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February 1, 2002

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

RE: Proposed Route 29 Charlottesville Bypass

Dear Governor Warner:

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

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 In 1995, the CTB unilaterally rescinded its prior resolutions and, without notice to the County, eliminated other projects with a higher priority in the sequencing agreement in an effort to advance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



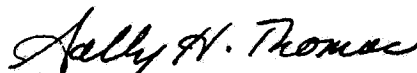
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- Friends of the Earth and Taxpayers for Common Sense have three times selected this project as one of the worst transportation projects in the country, measured by its waste of taxpayer dollars and its damage to the environment.
- Citizen opposition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

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

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

Sincerely,



Sally H. Thomas
Chairman

SHT/ewc

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

RESOLUTION REGARDING ROUTE 29 BYPASS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

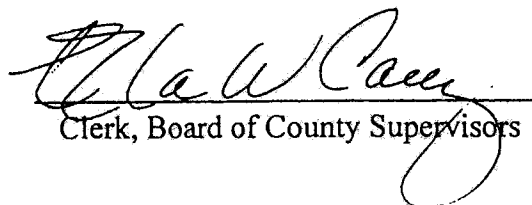
WHEREAS, the U.S. Route 29 Corridor Study, for the length of U.S. 29 between Charlottesville and Warrenton, has concluded that Route 29 should not be turned into a limited access facility; accordingly, this Project does not fit into a desired limited access north-south Central Virginia corridor; and

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

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

* * * * *

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


Clerk, Board of County Supervisors

R E S O L U T I O N

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

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

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

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

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

F R Bowie

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

Date: 12/11/91

Alvin Edwards

Alvin Edwards, Mayor
City of Charlottesville

Date: 12/16/91

John T. Casteen

John T. Casteen, President
University of Virginia

Date: 2/2/92