Timothy Lovain*  
*October 5, 2016*  
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Interstate capacity and right-of-way. Key to our success is dedicated and on-going funding for transit and TDM.

If you have any questions related to this matter please contact Nick Donohue, Deputy Secretary of Transportation, at (804) 786-8032 or [Nick.Donohue@governor.virginia.gov](mailto:Nick.Donohue@governor.virginia.gov).

Thank you for your leadership on transportation in Northern Virginia.

Sincerely,

  
Aubrey L. Layne, Jr

Copy:

The Honorable Jay Fisette, NVTC Chairman  
The Honorable Frank Principi  
Kanti Srikanth, TPB Director