



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
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Agenda item # 7

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 20, 2021

MOTION

Made By: Ms. DeTuncq **Seconded By:** Mr. Kasprowicz
Action: Motion carried, unanimously

Title: Recreational Access to Biscuit Run Park
Project RECR-002-017, Albemarle County

WHEREAS, § 33.2-1510 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is “. . . in the public interest that access roads and bikeways to public recreational areas and historical sites be provided . . .” and sets aside highway funds for such purpose, “. . . [w]hen the Director of the Department of Conservation and Recreation has designated a public recreational area as such . . . and recommends to the [Commonwealth Transportation] Board that an access road or bikeway be provided or maintained to that area”; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Albemarle County Board of Supervisors has, by appropriate resolution, requested recreational access funds to provide roadway access to adequately serve recreational facilities located off of Route 20 in the state-owned and locally-operated Biscuit Run Park, and said roadway access is estimated to cost \$2.13 million; and

WHEREAS, the Director of DCR has designated Biscuit Run Park to be a public recreational area and has found this request to be in compliance with the provisions of § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Director of DCR recommends the construction of the aforementioned access facility; and

NOW, THEREFORE, BE IT RESOLVED, that from the Recreational Access Fund, \$350,000 (\$250,000 unmatched and \$100,000 matched) be allocated for roadway construction to provide adequate access to facilities within Biscuit Run Park off Route 20 in Albemarle County, Project RECR-002-017, contingent upon:

1. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and
2. Execution of an appropriate contractual agreement between Albemarle County and the Virginia Department of Transportation (VDOT) to provide for the:
 - a. design, administration, construction and maintenance of this project;
 - b. up to \$100,000 in matching funds, as necessary, by Albemarle County for construction of the access road; and
 - c. payment of all ineligible project costs, and of any eligible project costs in excess of the allocation amount for the roadway access project from sources other than those administered by VDOT.

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CTB Decision Brief

Recreational Access – Albemarle County Biscuit Run Park

Issue: Pursuant to § 33.2-1510 of the *Code of Virginia*, the Albemarle County Board of Supervisors has requested funds from the Recreational Access Program to provide adequate roadway access to facilities within Albemarle County's Biscuit Run Park.

Facts: Section 33.2-1510 of the *Code of Virginia* provides that the Commonwealth Transportation Board (CTB) shall expend from funds set aside for the construction of access roads and bikeways to public recreational areas and historical sites. Further, this section of the *Code of Virginia* grants the CTB the authority to construct access roads and bikeways to public recreational areas and historical sites when the governing body of the locality in which the access road is to be provided passes a resolution requesting the road and when the Director of the Department of Conservation and Recreation (DCR) has designated the public recreational area as such and recommends to the CTB that an access road be provided to that area.

Biscuit Run Park is owned by the Commonwealth; however, the park will be operated by Albemarle County. Biscuit Run Park totals 1200 acres. VDOT's Local Assistance Division has coordinated with DCR staff to confirm support for the project. The Director of DCR has designated Biscuit Run Park to be a public recreational facility and has recommended utilization of Recreational Access Program funds to provide adequate access to existing facilities within the recreational area.

Recommendations: The roadway access project is recommended by staff as adequate to serve facilities within Biscuit Run Park and consists of plans to design and construct a quarter mile long, 30 feet wide access road off of Route 20. The road will serve as the main park entrance and carry an estimated 383 vehicles per day. The locality will administer the design and construction of the proposed road project. The project has a total construction estimate of \$2.13 million. VDOT recommends that Recreational Access Program funding in the maximum amount of \$350,000 (\$250,000 unmatched and \$100,000 matched) for the construction of roadway access be approved, subject to certain contingencies.

Action Required by the CTB: Prior to expending funds set aside for access roads to public recreational areas and historical sites, the *Code of Virginia* specifies that the CTB shall declare by resolution that the access road project be provided. A resolution is provided for formal vote.

Result, if Approved: VDOT and Albemarle County will proceed with the recreational access roadway project.

Options: Approve, Deny, or Defer.

Public Comments/Reaction: None