



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 482-5818
Fax: (804) 786-2940

Agenda item # 8

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 17, 2024

MOTION

Made By: Dr. Smoot, **Seconded By:** Mr. Kasprowicz

Action: Motion Carried, Unanimously

Title: Martinsville Southern Connector/Route 220 Location Decision Review

WHEREAS, on September 21, 2022, the Commonwealth Transportation Board (CTB) adopted a policy to review location decisions three years after their respective approval date (the Location Decision Policy); and

WHEREAS, the Location Decision Policy, specifies that the CTB will undertake reviews of CTB location decisions and requires the Virginia Department of Transportation (VDOT) to present and recommend, three years after their previous approval date, that the location decisions either be affirmed, modified, or rescinded; and

WHEREAS, on January 15, 2020, the CTB approved the proposed location of the Martinsville Southern Connector/Route 220 project as presented under Alternative C in the Draft Environmental Impact Statement (DEIS), directing VDOT to further analyze Alternative C to evaluate whether adjustments could measurably reduce impacts to properties as requested by Henry County and still result in a permissible project; and

WHEREAS, VDOT worked with the federal, state, and local agencies involved in the DEIS to revise/modify the alignment of Alternative C (Modified Alternative C) which was documented as the Preferred Alternative in the Final EIS (FEIS) issued by the Federal Highway

Administration (FHWA) on September 13, 2021 pursuant to the National Environmental Policy Act (NEPA); and

WHEREAS, study of the Martinsville Southern Connector/Route 220 corridor continues to be advanced, and refined and safety improvements, consistent with the DEIS, have been implemented in the corridor since issuance of the FEIS; and

WHEREAS, while the FEIS was issued, because fiscal constraint has not been demonstrated for the Project as required pursuant to 23 CFR Part 450, a Record of Decision has not been issued by FHWA; and

WHEREAS, given the January 15, 2020 date of the CTB Location Approval for the Martinsville Southern Connector/Route 220 Project, the CTB Location Policy's three-year period for reviewing location decisions has been exceeded and a review of that decision is warranted; and

WHEREAS, VDOT presented the CTB with an update and recommendation on July 16, 2024 to modify the CTB's location decision dated January 15, 2020 for the Martinsville Southern Connector/Route 220 to incorporate the Modified Alternative C as the Preferred Alternative.

NOW THEREFORE, BE IT RESOLVED that the CTB hereby modifies the location decision of this Board, dated January 15, 2020, for the Martinsville Southern Connector/Route 220 Project, approving the Modified C Alternative, the Preferred Alternative in the FEIS issued pursuant to the National Environmental Policy Act, as the new location for the Martinsville Southern Connector/Route 220 Project.

#####

Commonwealth Transportation Board Decision Brief

Martinsville Southern Connector/Route 220 Location Decision Review

Issue: The Virginia Department of Transportation (VDOT) seeks from the Commonwealth Transportation Board (CTB) a modification of the CTB's location decision for the Martinsville Southern Connector/Route 220 study, dated January 15, 2020. Specifically, VDOT requests identification of the Modified C Alternative, the Preferred Alternative in the Final Environmental Impact Statement (FEIS) issued pursuant to the National Environmental Policy Act (NEPA), as the new location for the Martinsville Southern Connector/Route 220 Project (Project).

Facts: On September 21, 2022, the CTB adopted a policy to review location decisions three years after their respective approval date (the Location Decision Policy). The Location Decision Policy specifies that the CTB will undertake reviews of CTB location decisions and requires VDOT to present and recommend, three years after their previous approval date, that location decisions either be affirmed, modified, or rescinded.

On January 15, 2020, the CTB approved the proposed location of the Martinsville Southern Connector/Route 220 project as presented under Alternative C in the Draft Environmental Impact Statement (DEIS), directing VDOT to further analyze Alternative C to evaluate whether adjustments could measurably reduce impacts to properties as requested by Henry County and still result in a permissible project.

In February 2020, VDOT completed the DEIS analyzing environmental consequences of the Martinsville Southern Connector/220 study pursuant NEPA. The DEIS included documentation of the CTB's location decision, identifying Alternative C in the DEIS as the Preferred Alternative.

As directed by the CTB, VDOT worked with the federal, state, and local agencies involved in the DEIS to revise/modify the alignment of Alternative C (Modified Alternative C) which was documented as the Preferred Alternative in the FEIS issued by the Federal Highway Administration (FHWA) on September 13, 2021, pursuant to NEPA. However, the Federal Highway Administration (FHWA) was unable to issue a Record of Decision (ROD) to complete the EIS process due to lack of available funding to document fiscal constraint for the proposed project.

The Purpose for the Martinsville Southern Connector/220 study as identified in the EIS is to enhance mobility for both local and regional traffic traveling along Route 220 between the North Carolina state line and Route 58 near Martinsville, Virginia. The Martinsville Southern Connector/Route 220 study addresses the following needs:

- Accommodate regional traffic;
- Accommodate local traffic; and,
- Address geometric deficiencies and inconsistencies.

Since the FEIS was issued, the CTB has identified and committed funding for the next phase of the project (July 2021) and approved safety improvements on the southern portion of the project area (from the state line to mile marker 3.0 on Route 220). VDOT is also engaged in a study of innovative intersection designs and access modifications along Route 220 between Route 58 and Route 87.

Recommendations: While the entire project is not yet funded, preventing documentation of fiscal constraint, next phase funding has been identified and VDOT continues to advance work to study and improve the project area. Accordingly, VDOT is recommending that the CTB modify the location decision for the Martinsville Southern Connector/Route 220 study dated January 15, 2020, by approving the Modified C Alternative, the Preferred Alternative in the Final Environmental Impact Statement (FEIS) issued pursuant to NEPA, as the new location. Advancing the project would require re-evaluation pursuant to NEPA, however, this re-evaluation would be informed by VDOT's ongoing work. Should this work advance and fiscal constraint be documented, the CTB could be briefed and provided with an opportunity to either affirm or modify its location decision.

Action Required by CTB: Approve a Resolution specifying the action noted in the recommendation.

Result, if Approved: If the CTB acts to modify the location decision, VDOT will proceed with the steps necessary to document the modification of the location decision, including updating of any public-facing information maintained by VDOT. This CTB decision would be valid for another three years. Should the project advance and a NEPA re-evaluation be initiated, the CTB could be briefed and requested to act as appropriate.

Options: Affirm, Modify, or Rescind

Public Comments/ Reaction: The CTB received a briefing on the rescission of this location decision during its April 16, 2024, Workshop Meeting. The public will have an opportunity to comment on the proposed modification as part of the CTB Action Meeting on September 18, 2024.