



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Aubrey L. Layne, Jr.  
Chairman

1401 East Broad Street  
Richmond, Virginia 23219

(804) 786-2701  
Fax: (804) 786-2940

*Agenda item # 10*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 21, 2016

#### MOTION

Made By: Ms. Hynes, Seconded By: Mr. Kasprowicz  
Action: Motion Carried, Unanimously

Title: Limited Access Control Changes (LACCs)  
Route 267 Extended (Dulles Greenway)  
Loudoun County

**WHEREAS**, Toll Road Investors Partnership II, LP (TRIP II) owns and operates a toll road that serves as an extension of Route 267, known as the Dulles Greenway (Greenway), from Route 28 at Washington Dulles International Airport to Route 7/15 in the Town of Leesburg under the terms of the Virginia Highway Corporation Act of 1988 (the Act); and

**WHEREAS**, the CTB, by Resolution dated July 20, 1989, approved the application of Toll Road Corporation of Virginia (precursor to TRIP II) to build the Dulles Greenway under the Act; and

**WHEREAS**, pursuant to the terms of the Act, a Certificate of Authority to build and operate the Greenway was issued to TRIP II by the State Corporation Commission on June 6, 1990 and is currently set to expire on February 15, 2056; and

**WHEREAS**, the CTB, by Resolution dated June 20, 1991, approved the location and design features of the Greenway, including its designation as a Limited Access Highway in Loudoun County; and

**WHEREAS**, The Loudoun County Sanitation Authority d/b/a Loudoun Water has informed TRIP II of sanitary sewer infrastructure projects in development that would require

trenchless crossings of the Dulles Greenway including the Horsepen Run Parallel Sewer (HRPS) which is designed to meet the long term needs of the Loudoun Water Horsepen Run and Indian Creek sewersheds being impacted by the Route 28 Corridor Comprehensive Plan Amendment which allows for greater development density in various locations along the Route 28 Corridor in Loudoun County; and

**WHEREAS**, TRIP II and Loudoun Water have identified and requested two breaks in the limited access control of the Dulles Greenway to allow for the utilization of secured gated access along eastbound Dulles Greenway exit ramp 9A between approximate Station 774+50 (WB Greenway baseline) and approximate Station 774+66 (WB Greenway baseline); and between approximate Station 776+35 (WB Greenway baseline) and 776+51 (WB Greenway baseline) with access points located on either side of the bridge that connects the airport to the westbound Dulles Greenway, by Loudoun Water for the construction and maintenance of the proposed HRPS since alternative access to the HRPS corridor is constrained by existing roadways, the Washington Dulles International Airport, and Horsepen Run; and

**WHEREAS**, the Metropolitan Washington Airports Authority (MWAA), by letter from the Airport Manager, dated October 16, 2015, supports the LACCs to facilitate the gated access to the Dulles Greenway by Loudoun Water; and

**WHEREAS**, the County of Loudoun, by letter from the County Administrator, dated October 28, 2015, supports the LACCs to facilitate the gated access to the Dulles Greenway by Loudoun Water; and

**WHEREAS**, the TRIP II, by letter from the CEO, dated January 6, 2016, does not object to the implementation of the HRPS by Loudoun Water within the Dulles Greenway limited access right of way, provided all work undertaken is in strict accordance with one or more land use permits issued by TRIP II; and

**WHEREAS**, VDOT's Northern Virginia District has determined with the Chief Engineer concurring that the proposed breaks in the limited access control (LACCs) of the Dulles Greenway will not impact the operation of the Greenway right of way, and that the LACCs are appropriate from a safety and traffic control standpoint, thereby satisfying the purpose of a global traffic analysis; and

**WHEREAS**, VDOT's Northern Virginia District has determined the location of the proposed LACCs are within an air quality maintenance or non-attainment area; however the proposed project does not qualify as being regionally significant for air quality purposes, and there will be no adverse environmental impacts; and

**WHEREAS**, public notices of willingness for hearings/comment were posted in the *Washington Post* newspaper and in the *Loudoun Times-Mirror* newspaper on July 7, 2016 and

Resolution of the Board  
Limited Access Control Changes  
Route 267 Extended (Dulles Greenway)  
Loudoun County  
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July 14, 2016 and in the *El Tiempo Latino* newspaper on July 8, 2016 and July 15, 2016, and closed on July 21, 2016, with no requests for a public hearing received; and

**WHEREAS**, any compensation to be paid by the requestor in consideration of the LACCs shall be determined by the Commissioner of Highways or his designee; and

**WHEREAS**, all right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements; and

**WHEREAS**, all costs of engineering and construction, including all necessary safety improvements, will be borne by Loudoun Water; and

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with the provisions of Sections and 33.2-401 of the *Code of Virginia*, as well as the requirements of 24VAC30-401 of the *Virginia Administrative Code*, the CTB hereby finds and concurs with the determinations set forth herein and approves the said LACCs to facilitate the secure, gated access for Loudoun Water, as set forth herein, and subject to the above referred to conditions and restrictions.

**BE IT FURTHER RESOLVED**, the Commissioner of Highways is authorized to take all actions and execute any and all documents necessary to implement such changes.

####

**CTB Decision Brief**  
**Route 267 Extended (Dulles Greenway)**  
**County of Loudoun**  
**Limited Access Control Changes**

**Issues:** Toll Road Investors Partnership II, LP (TRIP II) owns and operates a toll road that serves as an extension of Route 267, known as the Dulles Greenway. The Loudoun County Sanitation Authority d/b/a Loudoun Water has informed TRIP II of sanitary sewer infrastructure projects in development that would require trenchless crossings of the Dulles Greenway including the Horsepen Run Parallel Sewer (HRPS). These projects are designed to meet the long term needs of the Loudoun Water Horsepen Run and Indian Creek sewersheds being impacted by the Route 28 Corridor Comprehensive Plan Amendment which allows for greater development density in various locations along the Route 28 Corridor in Loudoun County. Since alternative access to the HRPS corridor is constrained by existing roadways, the Washington Dulles International Airport, and Horsepen Run, Loudoun Water and TRIP II have identified and requested in writing two breaks in limited access control of the Dulles Greenway. The breaks will allow for the utilization of secured gated access along eastbound Dulles Greenway exit ramp 9A between approximate Station 774+50 (WB Greenway baseline) and approximate Station 774+66 (WB Greenway baseline); and between approximate Station 776+35 (WB Greenway baseline) and 776+51 (WB Greenway baseline) with the access points located on either side of the bridge that connects the airport to the westbound Dulles Greenway. These limited access control changes require approval of the CTB pursuant to § 33.2-401 of the *Code of Virginia* and 24 VAC 30-401 of the *Virginia Administrative Code* (Change of Limited Access Control Regulation or Regulation).

**Facts:**

- VDOT's Northern Virginia District has determined that there will be no impact to the operation of the Dulles Greenway right of way, that the limited access control changes (LACC) are appropriate from a safety and traffic control standpoint, thereby satisfying the purpose of the global traffic analyses required by the Regulation.
- VDOT's Northern Virginia District has determined the location of the proposed limited access control changes are within an air quality maintenance or non-attainment area; however the proposed projects do not qualify as being regionally significant for air quality purposes, and there will be no adverse environmental impacts.
- Public notices of willingness for hearings/comments were posted in the *Washington Post* newspaper and in the *Loudoun Times-Mirror* newspaper on July 7, 2016 and July 14, 2016 and in the *El Tiempo Latino* newspaper on July 8, 2016 and July 15, 2016, and closed on July 21, 2016, with no requests for a public hearing received.
- The Metropolitan Washington Airports Authority (MWAA), by letter from the Airports Manager, dated October 16, 2015, supports the limited access control changes.
- The County of Loudoun, by letter from the County Administrator, dated October 28, 2015, supports the limited access control changes.
- The TRIP II, by letter from the CEO, dated January 6, 2016, does not object to the implementation of the HRPS by Loudoun Water within the Dulles Greenway right of way, provided all work undertaken is in strict accordance with one or more land use permits issued by TRIP II.
- Any compensation to be paid by the requestor in consideration of the LACCs will be determined by the Commissioner of Highways or his designee and will take into consideration that the changes are being requested for public purposes/ a public utilities project. Notwithstanding VDOT has been or will be reimbursed for expenses incurred by the Department in considering the request including expenses in completing the required reviews, posting notices, approvals, and any other steps involved

CTB Decision Brief  
Limited Access Control Changes  
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- All right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements.
- All costs of any engineering, construction or safety improvements will be borne by Loudoun Water.

**Recommendation:** VDOT recommends the approval of the proposed LACCs, as set forth in the resolution, and subject to the referenced conditions and facts.

**Action Required by CTB:** The *Code of Virginia* requires a majority vote of the Commonwealth Transportation Board (CTB) approving the recommended LACCs. The CTB will be presented with a resolution for a formal vote.

**Result, if Approved:** The Commissioner of Highways will be authorized to take all actions necessary to comply with this resolution.

**Options:** Approve, Deny, or Defer.

**Public Comments/Reactions:** None



# COMMONWEALTH *of* VIRGINIA

DEPARTMENT OF TRANSPORTATION  
1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.  
Commissioner

September 1, 2016

The Honorable Aubrey L. Layne, Jr.  
The Honorable Charles A. Kilpatrick, P. E.  
The Honorable Jennifer Mitchell  
The Honorable Henry "Hap" Conners, Jr.  
The Honorable Jerry L. Stinson II  
The Honorable Gary Garczynski  
The Honorable Alison DeTuncq  
The Honorable Shannon Valentine  
The Honorable F. Dixon Whitworth, Jr.  
The Honorable Carlos M. Brown  
The Honorable William H. Fralin, Jr.  
The Honorable Greg Yates  
The Honorable E. Scott Kasprovicz  
The Honorable Mary Hughes Hynes  
The Honorable John Malbon  
The Honorable Court G. Rosen  
The Honorable Marty Williams

Subject: Approval of Limited Access Control Changes (LACCs) for Route 267 Extended (Dulles Greenway), County of Loudoun

Dear Commonwealth Transportation Board Members:

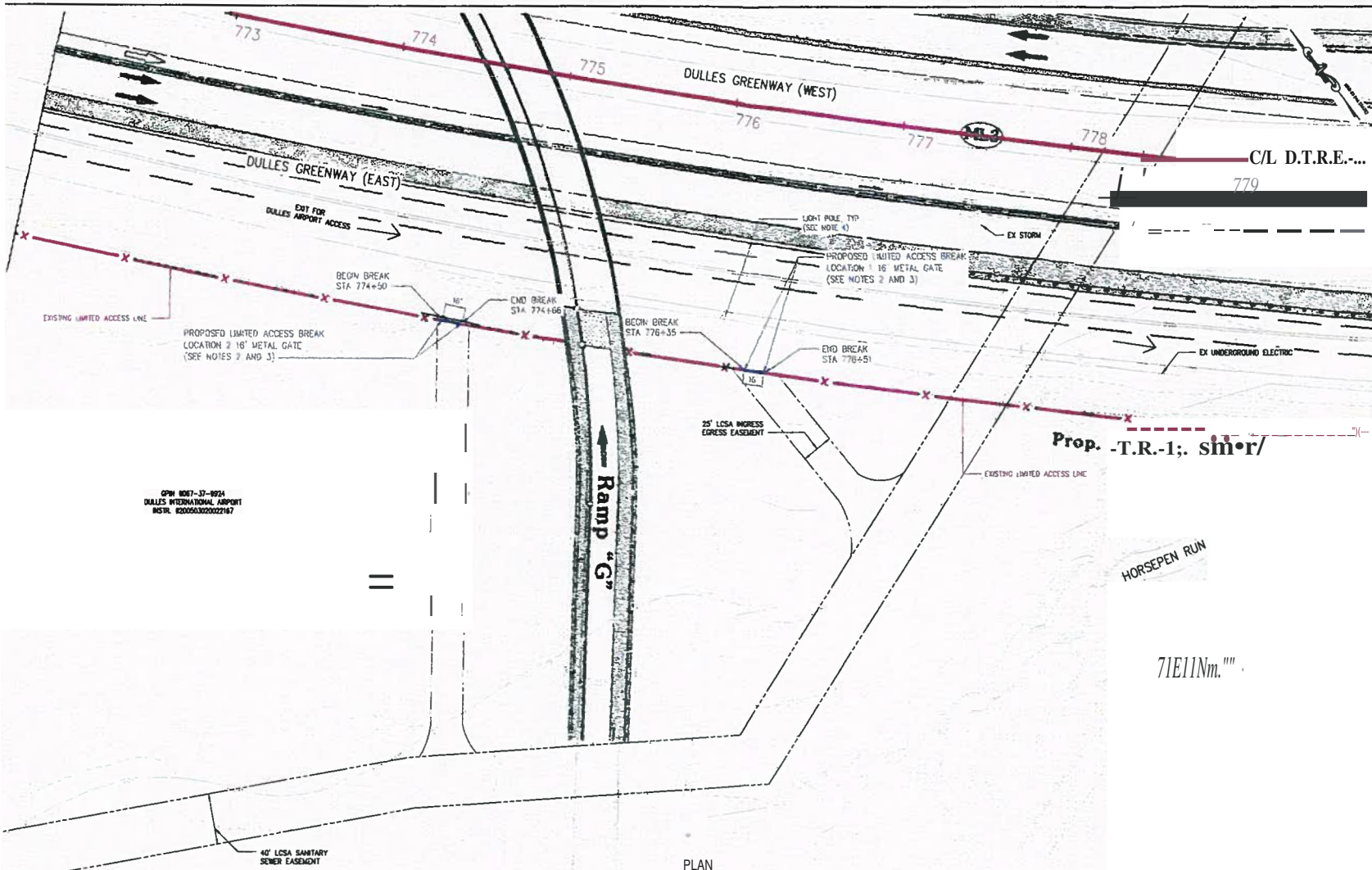
The Department has received a request for your consideration from Loudoun County Sanitation Authority d/b/a Loudoun Water for two breaks in the limited access control along Route 267 Extended (Dulles Greenway), to accommodate secured gated access for the construction and maintenance of two trenchless crossings of their planned sanitary sewer infrastructure project. The Department's staff has determined there will be no operational changes to Route 267 Extended and that the proposed LACCs are appropriate from a design, safety and traffic control standpoint.

The request meets the engineering criteria and guidelines set forth in Title 24, Section 30, Chapter 401 of the Virginia Administrative Code. I have reviewed the Staff's recommendations, and determined that approving these breaks in the limited access control will not adversely affect the safety or operation of the affected highway network. I have determined that this request should be considered by the Board.

Sincerely,

A handwritten signature in black ink that reads "Garrett W. Moore".

Garrett W. Moore, P.E.  
Chief Engineer



NOTES:

- TEMPORARY GRAVEL CONSTRUCTION ENTRANCE AND EXIT SEE DETAIL 025730R ON SHEET 02. POST CONSTRUCTION CONTRACTOR SHALL REMOVE TEMPORARY GRAVEL CONSTRUCTION ENTRANCE AND RESTORE THE DISTURBED AREA TO PRE-EXISTING CONDITIONS.
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DULLES INTERNATIONAL AIRPORT  
MCTR. 02050302002167

PLAN

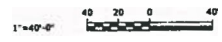
NEW LIMITED ACCESS BREAK

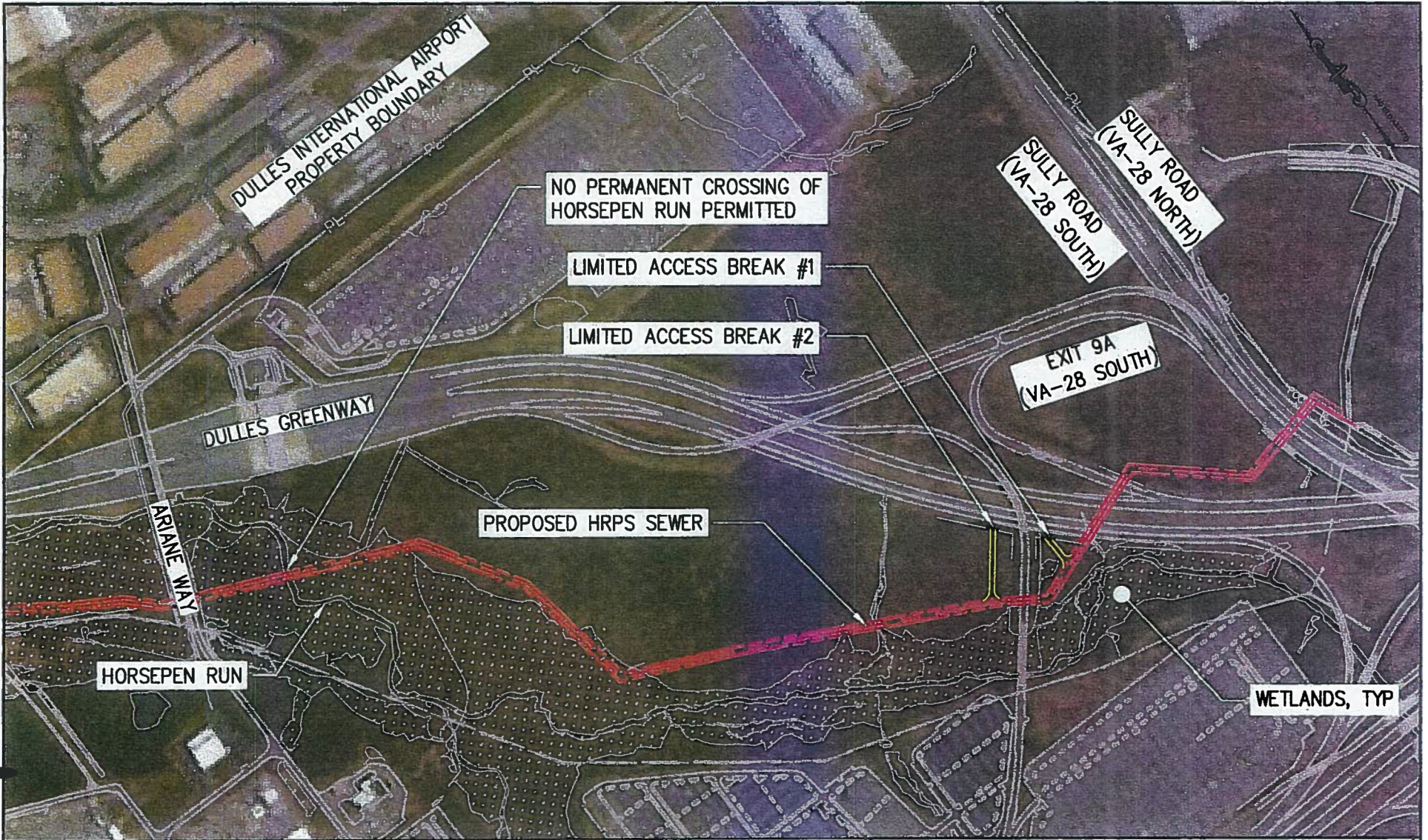
EXISTING LIMITED ACCESS BREAK

FIGURE 3

LIMITED ACCESS BREAKS # 1 & 2 WITH STATIONS

DULLES GREENWAY EAST EXIT RAMP 9A





PLAN  
NTS

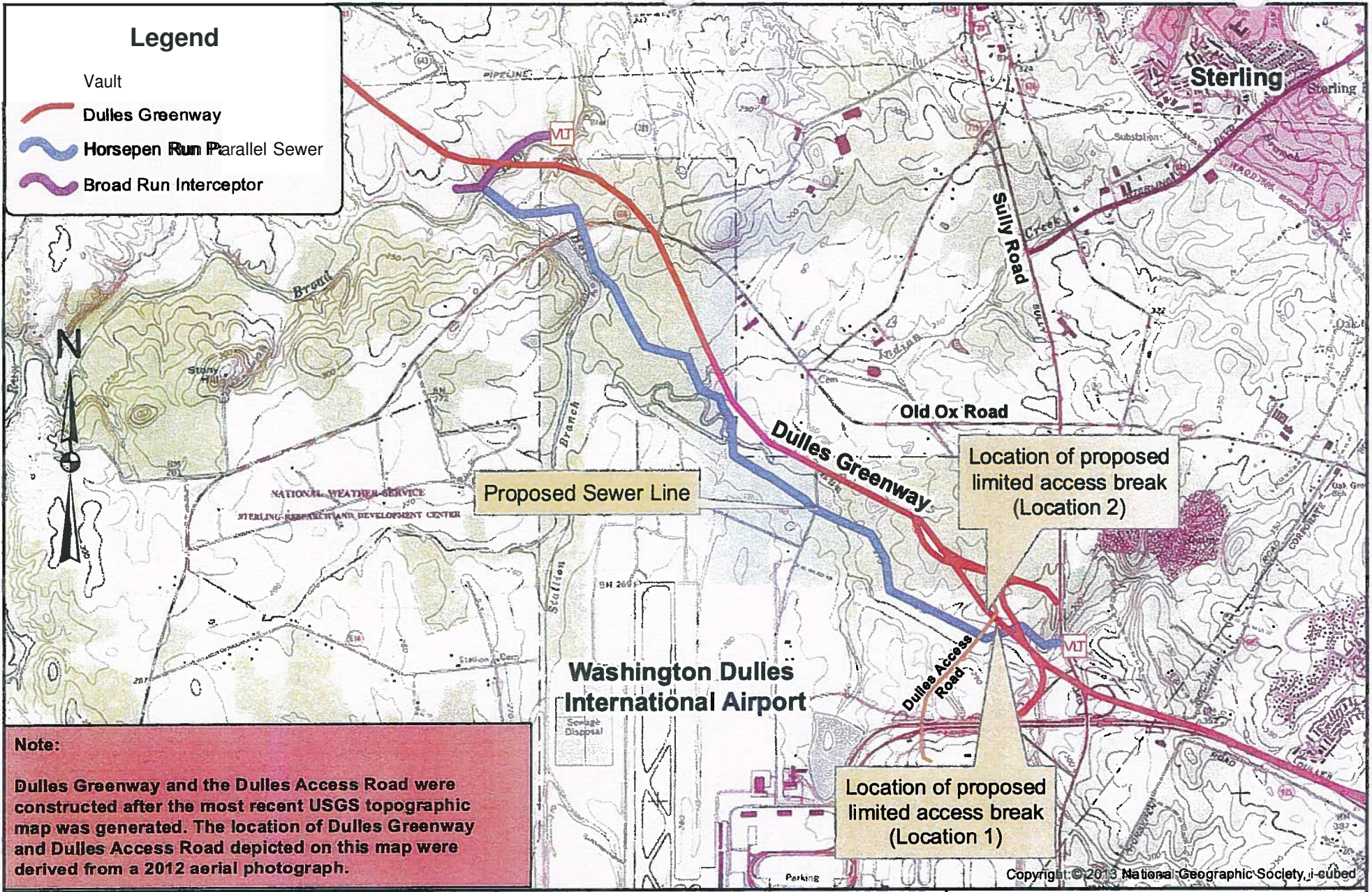
FIGURE 2

LIMITED ACCESS BREAKS  
# 1 & 2  
LOCAL AREA WAP

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NOT TO SCALE



**HAZENAND SAWER**  
 Environmental Engineers & Scientists

LOUDOUN WATER

**Figure 1**

**Site Location Map**

HORSEPEN RUN PARALLEL SEWER & BROAD RUN INTERCEPTOR PARALLEL TO THE POTOMAC INTERCEPTOR PHASE V PROJECT

Source: USGS Topographic Map-Herndon, Virginia

A G E N D A

MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

Board Room, Virginia Port Authority  
600 World Trade Center, Norfolk, Virginia

July 20, 1989  
10:00 a.m.

1. Public comment
2. Action on Minutes of Meeting of May 18, 1989
3. Action on Permits Issued and canceled from June 15, 1969 to July 19, 1989
4. Action on Discontinuances from the Secondary System Lee and Scott Counties
5. Action on Additions, Abandonment & or Other Changes in the Secondary System from June 1, 1989 through June 30, 1989
6. Action on Additions, Abandonment &, Discontinuances and Transfers in the Primary System due to Relocation and Construction Dickenson, Henrico, Northampton and Rappahannock Counties
7. City Street Mileage
8. Action on Bids Received June 27, 1989
9. Consultant Agreement: Route 234 - Prince William County  
Proj. 6234-076-112, PB100  
rr: 0.23 Ki. West of EBL (Route 66)  
ro: 3.907 Mi. E. of EBL (Route 28)  
Sverdrup Corporation  
Engineering Services
10. Consultant Agreement: Statewide Right of Way Consultant Services  
Amtek Engineering Co. of Mechanicsville, VA  
Coates Field Service Inc. of Oklahoma City, Oklahoma  
D. E. McGillem & Associates, of Indianapolis, Indiana  
Diversified Energy Services, Inc. of Atlanta, Georgia  
Ford, Bacon & Davis of Monroe, Louisiana

7/20/89

Moved by Dr, Thomas, seconded by Mr. Kelly, that

WHEREAS, the Department conducts a mandatory program of prequalification for contracting companies desiring to bid as prime contractors on highway improvement projects in the Commonwealth; and

WHEREAS, companies wishing to perform as subcontractors may do so at present without the direction of any regulatory process of the Department and

WHEREAS, a proposed Subcontractor Registration Program has been developed to clarify requirements for subcontractors wishing to work on publicly-financed highway projects; provide a mechanism by which the Department may address problems resulting from failure of subcontractors to perform satisfactorily, and provide information helpful to the Department in determining the full capacity of the contracting industry and,

WHEREAS, in the judgment of the Commonwealth Transportation Board the administration of the highway construction program will be strengthened by the registration program and that the program will not cause undue hardship on firms performing as subcontractors

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the Subcontractor Registration Program and directs the Department to proceed with its implementation.

Motion carried.

Moved by Mr, Waldman, seconded by Mr. Beyer, that

WHEREAS, the need for an extension of the Dulles Toll Road from Route 28 to Leesburg has long been recognized by the Department of Transportation and the localities served by such extension; and

WHEREAS, on August 30, 1988, a location hearing for the construction of an extension of the Dulles Toll Road by the Virginia Department of Transportation was held; and

7/20/89

WHEREAS, on November 19, 1988, the Commonwealth Transportation Board - approved the location of an extension of the Dulles Toll Road from Route 28 to Leesburg; and

WHEREAS, in 1988 the General Assembly passed legislation titled the "Virginia Highway Corporation Act of 1988" (the Act) which Act of the General Assembly found that there was a compelling public need for rapid construction of safe and efficient highways for the purpose of travel within the Commonwealth and that it was in the public interest to encourage construction of additional, safe, convenient, and economic highway facilities by private parties, provided that adequate safeguards are provided against default in the construction and operation obligations of the operators of roadways; such public interest to include without limitation the relative speed and relative cost efficiency of private construction of the project and

WHEREAS, the Act provides that the state corporation Commission shall examine the toll structure, financing costs, and rate of return proposed by the operator of a private toll road and determine that approval of the application is in the public interest including without limitation the relative speed and relative cost efficiency of private construction of the project; and

WHEREAS, the Act provided that the Commonwealth Transportation Board shall approve the project, the project construction costs, the location and design of the roadway, and its connection with any road under the jurisdiction of the Board, at proper and convenient places, in order to provide for the convenience of the public; and

WHEREAS, the Board was further charged under the Act with approving the project and its interconnections with other roads if there is a public need for a road project of the type proposed and the project and its interconnections are compatible with the existing road network; it shall approve the project construction cost if reasonable; and, in making its determinations, the Board shall keep in mind the public interest, which may include, without limitation, such considerations as the relative speed of the construction of the project and the allocation of the technical, financial and human resource of the Department; and

7/20/89

WHEREAS, the approval of the Board is contingent and conditioned by law upon subsequent compliance by the applicant with a comprehensive agreement to be entered into between the operator of the private toll road and the Department of Transportation, and

WHB BAS, the Toll Road Corporation of Virginia (TRCV) has submitted an application to the Commonwealth Transportation Board for the construction of a private toll road at a cost of \$155 million to be open to traffic by December 31, 1991 and

WHEREAS, on May 25, 1989, sufficient information has been received from TRCV in order for the Commonwealth Transportation Board to comply with the terms of the Act and to consider the approval of the application subject to entering into the Comprehensive Agreement provided by the Act; and

WHEREAS, on May 31 and June 1, 1989, information meetings were held in Fairfax and Loudoun counties, Virginia to discuss the construction of the extension of the Dulles Toll Road by a private operator; and

WHEREAS, on June 6 and June 7, 1989, public hearings were held in Fairfax and Loudoun Counties to receive input from the public to the construction of an extension of the Dulles toll Road by the TRCV; and

WHEREAS, the Commonwealth Transportation Board has further reviewed the application at several meetings prior to the date of this action; and

WHEREAS, after approval of the application by the Commonwealth Transportation Board, TRCV must still seek and obtain approval of the state Corporation Commission prior to constructing and operating a private toll road; and

7/20/89

WHEREAS, in the event the State Corporation commission does not approve the application of the TRCV to construct and operate a private toll road, the Department of Transportation is prepared to build the Dulles Toll Road Extension with all due speed; and

WHEREAS, resolutions have been received from the Town of Leesburg, the County of Loudoun and the Metropolitan Washington Airport Authority and testimony from the county of Fairfax relative to the application submitted by TBCV;

NOW, THEREFORE, BE IT RESOLVED, by the commonwealth Transportation Board that the project, the project construction costs, the project location, and the project design of the Dulles Toll Road Extension, and its connections with other roads under the jurisdiction of the Commonwealth Transportation Board are hereby approved subject to: (1) the review and approval of a comprehensive Agreement containing terms satisfactory to the Department; (2) approval by the State Corporation Commission of Virginia; and (3) further compliance with all the terms of the Act.

BE IT FURTHER RESOLVED, in addition to the requirement of the comprehensive Agreement, and pursuant to provisions set out in 156-549 of the Code of Virginia, the following provisions shall be met by TRCV:

1. TBCV is authorized to use VDOT permit coordination review process. Use of VDOT permit coordination review process requires TRCV to coordinate project permits with the inter-agency coordination committee prior to approval of the plan by VDOT.

2. TRCV shall have construction of the Dulles Toll Road Extension substantially complete and open to traffic no later than December 31, 1991, unless delays in such construction are beyond the control of the Toll Road Corporation of Virginia, but within statutory limitations.

7/20/89

3. Any minor change from the specific alignment shown by TRCV on plans of May 25, 1989, submitted with this application must be approved by VDOT and any shift in such alignment in excess of 1,000 feet from the centerline shall be submitted to the Commonwealth Transportation Board for review and approval prior to the submission of a complete application by TRCV to the State Corporation Commission.

4. TRCV design should incorporate to the extent possible the concerns of Loudoun County, Fairfax County, the Town of Leesburg, and the Metropolitan Washington Airport Authority not further specified in this resolution. The Department will coordinate the development of the Comprehensive Agreement with the appropriate jurisdictions.

5. a. The interchange at Route 7/15 shall be constructed as a free flow directional interchange.

b. A partial cloverleaf interchange shall be constructed at Route 654.

e. The Route 659 interchange shall be designed to provide for full free flow movement equivalent to a cloverleaf. The initial construction shall employ ramps which provide for high capacity for turning movements and cross traffic flow.

d. A spread diamond interchange shall be constructed at Route 606 to accommodate future cloverleaf construction.

e. The interchanges at the eastern terminus shall provide: 1) connections and from the west to Dulles Airport satisfactory to the Metropolitan Washington Airport Authority, and 2) a full movement interchange with Route 28 and connections to the existing Dulles Toll Road with provisions for either the collection of tolls by TRCV on behalf of the Commonwealth or for the design and construction of the necessary facilities for the collection of tolls by the Commonwealth for traffic from the Dulles Extension using the existing Dulles Toll Road satisfactory to the Department.

7/20/89

f. All other interchanges shall provide for full movements and the design shall provide for reservation of sufficient right of way to accommodate left-turning traffic to minimize interference to cross traffic flow on the connecting roadways.

6. TRCV project costs shall not exceed \$155 million except as may be necessary to satisfy the additional requirements of this Resolution or other agents of jurisdiction. Provisions shall be included in the Comprehensive Agreement for the Department's review and approval of design changes and increases in construction costs.

7. TRCV shall secure and maintain a public liability policy or policies sufficient to indemnify VDOT and the Commonwealth Transportation Board from any and all liability, if TRCV enters into an agreement whereby VDOT performs construction, operation or maintenance activities on behalf of TRCV on the Dulles Toll Road Extension.

BE IT FURTHER RESOLVED, that the approval by the Commonwealth Transportation Board is subject to the reimbursement of all costs incurred by VDOT which are reimbursable pursuant to the Act. Such reimbursement shall be made within 90 days after a certificate of authority is granted by the State Corporation Commission or upon placement of the initial construction financing whichever comes first.

Motion carried.

Mr. Waldman offered for consideration a resolution authorizing staff of the Department of Transportation to take the necessary actions to amend the Memorandum of Understanding between the Commonwealth Transportation Board and the Treasury Board dated February 1, 1987 regarding the Commonwealth of Virginia \$57,100,000 Transportation Facilities Refunding Bonds, Series 1987A (Dulles Toll Road Refunding Bonds). Action on the resolution was deferred until the August meeting to allow sufficient time for staff to respond to questions from members of the Board.



**MINUTIVE**

**ACBIDA**

MEMORANDUM FOR THE MEMBERS OF THE BOARD OF

ACBIDA, Virginia

June 20, 1991

10:00 ••••

1. Public Comment
2. Action on Permit Issued and canceled for Kay 1r 1991 through Kay U, 1991
1. Action on Additions, Abandonments or Other Changes in the secondary System from April 16, 1991 to May 24, 1991
4. Action on Discontinuation in the secondary System: Buchanan, Bert, Lee. Roanoke and Wayne Counties
5. Action on Transfer in the Secondary system: Scott County
6. Action on Abandonment and Transfer in the Primary System: Botetourt and Henry Counties
1. Action of City street Relocation
8. Action on Bids Received May 22 and June 19 1991
9. consultant Agreement: City of Richmond  
Proj. U00G-127-109wPB101  
Supplemental Agreement # 2 for revision  
in scope of services  
American Engineers
- consultant Agreement: Route 28 - Counties of Fairfax and Loudoun  
Proj. 0028-029-111, JB10D  
0038-055-10C, a1D  
Supplemental Agreement # 6 for revision  
in scope of services  
DeWberry and Davis
- Consultant Agreement: Route 150 - City of Charlottesville and Albemarle County  
Proj. 0250-104-102, PE1Q1 0250-002-105, PE101  
Supplemental Agreement # 3 for revision  
in scope of services  
T. Y. Tilton International of Alexandria

6/20/91

Moved by ac. Bacoa, s conded by mrs Kincheloe,  
that

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the existing road **network**; it lhall apprDve the  
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limitation, such considerations as the relative speed of the construction of the project and the allocation of the technical, financial and human resources of the Department and

WBBRBAS, the approval of the Board is contingent and conditions by upon subsequent compliance by the applicant with a Cooperative Agreement to be entered into between the operator of the private toll road and the Department of Transportation and

WBBRBAS, on August 30, 1988, a public hearing for the construction of an extension of the Dulles Toll Road by the Virginia Department of Transportation was held; and

WBIRIAS, on November 19, 1988, the Commonwealth Transportation Board approved the location of an extension of the Dulles Toll road from Route 28 to Leesburg and

WBERBAS, on May 31 and June 1, 1989, information meetings were held in Fairfax and Loudoun counties, Virginia to discuss the construction of the extension of the Dulles Toll Road by a private operator; and

WRERRAS, on June 6 and June 7, 1989, public hearings were held in Fairfax and Loudoun Counties to receive input from the public as to the construction of an extension of the Dulles Toll Road by the Toll Road Authority of Virginia (TRCA) and

WHBBBAS, Resolutions have been received from the County of Loudoun and the MNA and testimony from the County of Fairfax relative to the application submitted by TRCA and

WBRZAS, the Commonwealth Transportation Board approved on July 20, 1989, by resolution, the approval of the TRCA to construct and operate the Dulles Toll Road extension (DTRE) from Route 28 to Leesburg; and

WHBAS, Resolution was adopted at the request of TRCA on July 17, 1989 and

WHEBBAS, the State Corporation Commission, acting pursuant to section 51-539 of the Act, issued a Certificate of Authority to TRCA on July 26, 1990 to build and operate the DTRE and

6/20/91

WBEBAS, TBCV desires to make certain changes in the design and location of the DAB in order to comply with the conditions of the Metropolitan Washington Airports Authority (KNA) the United States Army Corps of Engineers' regarding wetlands, and other governmental requirements, and TRCV desires to defer the date of completion of construction of DTR, and has and will incur additional costs in order to comply with such changes and

WBEBAS, TBCV desires a change in alignment that exceeds 1,000 feet due to the flood plain involvement and wetland impact in the area of Horsepen Run, located on the Dulles Airport property a shift in the roadway position to the north of a distance of approximately 1,200 feet beyond that originally shown and

WBEBAS, the Commonwealth Transportation Board has further reviewed the application at several meetings prior to the date of this action;

MOW, THEAEBORB, BE RBSDLVBD By the Commonwealth Transportation Board that the project, the project construction costs are specified in following paragraph 5, as well as the project location, and the project design of the Dulles Toll Road Extension, and its connections with other roads under the jurisdiction of the Commonwealth Transportation Board all as shown in concept on 200-scale preliminary plans designated VDOT Project No. 0367-053-102-101, dated May 1, 1991, revised May 16, 1991 by Dewberry Davis here hereby approved subject to: (1) the review and approval by VDOT of a comprehensive Agreement containing terms satisfactory to the Department; and (2) further compliance with all terms of the Act and the laws of the Commonwealth

BR IT PURTBBB RBIOLVBD in addition to the requirements of the comprehensive Agreement and pursuant to provisions set out in Section 56-549 of the Code of Virginia. the following provision shall be met by TRCV:

1. TRCV shall make all reasonable efforts to have construction of the Dulles Toll Road Extension substantially complete and open to traffic no later than December 31, 1991, but commencement or completion shall be within the time limit of Section 56-549 of the Act.

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2. Any minor and necessary changes from the specific alignment or design shown by ITRCV as mentioned 200-scale plans must be approved by VDOT, and may be submitted in excess of 1,000 feet from the centerline or design changes consistent with the 300-scale plans shall be submitted to the Commonwealth Transportation Board for action.
3. TRCV design should incorporate to the extent possible the concerns of Loudoun County, Fairfax County, the Town of Leesburg, and the XWAA not further specified in this Resolution. The agreement will coordinate the development of the appropriate agreements with the appropriate jurisdictions.
4. a6 The design for the interchanges on the DTRR shall be in accordance with the design concept shown on the referenced 200-scale plans. The design of the Interchange employ high-capacity, diamond-type interchange including loops for critical movements. Further land reservation by Loudoun County is required for the desired interchange design, particularly by expansion of the 4-lane interchange to spread the volume of a higher traffic volume type. will be implemented when possible through cooperative efforts of TRCV, VDOT, Loudoun County, the Town of Leesburg, and respective land owners.
- b. The connection of the west end of the **D** shall allow for the future extension of the roadway northward into the Town of Leesburg.
- c. The interchange at the eastern connection to the existing Dulles Toll Road shall provide: 1) connections to and from the west to Dulles Airport; 2) a full movement interchange with Route 28 except for the southbound to northbound DTBI movement and return; 3) connection to the existing Dulles Toll road with provision for collection of tolls by TRCV at its facilities on behalf of the Commonwealth.

8/20/91

and f) a flyover directional ramp from northbound Route 28 into Dulles Airport (cost not to exceed \$3,600,000 from State 28 as District Board proceeds). Nothing herein shall preclude VDOT from compensating TRCV for the collection of tolls for use on Dulles Toll Road on behalf of the Commonwealth or entering into a joint management agreement.

5. TRCV project costs incurred through the completion of construction shall be approximately \$2.5 billion. Provisions shall be included in the Comprehensive Agreement for the Department's review and approval of design changes, inspection of construction and related increases in construction costs if necessary.
6. TRCV shall secure and maintain a public liability policy or policies sufficient in the judgment of the VDOT commissioner to indemnify and the Commonwealth Transportation Board from any and all liability if TRCV enters into an agreement whereby VDOT performs construction, operation or maintenance activities on behalf of TRCV on the DIRB.

BE IT THE WILL OF THE SENATE AND HOUSE OF REPRESENTATIVES, that the approval by the Commonwealth Transportation Board is subject to the reimbursement of all costs incurred by VDOT which are reimbursable pursuant to the contract and specified in the Comprehensive Agreement. Such reimbursement shall be made within 30 days after closing of initial construction.

BE IT THE WILL OF THE SENATE AND HOUSE OF REPRESENTATIVES that should the certificate of Authority issued by the State Corporation Commission be transferred to another operator pursuant to Section 56-539 of the Act, such operator shall succeed to all rights and obligations contained herein.

AND IT IS THE WILL OF THE SENATE AND HOUSE OF REPRESENTATIVES that the Resolution of July 20, 1989 and May 17, 1990 approving the DTKB are hereby superseded by this Resolution.

**action carried.**

**6/20/91**

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hat a letter wrttten to. Rr. Anthony Garaardella.  
State Carpcratlon commia •ion. eon urning aCV by  
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**Kotioa carrlec.**

February 17, 2016

Helen Cuervo, PE  
District Engineer  
VDOT Northern Virginia District  
4975 Alliance Drive  
Fairfax, VA 22030

Re: Limited Access Breaks for Construction and Maintenance of the Horsepen Run  
Parallel Sewer Loudoun Water  
Loudoun County, Virginia

Dear Ms. Cuervo:

The purpose of this letter is to request a change to a Limited Access (LA) from the Dulles Greenway (Route 267) at two locations.

Two access points on the Dulles Greenway are needed to construct and maintain Loudoun Water's proposed Horsepen Run Parallel Sewer (HRPS). Loudoun Water is in the process of designing and permitting the proposed 17,500 foot long HRPS which varies in size from 48-inch diameter to 30-inch diameter, and which is primarily located on property under the direct control of the Metropolitan Washington Airports Authority (MWAA).

Access to the proposed Horsepen Run Parallel Sewer (HRPS) corridor is constrained by existing roadways, the Washington Dulles International Airport, and Horsepen Run. Consequently, Loudoun Water proposes to install two points of access to the sewer corridor from the controlled access Dulles Greenway. The access points will be provided off of the eastbound Dulles Greenway exit ramp 9A and will utilize locked gates to restrict access. The access points will be located on either side of the bridge that connects the airport to the westbound Dulles Greenway.

#### Background

The Horsepen Run sewershed is one of several Loudoun Water sewersheds impacted by the recently issued Route 28 Corridor Comprehensive Plan Amendment (CPAM). This CPAM allows for greater development density in various locations along the Route 28 Corridor in Loudoun County, which as development proceeds will likely lead to increased sewer flows in Loudoun Water's Central Service Area. The Horsepen Run sewershed will be the first to see the impacts of the increased development density as a result of the Dulles World Center development project. Loudoun Water initiated an Area Facility Plan (Hazen and Sawyer, April 2013) to study the impacts of this and other potential developments on the sewer flows in Horsepen Run and the available capacity in the existing sewer infrastructure. The result of this study was a recommendation to construct a new sewer parallel to DC Water's existing Potomac Interceptor (PI) to relieve potential future capacity deficits along the PI.

The HRPS will be designed to meet the long term needs of the Loudoun Water Horsepen Run and Indian Creek sewersheds. The gravity sewer will convey wastewater from the Horsepen Run Vault to the Broad

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Run Interceptor Parallel to the Potomac Interceptor (BRIPPI) near the Mercure Vault. This gravity sewer may also convey wastewater from the Fairfax County Horsepen Run sewershed, the Fairfax County Sully 2 meter vault, and Dulles Airport.

**Limited Access Break Request**


We have, with the guidance and assistance of our VDOT Preliminary Engineering Manager Mr. Jim Zeller, P.E., prepared an application in support of our Dulles Greenway (Route 267) Limited Access Break request, to include the following:

- Resolution letters of support from Loudoun County, the Metropolitan Washington Airports Authority, and TRIP II.
- A written summary of the proposed breaks.
- A Global Traffic Analysis.
- An Environmental Analysis.
- Copies of the construction plans.
- Acquisition Plan sheets marked to show the beginning and ending stations.
- Copies of Deeds and Certificates where TRIP II acquired the underlying property.

If you need additional information or would like to discuss further please feel free to contact me directly at 571-291-7747 or by email at [crizzi@JoudoumHter.org](mailto:crizzi@JoudoumHter.org).

(J)

Very truly yours,



Colleen C. Rizzi, P.E.  
Manager of Capital Design

Enclosure

cc: Chris Belk- Hazen

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY



OCT 16 2015

Farid Bigdeli, PE  
Liaison for Loudoun County  
Virginia Department of Transportation  
4975 Alliance Drive  
Fairfax, VA 22030

Re: Proposed Change to Limited Access Control on the Dulles Greenway - Locked Gate Accesses from Eastbound Dulles Greenway Exit Ramp 9A

Dear Mr. Bigdeli:

The Metropolitan Washington Airports Authority (Airports Authority) received a request for a letter of support from Loudoun Water to install two access points from the Dulles Greenway, needed to construct and maintain Loudoun Water's proposed Horsepen Run Parallel Sewer (HRPS), at Washington Dulles International Airport (Dulles). The purpose of this letter is to confirm the Airports Authority's support for Loudoun Water's request.

Loudoun Water is in the process of designing and permitting the proposed 17,500 foot long HRPS which varies in size from 48-inch diameter to 30-inch diameter, and which is primarily located on property under the direct control of the Airports Authority, as shown on Figure 1 (enclosed).

Access to the proposed HRPS corridor is constrained by existing roadways, the Airport, and Horsepen Run. Consequently, Loudoun Water proposes to install two points of access to the sewer corridor from the controlled access Dulles Greenway. The access points will be provided off of the eastbound Dulles Greenway exit ramp 9A and will utilize locked gates to restrict access (Note: Exit ramp 9A connects the Dulles Greenway with the Dulles Airport Access Road). The access points will be located on either side of the bridge that connects the airport to westbound Dulles Greenway as shown on Figures 1 and 2 (enclosed). The current design plan for these accesses is shown on the enclosed preliminary design drawing C405.

The Airports Authority's project manager for this effort is Mr. Sunil Rabindranath of the Dulles Engineering Division. Should you have any questions or need additional information, please contact Mr. Rabindranath at [Sunil.Rabindranath@mwa.com](mailto:Sunil.Rabindranath@mwa.com) or on 703-572-2885.

Sincerely,

Christopher U. Browne  
Airport Manager

CITB:na

Enclosures

cc R. Christopher Belk, PE, Hazen and Sawyer  
Colleen Rizzi, PE, Loudoun Water

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Loudoun County, Virginia

[www.loudoun.gov](http://www.loudoun.gov)

Office of the County Administrator

1 Harrison Street, S.F., 5th Floor, P.O. Box 1000, Leesburg, VA 20111-0000

Telephone (703) 771-0200 • Fax (703) 771-0325



October 28, 2015

Mr. Farid Bigdeli, P.F.,  
Liaison for Loudoun County  
Virginia Department of Transportation  
4975 Alliance Drive  
Fairfax, VA 22031

RE: Proposed Change to Limited Access Control on the Dulles Greenway - Locked Gate  
Accesses from Eastbound Dulles Greenway Exit Ramp 9A

Dear Mr. Bigdeli:

The purpose of this letter is to confirm Loudoun County's support for Loudoun Water's request to install two access points from the Dulles Greenway needed to construct and maintain Loudoun Water's proposed Horsepen Run Parallel Sewer (HRPS). As you are aware, Loudoun Water is in the process of designing and permitting the proposed 17,500-foot HRPS which varies in size from a 48-inch diameter to a 30-inch diameter, and is primarily located on property under the direct control of the Metropolitan Washington Airports Authority (MWA).

Access to the proposed HRPS corridor is constrained by existing roadways, the airport and Horsepen Run. Consequently, Loudoun Water proposes to install two points of access to the sewer corridor from the controlled access Dulles Greenway. The access points will be provided off the eastbound Dulles Greenway exit ramp 9A and will utilize locked gates to restrict access. I would note that ramp 9A connects the Dulles Greenway with the Dulles Airport Access Road. The access points will be located on either side of the bridge that connects the airport to westbound Dulles Greenway as shown on exhibits previously provided to VDOT in a letter from Sunil Rabindranath, Airport Engineer, MWA.

If you need additional information or would like to discuss the detail of this request further, please contact Sunil Rabindranath at (703) 771-0200 or Colleen Rizzo, Senior Project Manager at Loudoun Water.

Sincerely,

**Jim Hemstreet**

Jim Hemstreet

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Letter to Farid Bigdeit

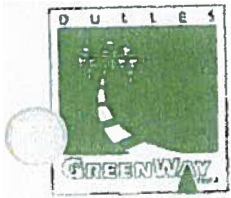
October 28, 2015

Page Two

Cc: Charles Yudd. Assistant County Administrator  
Joe Kroboth, III Director. Department of Transportation and Capital Infrastructure  
Sunil Rabindranath. MWAA  
Colleen Rizzi. Loudoun Water

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Ms. Johnna Spera  
Metropolitan Washington Airports Authority  
Office of General Counsel  
P.O. Box 17045, MA-224  
Washington, DC 20041-0045

January 5, 2016

Re: Proposed Loudoun Water Sanitary Sewer Projects Crossing the Dulles Greenway

Dear Ms. Spera:

The Loudoun County Sanitation Authority *dba* Loudoun Water ("Loudoun Water") has informed Toll Road Investors Partnership II, L.P. ("TRIP II"), the owner and operator of the limited access highway known as the Dulles Greenway- Virginia State Route 267 (the "Dulles Greenway") of two sanitary sewer infrastructure projects in development that would require trenchless crossing of the Dulles Greenway, as further described below.

The *Horsepen Run Parallel Sewer* (the "HRPS") is a sanitary sewer line 17,500 feet in length, ranging in diameter from 30 to 48 inches, and located primarily on property owned or otherwise controlled by the Metropolitan Washington Airports Authority ("MWAA"). The portion of the HRPS proposed to cross the Dulles Greenway is located on property controlled by TRIP II pursuant to a certain Deed of Easement dated September 29, 1993, from MWAA to TRIP II, as amended from time to time. The *Broad Run Interceptor Parallel to the Potomac Interceptor Phase V* (the "BRIPPI Phase V") is approximately 2,500 feet in length, with a 72-inch diameter, and located on property immediately adjacent to MWAA property but owned by parties other than MWAA. The portion of the BRIPPI Phase V proposed to cross the Dulles Greenway is on property owned in fee simple by TRIP II.

In accordance with Dulles Greenway governing documents, infrastructure installations within the Dulles Greenway right of way are undertaken on and subject to the terms and conditions of a land use permit in form and substance satisfactory to TRIP II and to the Virginia Department of Transportation ("VDOT").

TRIP II hereby confirms, at the request of and for the benefit of MWAA, that TRIP II has reviewed current engineering and design documents prepared for the HRPS and BRIPPI Phase V projects and that, absent significant changes to these engineering and design documents in a manner materially adverse to TRIP II, TRIP II does not object to implementation of the HRPS and BRIPPI Phase V projects within the Dulles Greenway right of way, provided that all work within the Dulles Greenway right of way is undertaken in strict accordance with one or more land use permits issued by TRIP II.

Very truly yours,

Thomas D. McKean, CEO

cc: Tim Belcher, PE, PMP, Dewberry  
Colleen Rizzi, PE, Senior Project Manager, Loudoun Water