



## COMMONWEALTH of VIRGINIA

### Commonwealth Transportation Board

W. Sheppard Miller, III  
Chairperson

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*Agenda item # 18*

#### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 21, 2022

#### MOTION

**Made By:** Ms. Hynes **Seconded By:** Mr. Rucker  
**Action:** Motion carried, unanimously

#### **Approval of Final Report Pursuant to Item 447.10 (Transportation Initiatives) of the 2021 Appropriations Act**

**WHEREAS**, Chapter 552 (the Appropriations Act), enacted during the 2021 Special Session 1 of the General Assembly, included Item 447.10 providing one-time appropriations for certain Transportation Initiatives; and

**WHEREAS**, more specifically, funds appropriated in Item 447.10 represent one-time federal funds, one-time general funds and uncommitted state funds in special programs for economic development and access purposes from previous fiscal years and include:

- \$233,400,000 in the first year in public funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act (P.L. 116-260),
- \$20,000,000 in the first year out of uncommitted balances in the Transportation Partnership Opportunity Fund established pursuant to § [33.2-1528.1](#),
- \$15,000,000 in the first year in uncommitted balances previously allocated for Financial Assistance for Planning, Access Road, and Special Projects (60704), and
- \$55,000,000 in the second year from the general fund; and

**WHEREAS**, Item 447.10 provides that the foregoing funds shall be used by the Commonwealth Transportation Board (Board) to support certain transportation initiatives as follows:

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1. Up to \$83,500,000 shall be transferred to extend intercity passenger rail service from Roanoke, Virginia to the Blacksburg-Christiansburg, Virginia area and increase the frequency of intercity passenger rail service along the I-81/Route 29 Corridor from Washington, DC;
2. Up to \$83,500,000 shall be transferred to improve commuter rail service on the Virginia Railway Express Manassas Line;
3. Up to \$93,100,000 shall be transferred to/used for improvements to the Interstate 64 Corridor as follows: (i) to provide any amounts necessary to complete the funding plan for the Hampton Roads Express Lanes as identified in the Master Agreement for Development and Tolling of the Hampton Roads Express Lanes Network, and (ii) any remaining amounts to improve Interstate 64 between exit 205 and exit 234 as determined by the Commonwealth Transportation Board;
4. Up to \$32,400,000 shall be transferred as necessary to ensure the Commonwealth can provide its share of the dedicated regional funding for the Washington Metropolitan Area Transit Authority for fiscal year 2022 to be deposited into the Washington Metropolitan Area Transit Authority Capital Fund (60905) established pursuant to § [33.2-3401](#), and any amounts remaining after that shall be provided to the Northern Virginia Transportation Commission to reduce the fiscal year 2022 operational obligations of its member jurisdictions, based on the current formula, to Metrorail, Metrobus and MetroAccess services;
5. Up to \$10,000,000 shall be transferred for regional trails to support the planning, development and construction of multi-use trails with priority given by the Board to developing new regional trails, to projects to improve connectivity of existing trail networks, and to geographic diversity in the use of such funds;
6. Up to \$10,900,000 shall be transferred and used for purposes set forth in subsection F of § 33.2-1526.1:2, to establish pilot programs for fare-free transit with urban and rural transit providers, and an amount not to exceed \$900,000 may be used to study transit equity and modernization in the Commonwealth; and,
7. Up to \$10,000,000 shall be transferred for a connected infrastructure redevelopment demonstration program within and adjacent to the Virginia Tech campus in the City of Falls Church; and

**WHEREAS**, Item 447.10 further provides that the Board shall provide a final report to the Governor and the General Assembly on the use of the funds provided by this item no later than June 30, 2022; and

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**WHEREAS**, during the June Workshop, a presentation as well as a draft Transportation Initiatives Final Report (Attachment A) was provided to the Board regarding the use of funds pursuant to Item 447.10 thus far, and approval of the Final Report is sought.

**NOW THEREFORE, BE IT RESOLVED**, that the Commonwealth Transportation Board hereby approves the Transportation Initiatives Final Report attached hereto as Attachment A and authorizes the Secretary of Transportation, as Chair of the Board, to submit the report to the Governor and the General Assembly, with such changes as the Secretary deems appropriate.

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**CTB Decision Brief**  
**Approval of Final Report Pursuant to Item 447.10 (Transportation Initiatives) of the 2021 Appropriations Act**

**Issue:** Chapter 552 (the Appropriations Act), enacted during the 2021 Special Session 1 of the General Assembly, included Item 447.10, providing one-time appropriations of funds, and directing that the Commonwealth Transportation Board use the appropriated funds, for certain Transportation Initiatives. Item 447.10 further provides that the Board is to provide a final report to the Governor and the General Assembly on the use of the funds provided by the Item no later than June 30, 2022 (Transportation Initiatives Final Report). Approval of, and authority for the Secretary of Transportation to submit, the Transportation Initiatives Final Report is sought.

**Facts:** Funds appropriated in Item 447.10 represent one-time federal funds, one-time general funds and uncommitted state funds in special programs for economic development and access purposes from previous fiscal years and include:

- \$233,400,000 in the first year in public funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act (P.L. 116-260),
- \$20,000,000 in the first year out of uncommitted balances in the Transportation Partnership Opportunity Fund established pursuant to § [33.2-1528.1](#),
- \$15,000,000 in the first year in uncommitted balances previously allocated for Financial Assistance for Planning, Access Road, and Special Projects (60704), and
- \$55,000,000 in the second year from the general fund; and

Item 447.10 requires that the foregoing funds be used by the Commonwealth Transportation Board (Board) to support certain transportation initiatives as follows:

1. Up to \$83,500,000 shall be transferred to extend intercity passenger rail service from Roanoke, Virginia to the Blacksburg-Christiansburg, Virginia area and increase the frequency of intercity passenger rail service along the I-81/Route 29 Corridor from Washington, DC;
2. Up to \$83,500,000 shall be transferred to improve commuter rail service on the Virginia Railway Express Manassas Line;
3. Up to \$93,100,000 shall be transferred to/used for improvements to the Interstate 64 Corridor as follows: (i) to provide any amounts necessary to complete the funding plan for the Hampton Roads Express Lanes as identified in the Master Agreement for Development and Tolling of the Hampton Roads Express Lanes Network, and (ii) any remaining amounts to improve Interstate 64 between exit 205 and exit 234 as determined by the Commonwealth Transportation Board;
4. Up to \$32,400,000 shall be transferred as necessary to ensure the Commonwealth can provide its share of the dedicated regional funding for the Washington Metropolitan Area Transit Authority for fiscal year 2022 to be deposited into the Washington Metropolitan Area Transit Authority Capital Fund (60905) established pursuant to § [33.2-3401](#), and

any amounts remaining after that shall be provided to the Northern Virginia Transportation Commission to reduce the fiscal year 2022 operational obligations of its member jurisdictions, based on the current formula, to Metrorail, Metrobus and MetroAccess services;

5. Up to \$10,000,000 shall be transferred for regional trails to support the planning, development and construction of multi-use trails with priority given by the Board to developing new regional trails, to projects to improve connectivity of existing trail networks, and to geographic diversity in the use of such funds;
6. Up to \$10,900,000 shall be transferred and used for purposes set forth in subsection F of § [33.2-1526.1:2](#), to establish pilot programs for fare-free transit with urban and rural transit providers, and an amount not to exceed \$900,000 may be used to study transit equity and modernization in the Commonwealth; and,
7. Up to \$10,000,000 shall be transferred for a connected infrastructure redevelopment demonstration program within and adjacent to the Virginia Tech campus in the City of Falls Church.

During the June Workshop, a presentation, as well as a draft Transportation Initiatives Final Report (Attachment A), was provided to the Board regarding the use of funds pursuant to Item 447.10 thus far, and approval of the Final Report is sought.

**Recommendations:** It is recommended that the Board approve the Transportation Initiatives Final Report attached hereto as Attachment A and authorize the Secretary of Transportation, as Chair of the Board, to submit the report to the Governor and the General Assembly, with such changes as the Secretary deems appropriate.

**Action Required by CTB:** A majority of the Board must approve the Transportation Initiatives Final Report and authorize its submission to the Governor and General Assembly. A resolution will be provided for the Board's consideration.

**Result if Approved:** The Transportation Initiatives Final Report will be finalized and submitted to the Governor and General Assembly

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

**Public Comments/Reactions:** N/A.

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The Honorable Glenn Youngkin  
Members of the Virginia General Assembly

Dear Ladies and Gentlemen:

Item 447.10 of Chapter 552 of the 2021 Special Session I Acts of the Assembly provided a total of \$323.4 million in one-time federal funds, one-time general funds, and uncommitted state funds in special programs for economic development and access purposes from previous fiscal years as follows:

- \$233.4 million in public funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act (P.L. 116-260);
- \$20.0 million out of uncommitted balances in the Transportation Partnership Opportunity Fund established pursuant to § 33.2-1528.1 of the *Code of Virginia*;
- \$15.0 million in uncommitted balances previously allocated for Financial Assistance for Planning, Access Road, and Special Projects (60704); and
- \$55.0 million in the second year from the general fund.

In accordance with Item 447.10 of Chapter 552, I am writing to provide a final report on the use of funds as directed by this item. The Commonwealth Transportation Board (CTB) included these funds in its FY 2022-2027 Commonwealth Transportation Fund (CTF) Six-Year Financial Plan (SYFP) approved in June 2021, thereby incorporating the funds into its budget for the prescribed uses. The following information details the directed uses of these funds pursuant to Item 447.10 B of Chapter 552, as well as the current status and use of the funds.

**Item 447.10 B.1**

Item 447.10 B.1 provided that up to \$83.5 million shall be transferred to Item 443 to extend intercity passenger rail service from Roanoke, Virginia to the Blacksburg-Christiansburg, Virginia area and increase the frequency of intercity passenger rail service along the I-81/Route 29 Corridor from Washington, DC. The FY 2022-2027 CTF SYFP provided \$83.5 million to the Department of Rail and Public Transportation (DRPT) for this purpose. The appropriated funds have been used to support the following actions:

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- Legal agreements with Norfolk Southern (NS) were finalized in January. Financial Close is expected in June 2022 after environmental, survey, title work, and federal clearance are complete.
- Service expansion for the Roanoke route was announced in 2021 and the NS agreement allows a second Roanoke train in summer 2022 after the financial close.
- Both Roanoke trains will be extended to the New River Valley (NRV) after infrastructure projects are complete. Forecast of 80,000 annual net new rides along the whole NRV Corridor.
- The Virginia Passenger Rail Authority (VPRA) began the New River Valley Passenger Rail Station Feasibility Study in the fall of 2021 to examine station locations to construct a new passenger rail platform in the New River Valley and as a result, two potential sites have been identified in Christiansburg near the Uptown Christiansburg Mall site.

### **Item 447.10 B.2**

Item 447.10 B.2 provided that up to \$83.5 million shall be transferred to Item 442 to improve commuter rail service on the Virginia Railway Express (VRE) Manassas Line. The FY 2022-2027 CTF SYFP provided \$83.5 million to DRPT for this purpose. VPRA and VRE are working with Norfolk Southern to reach agreement for expanded VRE services on the Manassas Line. Improvements to service are anticipated to include up to four new round trips by 2026, including late night and weekend service.

### **Item 447.10 B.3**

Item 447.10 B.3 provided that up to \$93.1 million shall be transferred to Item 447 for improvements to the Interstate 64 Corridor as follows: (i) to provide any amounts necessary to complete the funding plan for the Hampton Roads Express Lanes as identified in the Master Agreement for Development and Tolling of the Hampton Roads Express Lanes Network (HRELN) executed pursuant to Chapter 703 of the 2020 Acts of Assembly, and (ii) any remaining amounts to improve Interstate 64 between exit 205 and exit 234 as determined by the CTB.

The 2022-2027 CTF SYFP provided \$93.1 million for the specified purpose. Pursuant to Item 447.10 F, the CTB may not distribute any funds for the HRELN until an updated traffic and revenue modeling considering summer weekend traffic volumes is completed. The appropriated funds have been used to support the following actions:

- The required traffic and revenue modeling was completed and identified that the appropriated funding is needed to support completion of the HRELN.
- The CTB approved the \$93.1 million allocation of this funding to HREL Segment 1A, located in the City of Norfolk between Patrol Bridge Road and Tidewater Drive, at its May 2022 meeting. The project was advertised in April 2022 with award scheduled for October 2022.

**Item 447.10 B.4**

Item 447.10 B.4 provided that up to \$32.4 million shall be transferred to Item 442 with an amount necessary to ensure the Commonwealth can provide its share of the dedicated regional funding for the Washington Metropolitan Area Transit Authority (WMATA) for fiscal year 2022 to be deposited into the Washington Metropolitan Area Transit Authority Capital Fund (60905) established pursuant to § 33.2-3401 of the *Code of Virginia* and any amounts remaining after that shall be provided to the Northern Virginia Transportation Commission (NVTC) to reduce the fiscal year 2022 operational obligations of its member jurisdictions, based on the current formula, to Metrorail, Metrobus and MetroAccess services. The appropriated funds have been used to support the following actions:

- The FY 2022-2027 CTF SYFP provided \$32.4 million in FY 2022 for this purpose and the funds have been transferred to DRPT.
- The CTB subsequently allocated \$22,397,000 of the \$32.4 million in the FY 2022-2027 Six-Year Improvement Program (SYIP) to fully fund the \$154.5 million of WMATA Dedicated Funding for FY 2022.
- The remaining \$10,003,000 will be allocated between WMATA and NVTC in the fourth quarter of FY 2022 based on actual revenue collections for the WMATA Dedicated Funding sources.

**Item 447.10 B.5**

Item 447.10 B.5 provided that up to \$10.0 million shall be transferred to Item 447 for regional trails to support the planning, development and construction of multi-use trails with priority given by the CTB to developing new regional trails, to projects to improve connectivity of existing trail networks, and to geographic diversity in the use of such funds. The appropriated funds have been used to support the following actions:

- The FY 2022-2027 CTF SYFP provided \$10.0 million for this purpose.
- Pursuant to the requirements of the Appropriation Act, the Office of Intermodal Planning and Investment (OIPI) convened a working group to identify trails, undertake a master planning process, and complete a funding needs assessment.
- The required report was submitted to the General Assembly in January 2022 and a multi-use trails policy briefing was presented to the CTB in January 2022.

**Item 447.10 B.6**

Item 447.10 B.6 provided that up to \$10.9 million shall be transferred to Item 442 and used for purposes set forth in subsection F of § 33.2-1526.1:2 of the *Code of Virginia*, to establish pilot programs for fare-free transit with urban and rural transit providers, and an amount not to exceed \$900,000 may be used to study transit equity and modernization in the Commonwealth. The appropriated funds have been used to support the following actions:

- The FY 2022-2027 CTF SYFP provided \$10.9 million for this purpose.



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- The DRPT FY 2022-2027 SYIP includes a total of \$39.6 million dedicated to zero and reduced fare programming (which includes the \$10.9 million provided under the Appropriation Act).
- Six zero/reduced fare pilot projects have been approved by CTB for implementation.
- The HJ 542 Virginia Transit Equity and Modernization study is underway. The Interim Study Report was completed in December 2021 and the Final Study Report will be completed no later than August 2022.

**Item 447.10 B.7**

Item 447.10 B.7 provided that up to \$10.0 million shall be transferred to Item 447 for a connected infrastructure redevelopment demonstration program within and adjacent to the Virginia Tech campus in the City of Falls Church. The appropriated funds have been used to support the following actions:

- The FY 2022-2027 CTF SYFP provided \$10.0 million for this purpose.
- Planning for this program began mid-October 2021 and the convened working group developed a statement of work to deliver the demonstration program. Examples of work to be executed include smart intersections; smart parking and payment system(s); adaptive lighting; and data exchange, management, and evaluation system(s) to support planning, design, and decision making. To date, approximately \$274,000 expended on planning effort, with the balance to be dedicated to development and construction of program components.
- VDOT and the City of Falls Church are currently engaged to execute the necessary project administration agreements to begin project development and delivery.

I appreciate the support of the General Assembly in appropriating these funds for important transportation initiatives in the Commonwealth and the opportunity to present this report on behalf of the Commonwealth Transportation Board.

Respectfully,

W. Sheppard Miller, III