



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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COMMONWEALTH TRANSPORTATION BOARD WORKSHOP AGENDA

Hotel 24 South
24 South Market Street
Staunton, VA 24401
September 20, 2022
8:00 a.m. – 12:00 p.m.

1. Virginia Highway Safety Program
Investment Plan Strategy Update
David Mitchell, Virginia Department of Motor Vehicles
Stephen Brich, Virginia Department of Transportation
2. Progressive Design-Build Overview
Shailendra Patel, Virginia Department of Transportation
3. Rail Industrial Access, New Millennium Building Systems
Mike Todd, Virginia Department of Rail and Public Transportation
4. Transit Capital and Transit Planning Policy Changes
Grant Sparks, Virginia Department of Rail and Public Transportation
5. Bowers Hill Environmental Impact Statement
Angel Deem, Virginia Department of Transportation
Scott Smizik, Virginia Department of Transportation
6. SMART SCALE Project Cancellation
UPC 118873 Preston Avenue and Grady Avenue Intersection Improvements
UPC 113177 West Main Street Phase II - 6th Street NW to 8th Street NW
UPC 118874 West Main Streetscape Phase 3
City of Charlottesville, Culpeper District
Kimberly Pryor, Virginia Department of Transportation
7. SMART SCALE Budget Increases
UPC 109484 Fontaine Avenue Streetscape Improvements
UPC 118880 Hydraulic Road and Route 29
City of Charlottesville and Albemarle County, Culpeper District
Kimberly Pryor, Virginia Department of Transportation
8. Revisions for FY 2023-2024 Budgetary Assumptions
Laura Farmer, Virginia Department of Transportation
Kimberly Pryor, Virginia Department of Transportation

Agenda
Meeting of the Commonwealth Transportation Board
Workshop Session
September 20, 2022
Page 2

9. Route 28 District, Series 2012 Defeasance
Laura Farmer, Virginia Department of Transportation
10. I-81 Corridor TIFIA Loan Update
Laura Farmer, Virginia Department of Transportation
11. Toll Facility Revolving Account Allocations
Hampton Roads Express Lanes Network
Laura Farmer, Virginia Department of Transportation
Chris Hall, Virginia Department of Transportation
12. Maintenance and Operations Program
Comprehensive Review Background
Kevin Gregg, Virginia Department of Transportation
13. Periodic Regulatory Review
JoAnne Maxwell, Virginia Department of Transportation
14. National Electric Vehicle Infrastructure
Angel Deem, Virginia Department of Transportation
15. Multi-Use Trails
John Lawson, Deputy Secretary of Transportation
16. WMATA Annual Reporting Requirements
Jennifer DeBruhl, Virginia Department of Rail and Public Transportation
17. Director's Items
Jennifer DeBruhl, Virginia Department of Rail and Public Transportation
18. Commissioner's Items
Stephen Brich, Virginia Department of Transportation
19. Secretary's Items
Shep Miller, Secretary of Transportation

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VIRGINIA HIGHWAY SAFETY PROGRAM INVESTMENT PLAN STRATEGY UPDATE

Commonwealth Transportation Board

David A. Mitchell

Deputy Commissioner, Virginia Department of Motor Vehicles

Stephen C. Brich, PE

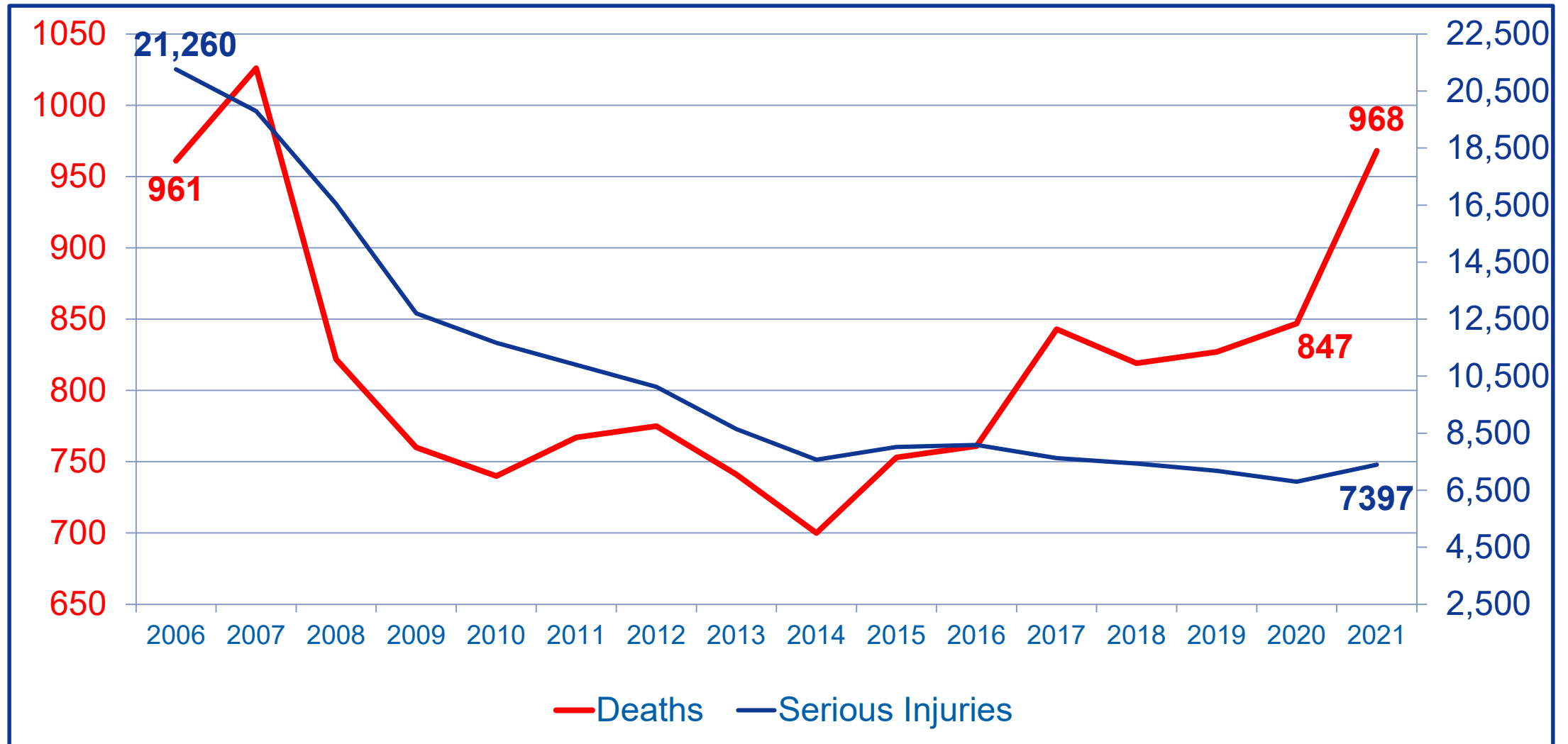
Commissioner, Virginia Department of Transportation

September 20, 2022

Highway Safety Targets and Strategy Update

- Annual highway safety targets were approved by CTB at June meeting
- CTB indicated that the anticipated safety outcomes are unacceptable and directed OIPI, VDOT, and DMV work collaboratively to:
 - Identify strategies that will reduce fatal and serious injury crashes
 - Evaluate how strategies will help achieve aspirational safety performance goals
 - Present to CTB, no later than October 2022, the findings and recommended new strategies to shift the trend and reduce fatal and injury crashes
- Evaluation shall consider administrative, policy, and legislative changes as well as behavioral and infrastructure investment strategies
- Since June, collaborated and considered administrative and policy changes that we will talk about today

Virginia Traffic Deaths and Serious Injuries (2006 - 2021)



2017-21 Fatalities and Serious Injuries by Emphasis Area

	Impaired Driving	Speeding	Occupant Protection	Roadway Departure	Intersections	Young Drivers	Bicyclists	Pedestrians	Aging Road Users	Motorcyclists	Heavy Vehicles
Total	14,585	13,431	8,192	16,488	14,141	6,325	699	2,689	7,734	3,957	3,581
Impaired Driving	-	5,497	3,949	7,058	4,496	2,076	172	1,071	1,935	812	1,054
Speeding	5,497	-	3,949	7,166	3,227	2,498	59	295	1,724	1,332	1,231
Occupant Protection	3,949	3,949	-	5,047	2,131	1,318	0	11	939	2	709
Roadway Departure	7,058	7,166	5,047	-	0	2,493	27	0	1,985	1,326	1,206
Intersections	4,496	3,227	2,131	0	-	2,372	412	1,225	3,426	1,383	861
Young Drivers	2,076	2,498	1,318	2,493	2,372	-	146	204	633	322	331
Bicyclists	175	60	0	28	414	149	-	1	144	3	21
Pedestrians	1,103	309	11	0	1,240	208	1	-	632	7	147
Aging Road Users	1,938	1,726	939	1,985	3,427	633	144	621	-	604	775
Motorcyclists	824	1,348	2	1,333	1,399	327	3	7	612	-	105
Heavy Vehicles	1,054	1,231	709	1,206	861	331	21	141	774	103	-



Virginia Highway Safety Improvement Program Behavioral Strategy Summary

Emphasis Area	Type of Action	Highway Safety Improvement Action	\$FY2022	\$FY2023	\$FY2024	Total \$FY2022-24	Total \$ by Emphasis Area
Occupant Protection	Education & Outreach	Expand the Current "Local Hero" messaging campaign	\$1,000,000	\$1,500,000	\$1,500,000	\$4,000,000	\$4,000,000
Impaired Driving	Safety Programs	Expand the Sober Ride program statewide	\$1,000,000	\$1,150,000	\$1,150,000	\$3,300,000	
Impaired Driving	Education & Outreach	Publicize Sobriety Check Points*	\$250,000	\$500,000	\$500,000	\$1,250,000	
Impaired Driving	Program Analysis	NHTSA-administered Alcohol-Impaired-Driving Assessment and Law Review*	\$100,000	\$0	\$0	\$100,000	
Impaired Driving	Education & Outreach	Create New Media Campaigns to Fight Drunk and Drugged Driving*	\$1,500,000	\$1,000,000	\$1,000,000	\$3,500,000	\$8,150,000
Speed	Education & Outreach	Statewide Speed Messaging Media and Outreach Campaign with Coordinated Enforcement & Speed Data Pilot*	\$1,500,000	\$1,500,000	\$1,500,000	\$4,500,000	\$4,500,000
Distracted Driving	Education & Outreach	Distracted Driving Media Campaign*	\$1,500,000	\$1,500,000	\$1,500,000	\$4,500,000	\$4,500,000
Motorcycle	Education & Outreach	Expand the Motorcycle Safety Media Message in Virginia	\$750,000	\$1,000,000	\$1,000,000	\$2,750,000	\$2,750,000
Ped/Bike	Education & Outreach	Enhance and Amplify Pedestrian and Bicycle Safety Media Campaigns	\$1,000,000	\$1,250,000	\$1,250,000	\$3,500,000	\$3,500,000
Teen Driving	Safety Programs	Juvenile Licensing Ceremony Video*	\$800,000	\$0	\$0	\$800,000	\$800,000
Mature Drivers	Safety Programs	Expand GrandDriver Car Fit Program	\$200,000	\$200,000	\$200,000	\$600,000	
Mature Drivers	Safety Programs	Expand GrandDriver Testing Centers	\$200,000	\$200,000	\$200,000	\$600,000	
Mature Drivers	Education & Outreach	Expand Virginia GrandDriver Paid Media	\$200,000	\$200,000	\$200,000	\$600,000	\$1,800,000
Total			\$10,000,000	\$10,000,000	\$10,000,000	\$30,000,000	\$30,000,000

* New Program

2022 Fatalities and Serious Injuries to Date* by Emphasis Areas (Jan 1 to August 31)

	Fatalities		Serious Injuries		Fatalities & Serious Injuries	
	no.	%	no.	%	no.	%
Fatalities in All Crashes	611	100%	4,560	100%	5,171	100%
1. Unrestrained Fatalities	284	46%	1,199	26%	1,483	29%
2. Fatalities in Crashes Involving Speeding	258	42%	1,546	34%	1,804	35%
3. Fatalities in Crashes Involving Impaired Driving**	203	33%	1,444	32%	1,647	32%
4. Pedestrian Fatalities	100	16%	267	6%	367	7%

Note:

* Preliminary data

**Impaired Driving - Drunk, Drugged, Distracted and Drowsy

Virginia Highway Safety Improvement Program Behavioral Strategy Investment Plan – September 2022

Emphasis Area	Type of Action	Highway Safety Improvement Action	\$FY2022	\$FY2023	\$FY2024	Total \$FY2022-24	Total \$ by Emphasis Area
Occupant Protection	Education & Outreach	Education, Outreach, Enforcement	\$3,400,000	\$3,400,000	\$3,400,000	\$10,200,000	\$10,200,000
Impaired Driving*	Education & Outreach	Education, Outreach, Enforcement	\$2,400,000	\$2,400,000	\$2,400,000	\$7,200,000	\$7,200,000
Speed	Education & Outreach	Education, Outreach, Enforcement	\$3,000,000	\$3,000,000	\$3,000,000	\$9,000,000	\$9,000,000
Ped/Bike	Education & Outreach	Education, Outreach, Enforcement	\$1,200,000	\$1,200,000	\$1,200,000	\$3,600,000	\$3,600,000
Total			\$10,000,000	\$10,000,000	\$10,000,000	\$30,000,000	\$30,000,000

Note: *Impaired driving - Drunk, Drugged, Distracted and Drowsy

Highway Safety Investment Strategy Updates

- Recent uplift in federal and state highway safety funds enable previously identified systemic and hybrid infrastructure initiatives to be fully funded and accelerated as much as possible
- Include and accelerate systemic safety improvements on locally-maintained roads beginning in FY 2023
- Fund spot safety projects on VDOT roads in addition to systemic projects

Virginia Highway Safety Improvement Program Infrastructure Investment Plan - September 2022 Update

October 2022 Update	Source	HSIP Funding Through FY 28 (\$M)	Previous / FY 23	FY 24	FY 25	FY 26	FY 27	FY 28	Schedule (Calendar Year)	
	Original Systemic Plan (2020)									
	High-Visibility Backplates (VDOT) ¹	14.4								Completed on schedule in 2021
	Flashing Yellow Arrows (VDOT) ²	10.7								Completed on schedule in 2022
	Curve Delineation (VDOT) ³	25.3								Complete 2024
	Pedestrian Crossings - Phase 1 (VDOT) ⁴	34.4								Complete 2025
	Unsignalized Intersection (VDOT) ⁵	24.2								Complete 2024
	Shoulder Wedge (VDOT) ⁶	Maintenance funds								Resurfacing Cycle - 15 yr
	CL Rumbles - Primaries (VDOT) ⁷	7.8								Accelerated by 5 years, Complete by 2030
	Edge Rumbles - Primaries (VDOT) ⁸	35.1								Accelerated by 5 years, Complete by 2030
Fall 2022 Investment Plan										
Locally-Maintained Road Projects ⁹	110.3									TBD, Project Specific Completion Dates
Expanded Flashing Yellow Arrows (VDOT) ¹⁰	15.8									Accelerated 2 years. New Completion Date 2025
Pedestrian Crossings - Phase 2 (VDOT) ¹¹	20									Accelerated PE start by 1 year. Up to 200 locations. Complete 2028
Two-Lane Rural Roads (VDOT) ¹²	150									Added funding for up to 1000 more miles. Up to 2,000 Miles now funded. Complete 2028.
Future Systemic Initiatives	100									TBD
Spot Projects (VDOT) ¹³	124.4									TBD, Project Specific Completion Dates
Total	672.4	316.2	56.5	51.2	84	83.2	81.3			

LEGEND

PE & CN

PE

CN

RED = Update from Original

Virginia Highway Safety Investment Plan - Next Steps

- Proposed Board action tomorrow on updated Virginia Highway Safety Investment Strategy policy
- Fall/Winter 2022 - Propose SYIP amendment(s) to CTB to add safety projects
 - October 2022 CTB meeting – bring VDOT spot projects for approval
 - January 2023 CTB meeting – bring locality-maintained road systemic projects for approval
- This action to consolidate to four emphasis areas allows DMV to begin deploying behavioral projects within 30-45 days
- In the next quarter DMV will work with our media contractor to develop concept, creatives and media buy placement

Questions?



PROGRESSIVE DESIGN-BUILD OVERVIEW

September 2022 – Commonwealth Transportation Board Workshop Meeting

Shailendra Patel, P.E., DBIA
State Engineer, Alternative Project Delivery Division

September 20, 2022

What is Progressive Design-Build (PDB)?

“Progressive” or phased contracting approach

The owner and design-build team progress the design together towards a lump sum contract price

Typically, Design-Builder is brought on board very early before NEPA (5%-10% Plans)

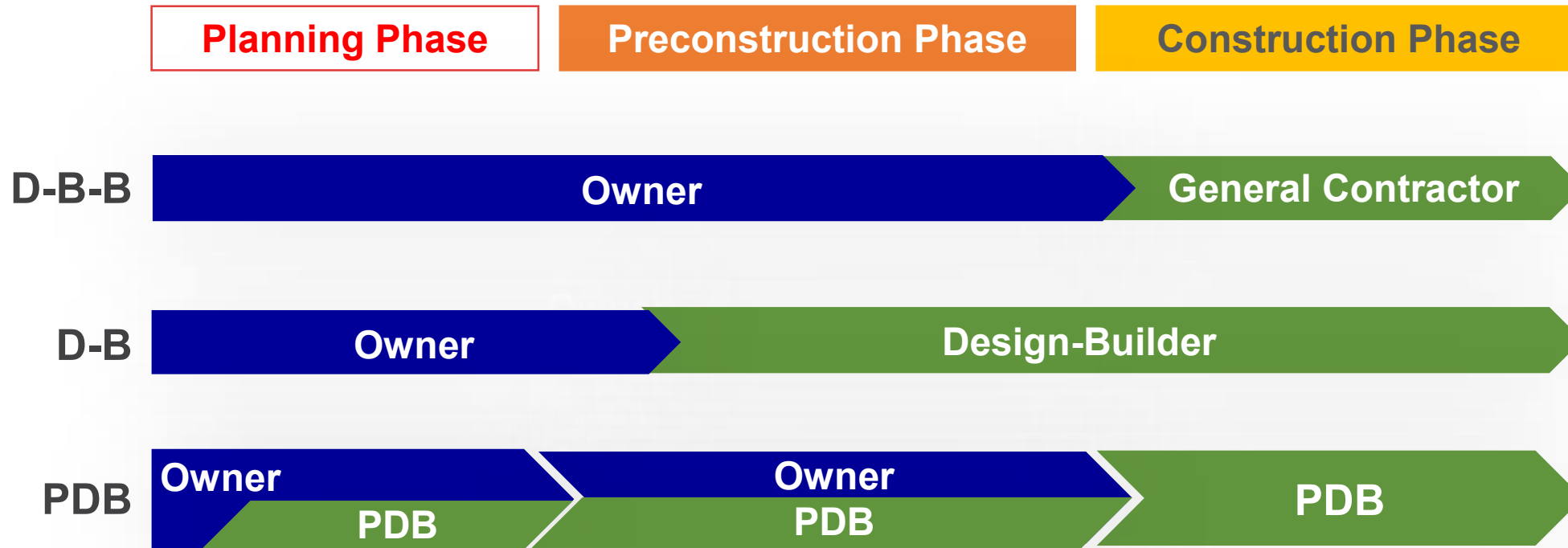
Incorporate details desired by the owner

Provide owner with cost input regarding options the owner is considering

Open-book approach enables the owner to make well-informed decisions on the overall quality and results of the project

- Phase 1A – Proof of Concept
- Phase 1B – Project Development (preliminary design, geotechnical investigations, right of way, utility relocations)
- Phase 2 – Final Design and Construction
- **Project Risks**
 - Design-Bid-Build – VDOT owns most of the risks
 - Design-Build – Design-Builder owns most of the risks and bids it accordingly
 - Progressive Design-Build – VDOT and Design-Builder works together to reduce the risks which is beneficial for both parties

Project Delivery Models Comparison

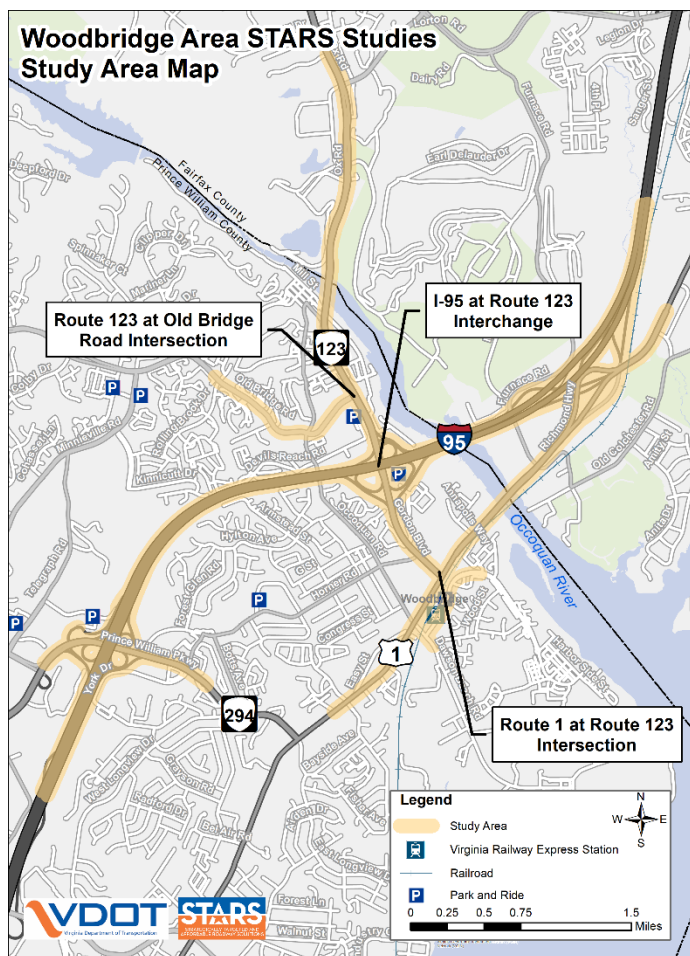


D-B-B – Design-Bid-Build
D-B – Design-Build
PDB – Progressive Design-Build

Guaranteed Maximum Price (GMP)

- February 20, 2019 – VDOT requested CTB approval to add Guaranteed Maximum Price (GMP) as a basis of award to the Objective Criteria for the Selection of Design-Build Projects
- CTB adopted a resolution allowing GMP as a basis of award
- Consequently, GMP was added to the Objective Criteria as defined below:
 - *“Guaranteed Maximum Price” means the budget approved for the design-build contract which the design-build firm’s lump sum price will not exceed.*
- GMP can be modified for the situations requiring additional funding.
- Such situations may include but are not limited to the following:
 - Discovery of unknown risks (e.g. HAZMAT, Geotechnical, Utilities, etc...)
 - Owner directed scope changes including third-party stakeholders such as localities, HOAs, Transit and Airport Authorities etc...
 - Increased cost due to market conditions/inflations
- Or, VDOT can execute Off-Ramp (Termination for Convenience)

I-95/ Route 123 Interchange Improvements



Project Scope:

- Reconfigure ramps
- Extend lanes
- Modify and relocate traffic signals
- Access management
- Bike, pedestrian and transit enhancements

PDB Procurement Process

1. Advertised Request for Qualification (RFQ)
2. Received Five (5) Statement of Qualifications (SOQ)
3. Shortlisted three (3) top ranked Offerors
4. Issued Request for Proposal (RFP) to the shortlisted Offerors
5. Received Technical Proposal and Price for Phase 1A
6. Highest Ranked Offeror is determined based on the combined score of SOQ (20%) +Tech. Proposal (70%)+Price for Phase 1A (10%)
7. Highest Ranked Offeror acknowledges and agrees that the Contract Price (Phase 1A, Phase 1B and Phase 2) cannot exceed the GMP

Contract Award

1. Allan Myers is determined to be Highest Ranked Offeror. Their proposal included a price for Phase 1A services - \$1,944,693.44
2. Allan Myers acknowledges and agrees that the Contract Price (Phase 1A, Phase 1B and Phase 2) cannot exceed the GMP of \$65M
3. The Construction Division will present a request for an award of the contract to Allan Myers to deliver the project within the GMP



Rail Industrial Access

New Millennium Building Systems

Michael Todd, Director of Rail Programs

September 20, 2022



New Millennium Building Systems



- **Location:** City of Salem
- **Purpose:** Design, engineering, and supplier of structural steel joist, girders, trusses and deck building systems
- **Activity:** Rail is used for incoming raw material from Midwest and Southern U.S.

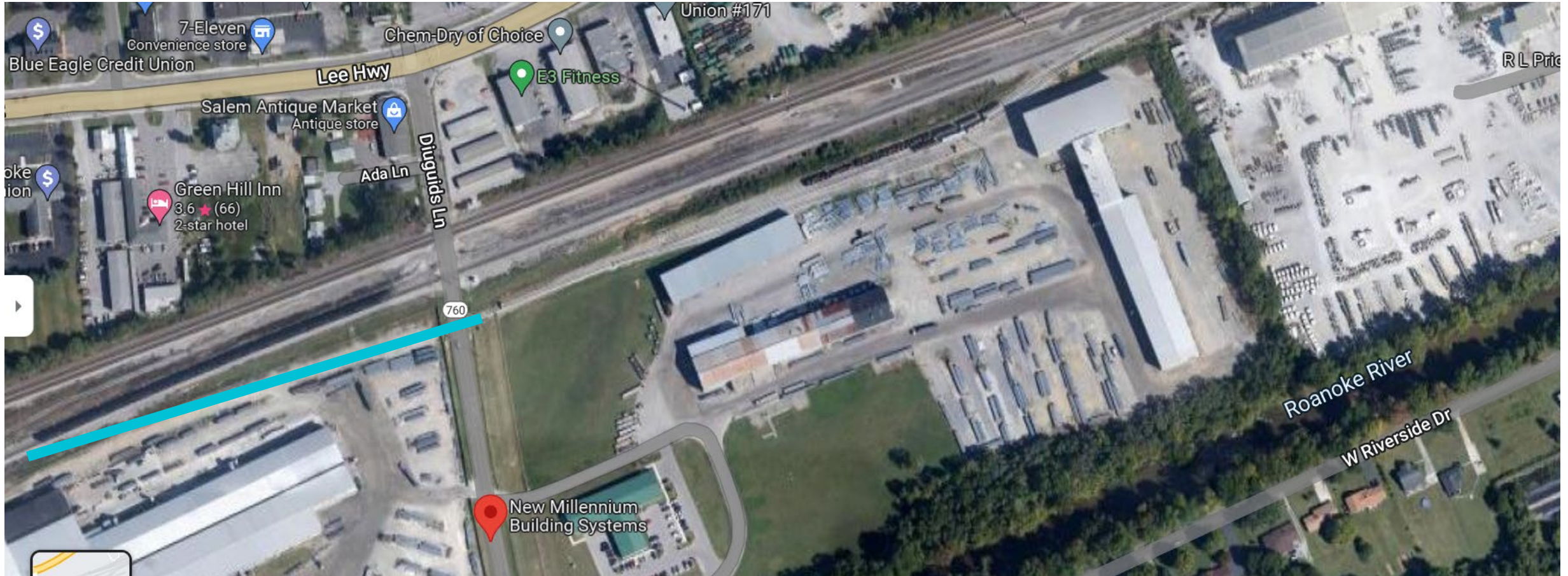


New Millennium Building Systems

Request:

- \$450,000 (\$1.4 M Total Investment)
- New mainline turnout
- 1,850 ft of new industrial spur and two new turnouts

Site Location





Project Benefits

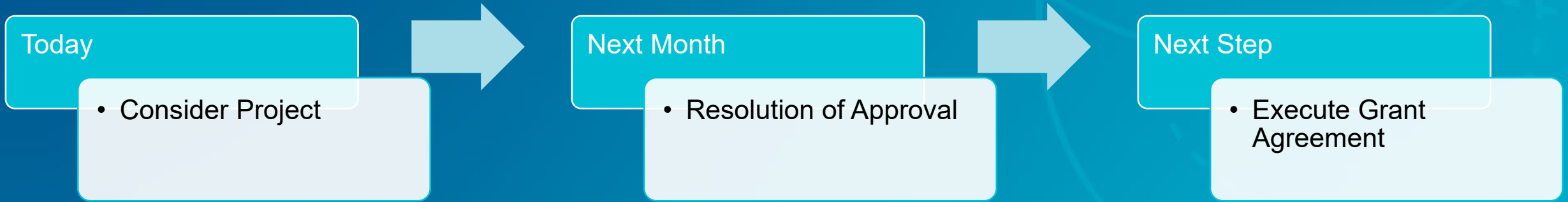
- Carloads: 900 / year
- Employment: 5 new jobs
Existing EDA
Above Avg. Unemployment
- Funding: \$950k private investment
68% private match

Project Score

Categories	Score
Carloads	20
Jobs	8
Va % of Rail Investment	2
Private % of Total Project	10
Local Unemployment	8
Economic Development	10
Shortline	0
TOTAL	58



Recommendation





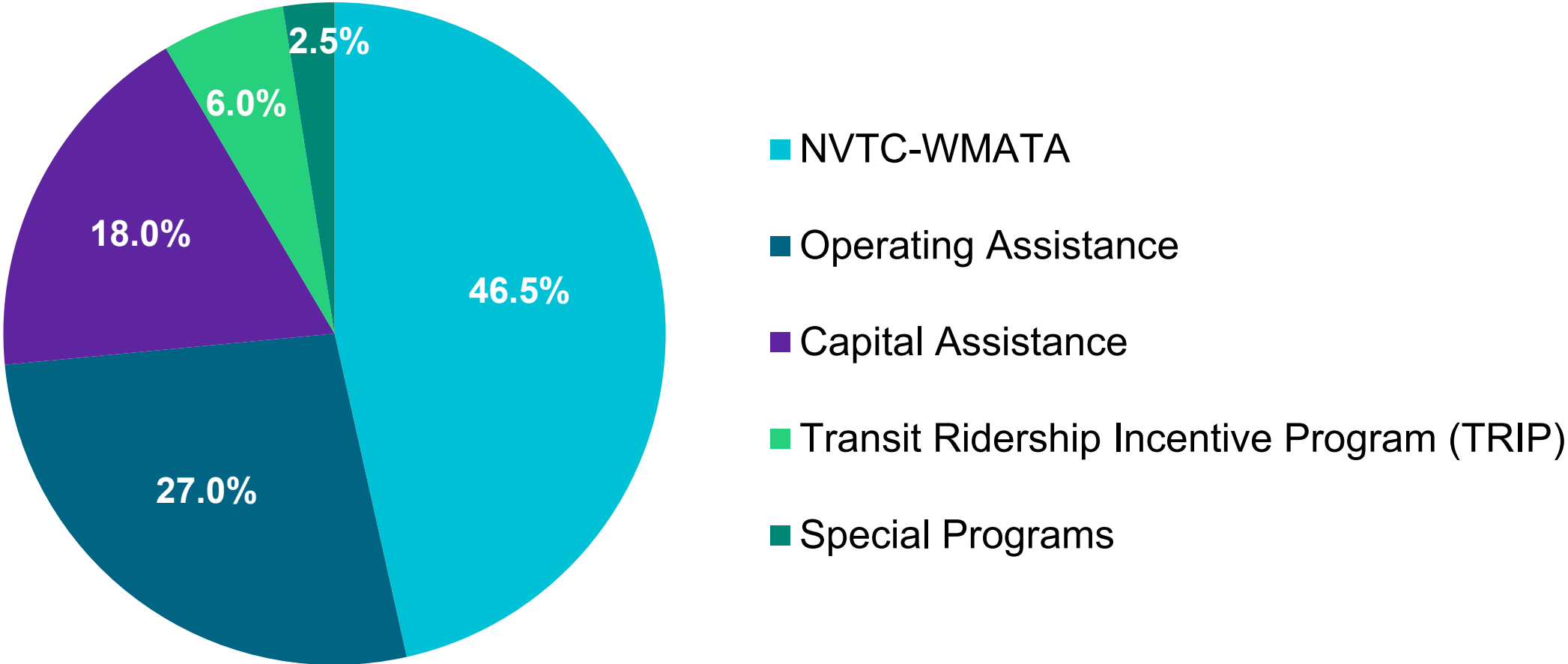
Transit Capital and Transit Planning Policy Changes

Grant Sparks, Acting Chief of Public Transportation
September 20, 2022



Transit Programs & State Code Requirements

§ 33.2-1526.1 Use of the Commonwealth Mass Transit Fund



Transit Programs & State Code Requirements

§ 33.2-214.4: Statewide prioritization for the Commonwealth Mass Transit Fund

1. Requires CTB to adopt a prioritization process for allocating transit capital funding
 - State of Good Repair prioritization must be based on Transit Asset Management principles
 - State of good repair transit projects are replacements or rehabs of existing capital assets
 - Transit Asset Management requires existing capital assets to be replaced before any expansion
 - Major Expansion prioritization must be based on objective and quantifiable measures
 - Major expansion projects are large (+\$2M) transit capital projects
 - Current policy uses a similar scoring methodology to SMART SCALE
2. Requires DRPT and CTB to incorporate service delivery factors into Transit Development Plans and Transit Strategic Plans



Transit Service Delivery Advisory Committee (TSDAC)

- **§ 33.2-214.4** establishes TSDAC to advise DRPT and CTB in the refinement of transit program formulas and prioritization methods
- TSDAC also advises DRPT and CTB in the development of transit planning requirements
- Eight members, including one CTB representative

TSDAC Members

- Virginia Transit Association Appointees:
 - Kate Mattice, Northern Virginia Transportation Commission Executive Director
 - Sam Sink, GRTC Director of Planning and Scheduling
- Community Transportation Association of Virginia Appointee:
 - Brian Booth, Blacksburg Transit General Manager
- Virginia Municipal League Appointee:
 - Cindy Mester, City of Falls Church Assistant City Manager
- Virginia Association of Counties Appointee:
 - The Honorable John McGlennon, James City County Board of Supervisors
- DRPT Appointees:
 - The Honorable Jim Dyke
 - Dr. Raymond Smoot, CTB Member
 - Jamie Jackson, Director of Public Transit, FRED Transit

Policy for Transit Capital Prioritization: Recommended Improvements

MERIT Capital Assistance Program



State of Good Repair

- Revenue vehicle replacements
- Revenue vehicle rehabilitations/overhauls
- ITS and communication equipment replacements
- Support vehicle replacements

Minor Enhancement

- Facility improvements
- Bus stop/shelter expansions
- Technology equipment improvements
- Revenue vehicle expansions

Major Expansion (+\$2M)

- Facility construction
- Rail car expansion
- Commuter rail station improvements

Policy for Transit Capital Prioritization

In June, TSDAC voted unanimously to advance the following recommendations:

1. Provide new incentives for transit agencies to seek federal discretionary funding
2. Update transit capital scoring methods to allow for just-in-time delivery of buses and other assets
3. Update scoring methods to include more project categories which will allow DRPT to differentiate more between certain project types
4. Add a new “Incentive Scoring” category which will reward projects that achieve statewide priorities
5. Update scoring methods for large projects in an effort to streamline the scoring process

Policy for Transit Capital Prioritization

Policy Change #1: Provide new incentives for transit agencies to seek federal discretionary funding

Current Policy:

- Minimum 4% local match requirement on all transit capital projects

Example Project		Federal	State	Local	Total
35 ft Bus Replacement	Match %	28%	68%	4%	100%
	Match \$	\$154,000	\$374,000	\$22,000	\$550,000

Recommended Policy:

- Lower the local match requirement for projects that receive federal discretionary funding

Example Project		Federal*	State	Local	Total
35 ft Bus Replacement	Match %	80%	18%	2%	100%
	Match \$	\$440,000	\$99,000	\$11,000	\$550,000

Policy for Transit Capital Prioritization

Policy Change #2: Update transit capital scoring methods to allow for just-in-time delivery of buses and other assets

Current Policy:

- Bus replacement projects begin to score points when the bus reaches 95% of its estimated service life
 - Buses typically have an estimated service life of 4, 5, 7, 10 or 12 years depending on size and weight
 - Larger vehicles require ~2 years to manufacture and put into service (pre-COVID)
 - Smaller vehicles require ~6-8 months to manufacture and put into service (pre-COVID)

Recommended Policy:

- Bus replacement projects begin to score points when the bus reaches 80% of its estimated service life

Policy for Transit Capital Prioritization

Policy Change #3: Update scoring methods to include more project categories which will allow DRPT to differentiate more between certain project types

Current Policy:

- Every transit capital project is grouped into one of 12 project categories, which receive different service impact scores
 - Current categories include: vehicle replacements, vehicle overhauls, support vehicles, transit centers, admin. & maintenance facilities, bus stops, maintenance equipment, system infrastructure, on-board technology, operations technology, admin. technology, & safety equipment

Recommended Policy:

- Every transit capital project is grouped into one of **15** project categories, which receive different service impact scores
 - Split maintenance equipment into two categories: vehicle support equipment and facility equipment
 - Split admin. & maintenance facilities into two categories: operational and non-operational facilities
 - Added capital cost of contracting/debt service as a category

Policy for Transit Capital Prioritization

Policy Change #4: Add a new “Incentive Scoring” category which will reward projects that achieve statewide priorities

Current Policy:

- Transit capital projects can receive up to 10 additional points if they met certain criteria
 - Additional points are awarded to LEED-certified buildings, electric/hybrid vehicles, investments that add new stops or expands service coverage, pedestrian safety improvements, and improved lighting for crime prevention

Recommended Policy:

- Transit capital projects can receive up to 10 “Incentive” points if they meet certain criteria
 - Incentive points are awarded in two ways: (1) if they are classified as an innovation, zero-emission, and/or safety project and (2) if all DRPT data and planning requirements are met (i.e. agency accountability)

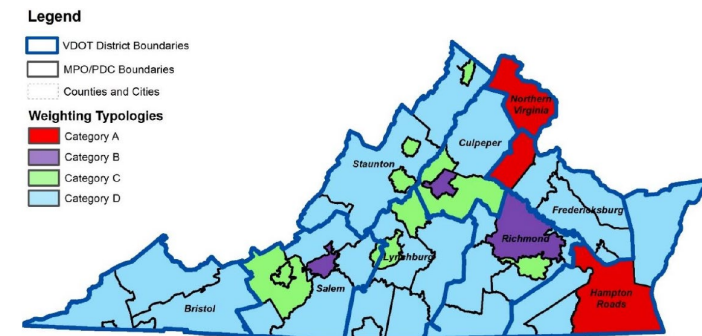
Policy for Transit Capital Prioritization

Policy Change #5: Update scoring methods for large projects in an effort to streamline the scoring process

Current Policy:

- Major Expansion scoring factors are weighted based on geography (table and graphic below)

Factor	Congestion Mitigation	Economic Development	Accessibility	Safety	Environmental Quality	Land Use
Category A	45%	5%	15%	5%	10%	20%
Category B	15%	20%	25%	20%	10%	10%
Category C	15%	25%	25%	25%	10%	
Category D	10%	35%	15%	30%	10%	



Recommended Policy:

- Remove language, tables, and graphics that require geographic-based weights and relative scores
 - All factors are weighted equally in all areas of the Commonwealth

Policy for Transit Strategic Plans: Recommended Improvements

Policy for Transit Planning

In June, TSDAC voted unanimously to advance the following recommendations:

1. Modify the Transit Strategic Plan (TSP) Annual Update process from a letter submission to a joint quarterly meeting
2. Modify the 5-year review from “Major Update” to “Minor Update”

Policy for Transit Planning

Policy Change #1: Modify the Transit Strategic Plan (TSP) Annual Update process from a letter submission to a joint quarterly meeting

Current Policy:

- All agencies that are required to complete a TSP must submit an annual update letter to DRPT, which describes any significant changes that the agency has experienced since the TSP was adopted

Recommended Policy:

- All agencies required to complete a TSP must complete a quarterly meeting with DRPT Planning and Program Management staff to review system performance and capital needs
 - This meeting will allow DRPT staff to conduct a more thorough and meaningful review of any major changes (routes, ridership, capital needs, etc) and reduce the administrative burden on both DRPT and the transit agencies.

Policy for Transit Planning

Policy Change #2: Modify the 5-year review from “Major Update” to “Minor Update”

Current Policy:

- All agencies that are required to complete a TSP must complete a “Major Update” every 5-years, which involves the development of an entirely new TSP document

Recommended Policy:

- All agencies required to complete a TSP must complete a “Minor Update” every 5-years which to review the status of their plan and update their capital needs. Every **10-years** these agencies must develop a new TSP document through a “Major Update”.
 - This change will reduce the administrative burden on DRPT and the transit agencies.



Next Steps

Recommended changes to both policies – Transit Capital and Transit Planning - were posted for public comment in early August

DRPT will bring recommended policy changes to CTB for action in October

BOWERS HILL ENVIRONMENTAL IMPACT STATEMENT

CONTINUED DISCUSSION ON THE NEPA BACKGROUND AND
IDENTIFICATION OF THE PREFERRED ALTERNATIVE

| Angel Deem, Chief of Policy

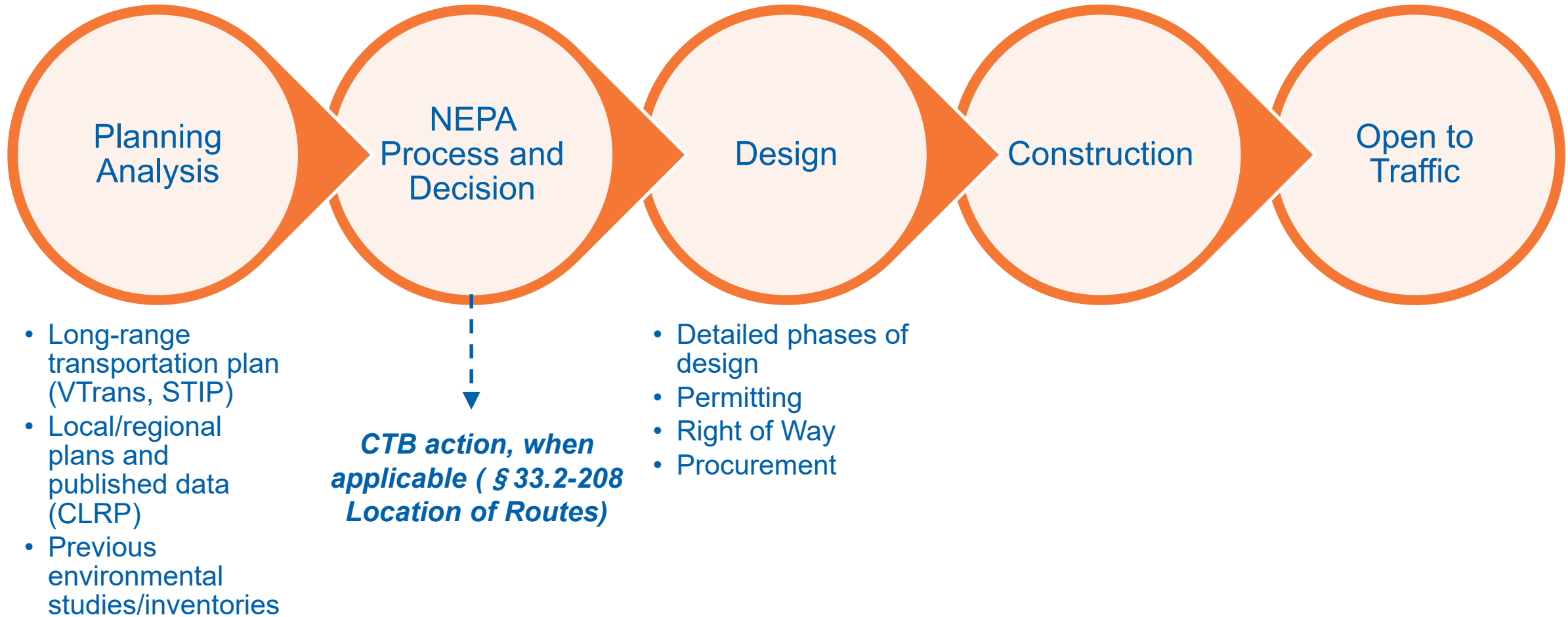
| Scott Smizik, Assistant Environmental Division Director

September 20, 2022

National Environmental Policy Act (NEPA) Background

- **Required for federalized projects**
 - *“NEPA ensures federal agencies consider the significant environmental consequences of their proposed actions and inform the public about their decision making.” - Council on Environmental Quality (CEQ)*
- **Goal is informed decision making**
- **Basic components of NEPA include:**
 - **Data collection and issue identification (scoping)**
 - **Developing a Purpose and Need**
 - **Identifying a reasonable range of alternatives**
 - **Documenting the affected environment and potential impacts**
 - **Identifying a preferred alternative**
 - **Sharing results with the public**

Project Development and Delivery Process Context



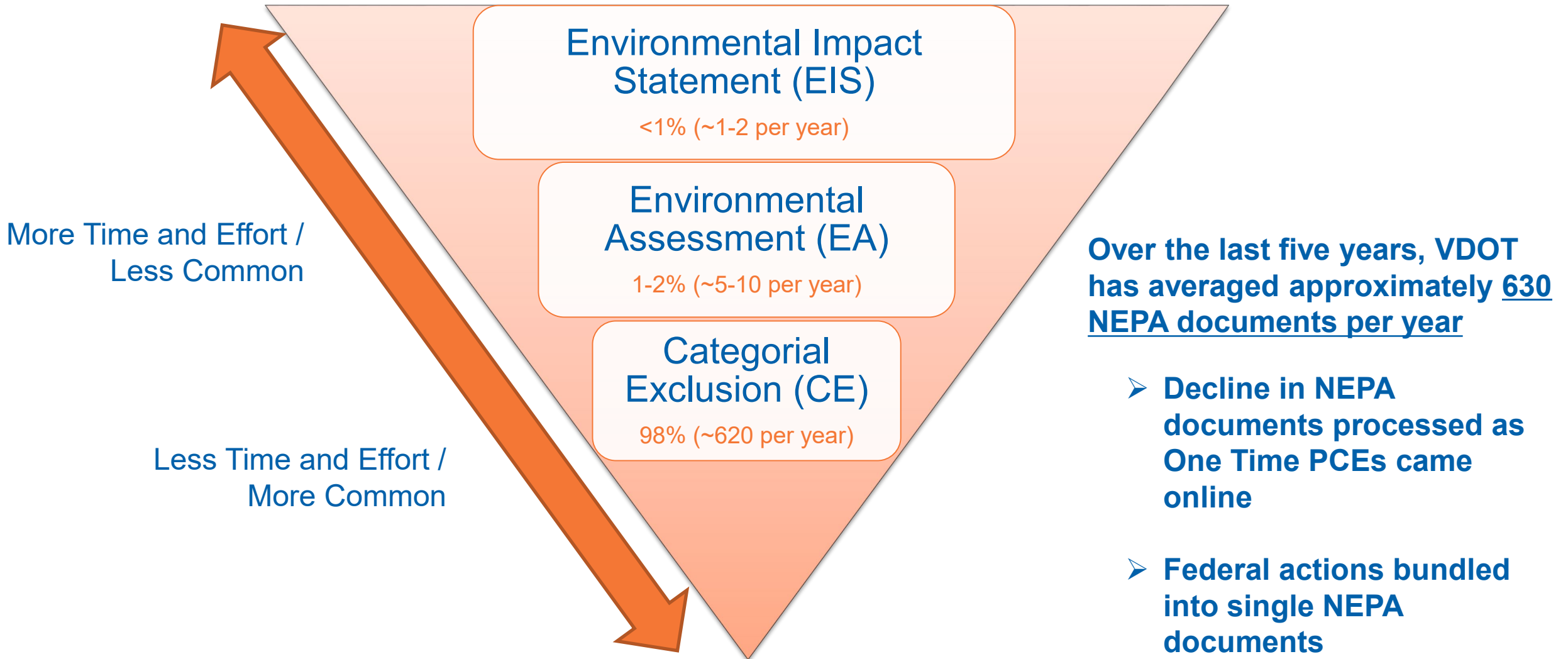
CTB's Role in the NEPA Phase of Project Development

The CTB establishes the Location of Routes (§ 33.2-208)

- Applicable in NEPA document when multiple alternatives are analyzed
- FHWA accepts the CTB resolution as the Commonwealth's selection of a preferred alternative, allowing the NEPA process to advance

Note: The majority of VDOT's NEPA documents do not require analysis of multiple alternatives

Summary of NEPA Classes of Action Past 5 Years



Data Collection and Issue Identification (Scoping)

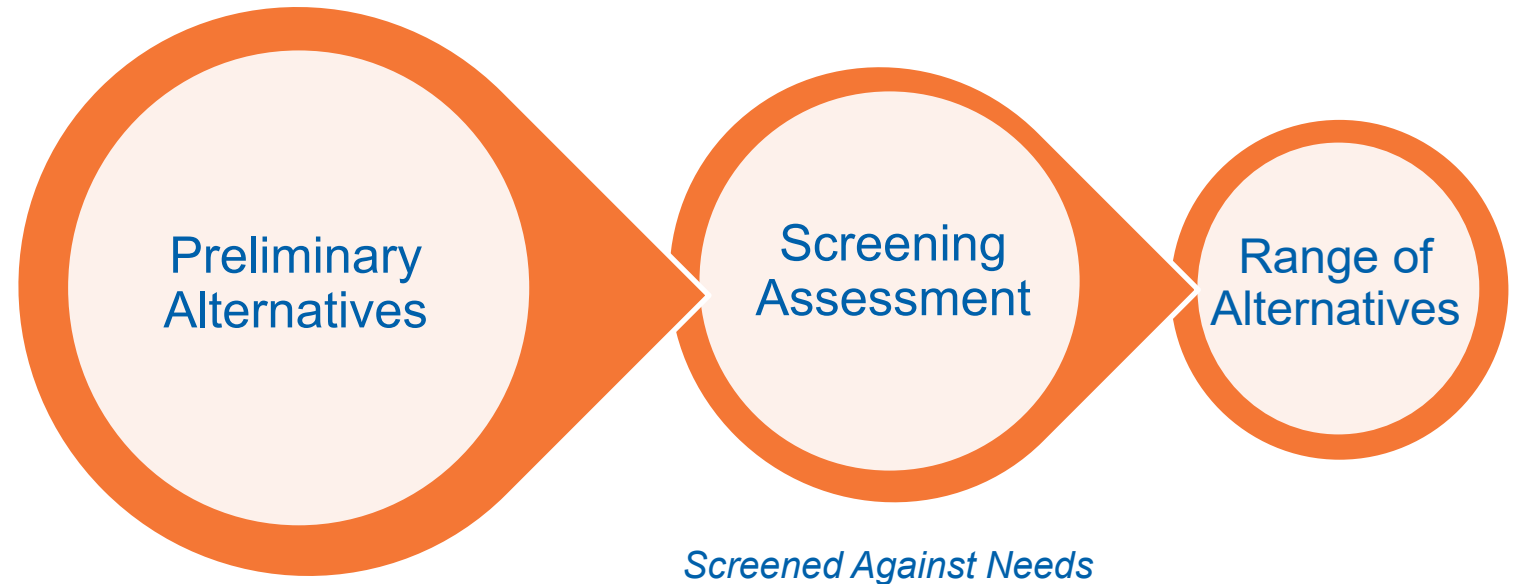
- **Solicit input from agencies, localities, regional planning organizations, and the public**
- **Identify roles and responsibilities in the NEPA process for:**
 - **Federal agencies**
 - **State agencies**
 - **Localities and regional planning organizations**
- **Collect and review data and reports that document the human and natural environment, as well as transportation data and conditions within the study area**

Developing a Purpose and Need

- **Defines the problem the project is intended to solve**
 - Documents the goals for the project
 - Serves as the primary criteria in the alternatives evaluation process
- **Developed with public and agency input**
- **Based on data and relevant decisions, such as:**
 - Existing traffic data and roadway geometry
 - Current and projected population numbers
 - Planned and programmed projects
 - Locality and/or MPO actions

Identifying a Reasonable Range of Alternatives

- Developed by FHWA and VDOT with input from other federal, state, and local agencies and public comment
- Reasonable alternatives are those that meet the Purpose & Need and are representative of potential solutions



Documenting the Affected Environment and Potential Impacts

- **Utilize methodologies established during scoping**
- **Resource assessments and impact analyses reviewed by agencies with regulatory purview over the given topic**
- **Provides an apples-to-apples comparison of impacts for the range of alternatives**
- **NEPA impact estimates are worst-case scenarios and are refined after a NEPA decision when VDOT can advance with detailed design and permitting**

Identifying a Preferred Alternative

- **CTB identifies the preferred alternative when multiple alternatives are analyzed in NEPA**
- **Preferred Alternative is based on concept level design as allowed in the federal process prior to a NEPA decision**
- **The NEPA decision documents the rationale for the selection of the preferred alternative and can include commitments to minimize and/or mitigate impacts**

Sharing Results with the Public

- **VDOT public involvement:**
 - Exceeds federal requirements
 - Relies on a variety of methods for citizen engagement
 - Sophisticated system for collecting, documenting, and responding to public comments
- **NEPA documents are required to be made available to the public before a decision is made**
- **Substantive comments are considered, and responses documented**

Conclusion of NEPA Discussion

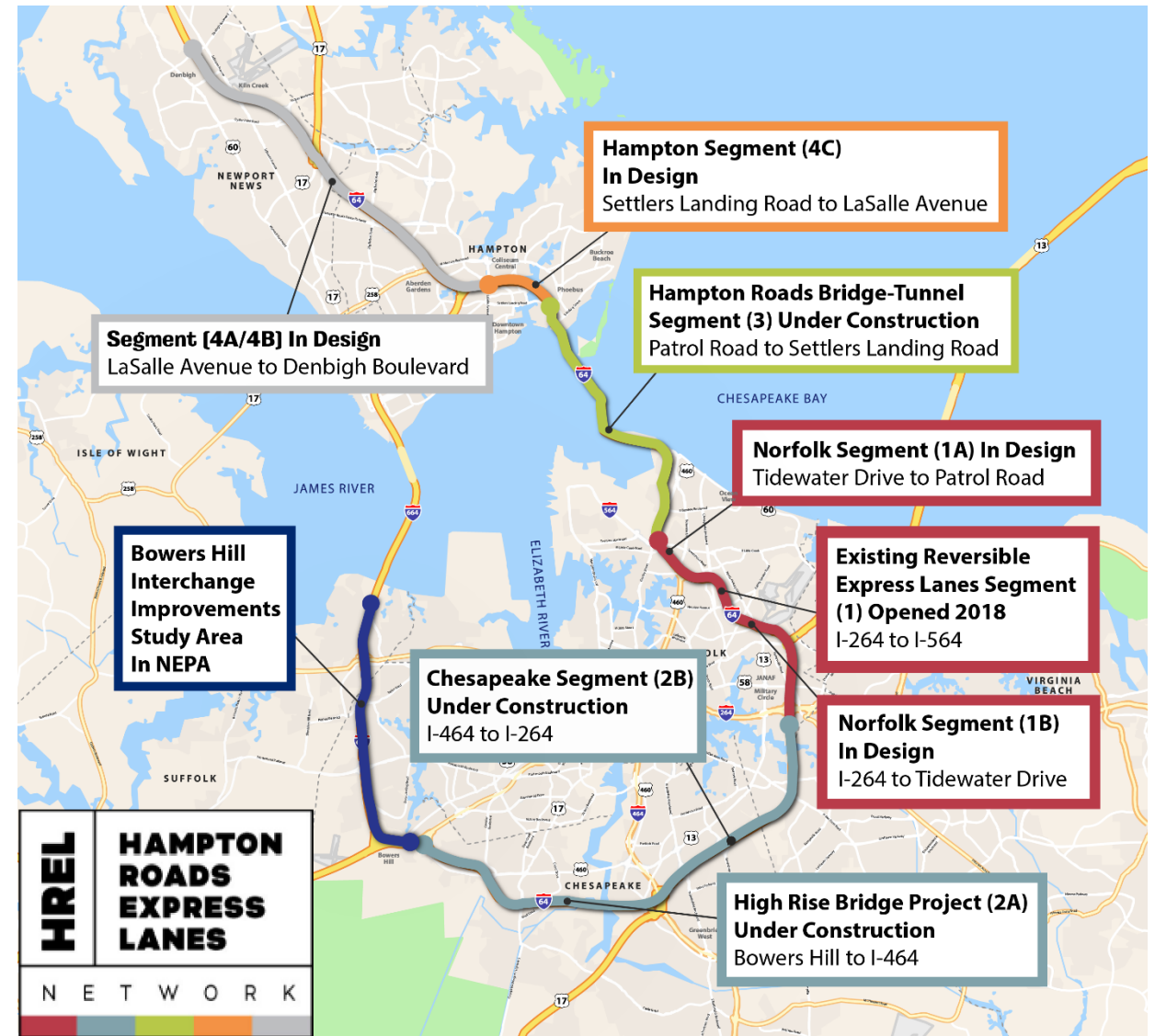
NEPA is a heavily litigated process

- **Risks are reduced by:**
 - **Maintaining consistency**
 - **Strict adherence to the procedural steps**
 - **Concise documentation**
 - **Continual agency engagement and buy-in at key steps in the process**
 - **Decision rationale being supported by data and input received**

Input from agencies/stakeholders/public must occur at the right time in the process to be defensible

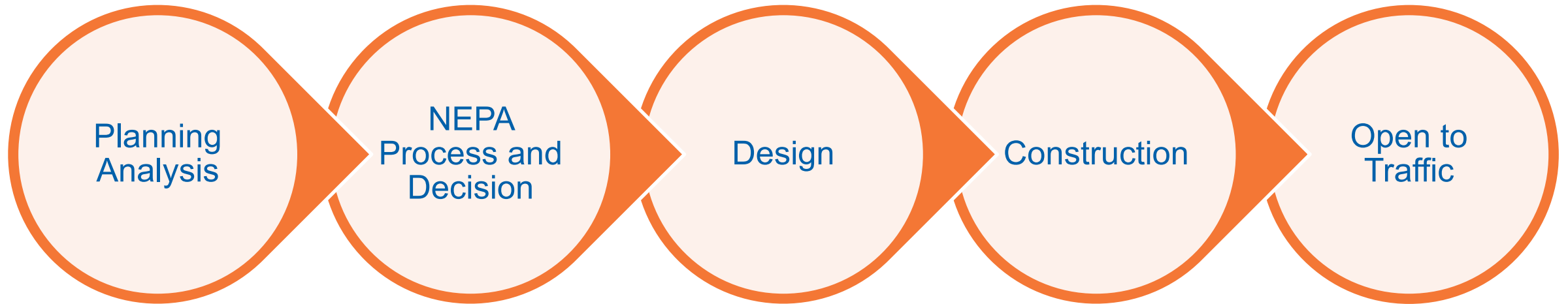
Regional Context

- Dec. 2016 – CTB location decision for HRBT and directed VDOT to study the Bowers Hill Interchange
- Oct. 2019 – HRTPO resolution identifying I-664/Bowers Hill as part of the HRELN
- Aug. 2020 – CTB, VDOT, HRTAC execute Master Tolling Agreement for current and future components of HRELN



Note: Color coding used to differentiate location in region

Bowers Hill - Development and Delivery Process



- HRTPO Resolution identifying HRELN
- HRTPO Long-Range Transportation Plan
- HRTAC Plan of Finance
- Hampton Roads Crossing Study (HRBT)
- Bowers Hill EA

*CTB action
(§ 33.2-208
Location of
Routes)*

Public involvement

- More than 1,500 public comments
- 10 community meetings
- 3 virtual public meetings
- 1 public hearing

Bowers Hill EIS – Data Collection and Issue Identification (Scoping)

Previous Studies and Current Information

- Aligns with many of the VTrans needs as previously presented to CTB
- Consistent with the region's Long-Range Transportation Plan (LRTP) which calls for a variety of transportation options that reduce delay and improve travel efficiency
 - LRTP identifies Bowers Hill as a Regional Priority Project and as an “extension of the Hampton Roads Express Lanes from Bowers Hill to College Drive.”
- Informed by HRTPO resolutions identifying components of the HRLEN
- Funded by and included in HRTAC's Plan of Finance

Agency and Public Comment

- Agencies provide specific inputs to focus the analyses for this specific study
- Public comment identifies issues and concerns in the area
- August - September 2020: Review and discussion at monthly NEPA agency meetings

Bowers Hill EIS – Purpose and Need

Previous Studies and Current Information

- Informed by past studies, outputs from the region’s traffic model, as well as new information collected as part of the EIS
- HRTPO identifies need for “A consistent Express Lanes Network that begins on I-64 at Jefferson Avenue...proceeds along I-64 through Bowers Hill...and continues along I-664 to I-64...” – October 17, 2019 resolution

Agency and Public Comment

- Agencies and the public were presented with the opportunity to inform the need elements and the Purpose and Need chapter of the EIS
- Record setting public input for this stage of the NEPA process that included response to questions on Express/toll lanes
- September - December 2020: Review and discussion at monthly NEPA agency meetings

Bowers Hill EIS – Purpose and Need Data and Information

Approved Traffic Model

- Identifies congestion and travel delay throughout the project area
- Public comment consistent with model outputs
- Incorporates accepted regional traffic metrics for assessing potential improvements

Input from Department of Rail and Public Transit (DRPT) and HRTPO

- Identifies regional goals to enhance bus service through the project area
- Documents that bus service can only be successful with a travel time advantage that could be provided in a managed-lane system
- Documents that the region's Master Tolling Agreement allows for buses to travel in planned Express Lanes
- Determines that “transit only” lanes need not be considered due to limited influence on congestion

Bowers Hill EIS – Range of Alternatives

Previous Studies and Current Information

- Process informed by existing and planned typical sections of adjoining roadway network
- Fresh look at alternatives developed specifically for consideration as part of this EIS

Agency and Public Comment

- Preliminary range of alternatives was modified based on comments from HRTPO to include a part-time driveable shoulder in the managed lane system to provide a system linkage with HRELN designs
 - Supported by other agencies involved in the EIS and presented to the public on multiple occasions
- Public comment extended over 30 days to consider the range of alternatives and to identify any additional alternatives
 - No additional, unique alternatives were identified
- December 2020 - May 2021: Review and discussion at monthly NEPA agency meetings

Bowers Hill EIS – Alternatives and Impacts

Potential Impact Resource	Alternative C One Managed Lane and a Part-time Drivable Shoulder	Alternative D Two Managed Lanes
Potential Residential/Commercial Acquisitions	21	23
Acreage of Partial Acquisitions	60	65
Estimated Stream Impacts (linear feet)	11,356	11,674
Estimated Wetland Impacts (acres)	103	107

Impacts shown are a worst-case scenario and will be refined during final design and permitting, which is when avoidance and minimization is appropriately considered and documented.

Bowers Hill EIS – Proposed Next Steps

Activity	Timeframe
CTB Action to Identify a Preferred Alternative	October 2022
FHWA/VDOT Issue Draft EIS	Winter 2022/2023
Final EIS and Record of Decision (ROD)	Spring 2023

Final EIS and ROD is the final step in the NEPA process. The project can advance to more detailed designs, traffic analyses, and permitting activities following the ROD.

SMART SCALE PROPOSED PROJECT CANCELLATIONS – CULPEPER DISTRICT

PRESTON AVE & GRADY AVE INT IMPROVEMENTS (UPC 118873)

WEST MAIN ST PHASE 2 - 6TH ST NW TO 8TH ST NW (UPC 113177)

**WEST MAIN ST PHASE 3 - 8TH ST NW TO ROOSEVELT BROWN AVE
(UPC 118874)**

Commonwealth Transportation Board

SMART SCALE Policy - Project Cancellation

SMART SCALE Policy on Project Cancellation, December 2021

- A project that has been selected for funding through either the High Priority Projects Program or Construction District Grant Program may be cancelled only by action of the Board

PRESTON AVE & GRADY AVE INTERSECTION IMPROVEMENTS (UPC 118873)

Project Information

Preston Ave and Grady Ave Intersection Improvements UPC 118873

- Submitted by City of Charlottesville in Round 4 of SMART SCALE
 - Total Original Project Cost: \$7,743,498
 - Total SMART SCALE Request: \$7,743,498
 - Request funded with DGP funds
- Original Scope Included:
 - Combine the intersections at Grady Ave/10th St NW and Grady Ave/Preston Ave. into one intersection; bike/ped facilities, signal upgrades/replacements; sheltered bus stops
- Project is locally administered and has not yet started
- Project benefits were associated primarily with land use

Project Snapshot

	Original Application
Total \$	\$7.7M
SMART SCALE \$	\$7.7M (DGP)
Score	11.7
Funding Scenario	9/21
Expenditures	\$0K
Current Project Estimate	\$7.7M

Change in Project Cost

What changed after Project Selection?

- Public response to the project prompted concerns and the City determined that additional study was need to determine the best course of action
- The City determined that the proposed project should be canceled and reconsidered after the completion of an additional study of the location
- In June 2022 the City requested cancellation of the project

WEST MAIN ST PHASE 2 - 6TH ST NW TO 8TH ST NW (UPC 113177)

Project Information

West Main Street Phase 2 – 6th St to NW to 8th St NW UPC 113177

- Submitted by City of Charlottesville in Round 3 of SMART SCALE
 - Total Original Project Cost: \$12,689,020
 - Total SMART SCALE Request: \$2,009,265
 - Request funded with DGP funds
- Original Scope Included:
 - Multimodal improvements including sidewalk improvements, new bike lanes, and new transit shelters
- Project is locally administered and the Preliminary Engineering phase has started
- Project benefits were associated primarily with economic development

Project Snapshot

	Original Application
Total \$	\$12.7M
SMART SCALE \$	\$2.0M (DGP)
Score	15.4
Funding Scenario	2/6
Expenditures	\$7K
Current Project Estimate	\$12.7M

Change in Project Cost

What changed after Project Selection?

- The City of Charlottesville reassessed its local commitments related to transportation improvements and identified other priorities
- In June 2022 the City requested cancellation of the project with the goal of redirecting the local funds encumbered on the project to other City priorities
- The City of Charlottesville has agreed to repay the existing expenditures

WEST MAIN ST PHASE 3 - 8TH ST NW TO ROOSEVELT BROWN AVE (UPC 118874)

Project Information

West Main Street Phase 3 – St NW to Roosevelt Brown Ave UPC 118874

- Submitted by City of Charlottesville in Round 4 of SMART SCALE
 - Total Original Project Cost: \$10,874,698
 - Total SMART SCALE Request: \$10,874,698
 - Request funded with DGP funds
- Original Scope Included:
 - Multimodal improvements including sidewalk improvements, new bike lanes, and new transit shelters
- Project is locally administered and has not yet started
- Project benefits were associated primarily with land use

Project Snapshot

	Original Application
Total \$	\$10.9M
SMART SCALE \$	\$10.9M (DGP)
Score	12.4
Funding Scenario	8/21
Expenditures	\$0K
Current Project Estimate	\$10.9M

Change in Project Cost

What changed after Project Selection?

- The City of Charlottesville reassessed its local commitments related to transportation improvements and identified other priorities
- In June 2022 the City determined that proposed improvements along the Main Street corridor could be delayed in order to address other community priorities and requested cancellation of the project

Recommendation for Action

- Approve proposed project cancellations in October
- Transfer funds to Culpeper Construction District Grant Balance Entry UPC -21761

UPC	Description	Amount Returned to District Balance Entry
118873	Preston Ave and Grady Ave Intersection Improvements	\$7,743,498
113117	West Main Street Phase 2 – 6th St to NW to 8th St NW	\$2,009,265
118874	West Main Street Phase 3 – St NW to Roosevelt Brown Ave	\$10,874,697
Total		\$20,627,460



SMART SCALE BUDGET INCREASE REQUESTS – CULPEPER DISTRICT

FONTAINE AVENUE STREETScape IMPROVEMENTS (UPC 109484)

HYDRAULIC ROAD AND ROUTE 29 IMPROVEMENTS (UPC 118880)

Commonwealth Transportation Board

Kimberly Pryor – Director, Infrastructure Investment Division

September 20, 2022

SMART SCALE Policy

SMART SCALE Policy on Scope Changes and/or Budget Increases, December 2021

- Significant changes to the scope or cost of a SMART SCALE project require a re-evaluation
- Board action is required to approve a SMART SCALE budget increase:
 - » i. Total Cost Estimate <\$5 million: 20% increase in funding requested
 - » ii. Total Cost Estimate \$5 million to \$10 million: \$1 million or greater increase in funding requested
 - » iii. Total Cost Estimate > \$10 million: 10% increase in funding requested; \$5 million maximum increase in funding requested

FONTAINE AVENUE STREETScape IMPROVEMENTS (UPC 109484)

Project Information

Fontaine Avenue Streetscape Improvements (UPC 109484)

- Submitted by City of Charlottesville in Round 1 of SMART SCALE (FY2017)
 - Total Original Project Cost: \$11,700,000
 - Total SMART SCALE Request: \$11,700,000
 - Request funded with DGP funds
- Original Scope Included:
 - Multimodal improvements from the intersection of Maury/Jefferson Park Avenue to the City line; including sidewalks, bike lanes in both directions, and a rapid flashing beacon
- Project is locally administered and is ready to begin Right-of-Way
- Project benefits were associated primarily with land use

Project Location



Project Budget Increase

- Total budget increase of \$6.2M; an increase of 53% over the current budget
- Major factors driving the increase include design modifications to improve bicycle and pedestrian accommodations and reduce right of way impacts, updated unit prices, and inflation
- Efforts to reduce cost include design modifications to minimize impacts to adjacent properties and modification of the existing underground storm sewer system to avoid the relocation of a Rivanna Water and Sewer Authority waterline
- The City of Charlottesville has committed \$750K towards the shortfall

	Original Application	Current
Total \$	\$11.7M	\$17.9M
SMART SCALE \$	\$11.7M (DGP)	\$17.2M (DGP); \$0.75M (Local)
Score	1.3	0.88
Funding Scenario	10/11	10/11
Expenditures as of 8/5/2022		\$1,051,215

HYDRAULIC ROAD AND ROUTE 29 IMPROVEMENTS (UPC 118880)

Project Information

Hydraulic Road and Route 29 Improvements (UPC 118880)

- Submitted by the Charlottesville-Albemarle Metropolitan Planning Organization (MPO) in Round 4 of SMART SCALE
 - Total Original Project Cost: \$24,030,488
 - Total SMART SCALE Request: \$5,730,488
 - Request funded with HPP funds
- Original Scope Included:
 - Multiple elements to improve safety and mobility at the Route 29 and Hydraulic Road intersection and nearby intersections and interchanges
 - Pedestrian overpass and bus stops with shelters
 - Roundabout at Hillsdale/Hydraulic
 - Various operational improvements
- Project is VDOT administered and is underway as Design-Build with RFP release anticipated for October
- Project benefits were associated primarily with land use and safety

Project Location



Project Budget Increase

- Estimated budget increase of \$4.2M; represents an increase of 74% over the current SMART SCALE budget; 18% increase over total current budget
- Factors contributing to the cost increase
 - Higher right of way costs than originally estimated due to recent changes to § 25.1-100 and § 25.1-230.1 of the Code of Virginia regarding lost access
 - Changed definition of lost access; likely to lead to more claims
 - Eliminated definition of direct access; likely to increase the amount awarded for lost access and lost profits
 - Realignment of intersection at Hydraulic and Route 29 and reconstruction of concrete median
 - Higher than anticipated unit costs and inflation

Project Budget Increase

- Removed the innovative intersection treatment at Angus Road and Route 29 in response to public comment and with concurrence of the Albemarle County, the City of Charlottesville, and the Metropolitan Planning Organization
- Further reduction in scope also reduces the effectiveness of the solution without achieving significant cost savings

	Original Application	Current
Total \$	\$24.0M	\$28.2M
SMART SCALE \$	\$5.7M (HPP)	\$9.9M (HPP) (increase of \$4.2M)
Score	28.8	16.59
Funding Scenario	1/21	4/21
Expenditures as of 8/23/2022		\$757,137

Recommendation for Action – Fontaine Ave Streetscape

- **Approve budget increase request in October**
 - Fund increase from surplus Culpeper District Grant Program balances

DGP Deallocated Funds	Amount
Available currently	\$4,969,290
Proposed cancellations	\$20,627,460
Less proposed budget increase for UPC 109484	-\$5,476,373
Total Remaining	\$20,120,377

Recommendation for Action – Hydraulic Road & Route 29

- **Approve budget increase request in October**
 - Fund increase from surplus High Priority Project balances
 - Project is not eligible for Construction District Grant funds because it was submitted by the MPO

HPP Deallocated Funds	Amount
Available currently	\$16,193,734
Less proposed budget increase for UPC 118880	-\$4,223,776
Total Remaining	\$11,969,958





Revisions for FY 2023-2024 Budgetary Assumptions

Laura Farmer, Chief Financial Officer

September 20, 2022

Revenue and Allocation Updates

- **Commonwealth Transportation Fund (CTF)**
 - **FY 2022 Actual Performance**
 - **Updates for FY 2023**
- **General Fund Investments in Transportation**
- **Allocation items for VDOT**
 - **Results of Appropriation Act items**



Commonwealth Transportation Fund FY 2023 Updates (in millions)

Revenue Updates	FY 2023
FY 2022 Revision based on Actuals (Compared to February 2022 Mid-session update)	(\$92.7)
July Updates based on FY 2022 Performance	
<i>Retail Sales and Use Tax</i>	55.3
<i>Insurance Premiums</i>	6.5
Grocery Tax Elimination Assumption – January 2023 start rather than July 2022 (\$1.4 million in FY 2024)	65.3
TOTAL	\$34.4

CTF Distribution	FY 2023
HMOF	\$17.5
Construction	8.9
Mass Transit	3.9
Rail	1.3
Ports	0.4
Airports	0.3
Space Flight	0.2
PTF	1.8
DMV	0.2
TOTAL	\$34.4

General Fund Commitments to Transportation (Chapters 1 and 2; 2022 Special Session I)

<i>(\$ in millions)</i>	FY 2022 Budget (January 2022)	Reclassification of FY 2022 based on Final Recommendations/ Readiness	FY 2023	FY 2024	TOTAL
Mid-Atlantic Regional Spaceport	\$30.0	\$ -	\$ -	\$ -	\$30.0
Regional Multi-Use Trails	25.8	(25.8)	79.0		79.0
Air Terminal Interchange	20.0	(20.0)			-
I-64 Gap	20.0	65.8	274.2	110.0	470.0
TPOF Restoration	10.0	(10.0)			-
Wildlife Habitat	10.0	(10.0)			-
Transit Ridership Incentive Program			5.0		5.0
Nimmo Parkway			10.0		10.0
Special Structures – PE for Norris Bridge			5.0		5.0
TOTAL	\$115.8	-	\$373.2	\$110.0	\$599.0

\$150 million for I-64 Gap in FY 2023 Allocation is from FY 2022 GF Surplus; This will need to be appropriated in 2023 Session



Other Budget Updates

- **Requires the set-aside of \$7 million annually in FY 2023 and FY 2024 from Transportation Alternatives Program (TAP) funding for Regional Multiuse Trails**

Priority shall be given by the Board to new regional trails, projects to improve connectivity of existing trail networks, and geographic diversity in the use of such funds. Funds may be awarded through a competitive solicitation conducted by the Board

- **Additional funds for Financial Assistance to Cities - \$30 million over biennium from HMOF**
- **Establish funding for \$1,000 Employee Bonuses planned for December 1, 2022**

Impact to VDOT – HMOF and Construction Fund Distribution

Revenue Change by Fund (in millions)	FY 2023	FY 2024
HMOF	\$17.5	\$0.7
Construction	8.9	0.4
TOTAL	\$26.4	\$1.1

Allocation Change (in millions)	FY 2023	FY 2024
City Street Maintenance Payments	\$15.0	\$15.0
Employee Bonus	8.0	-
Available for Construction Distribution	3.4	(13.9)
TOTAL	\$26.4	\$1.1

Budget Updates

Change to Construction Distribution	FY 2023	FY 2024
State of Good Repair	\$1.00	(\$4.18)
High Priority Projects	0.69	(2.78)
District Grant Program	0.69	(2.78)
Interstate Operations and Enhancement Program	0.63	(2.55)
NVTA Share of Interstate Distribution	0.06	(0.23)
Virginia Highway Safety Program	0.34	(1.39)
TOTAL	\$3.44	(\$13.92)

- Proposed revision for FY 2023 Budgets will be presented in October for approval
- Incorporates Updates to CTF and additional General Fund Transportation Initiatives
- Revised SYIP
 - Incorporates updates to program funding
 - Latest updates to project funding for those projects advancing in FY 2023

Route 28 District, Series 2012 Defeasance

 Laura Farmer, Chief Financial Officer

September 20, 2022

Overview and Purpose

- **The Route 28 Transportation Improvement District would like to use revenues in the Route 28 District Project Completion Fund to defease the Series 2012 Bonds**
- **In accordance with the Master Indenture, CTB approval is needed to authorize the Chairman to complete this action**

Route 28 Transportation Improvement District and Contract

- **The Route 28 Transportation Improvement District (“Route 28 District”) was created pursuant to the Multicounty Transportation Improvement District Act (Virginia Code Section 15.2-4600 et seq.)**
 - **The Route 28 District is comprised of portions of Fairfax and Loudoun Counties**
- **The 1988 Session of the General Assembly enacted bond legislation authorizing the issuance of Transportation Contract Revenue Bonds in an amount not to exceed \$160.7 million to finance the costs of acquisition and construction of roadways and related improvements on State Route 28 in Fairfax and Loudoun Counties**
- **On September 1, 1988, the Commonwealth Transportation Board (“CTB”), Fairfax County Economic Development Authority (the “Authority”) and the State Route 28 Highway Transportation Improvement District Commission (the “Route 28 District Commission”) entered into a contract (“Route 28 District Contract”)**
 - **Agreement to undertake certain modifications and improvements to State Route 28 (the “Route 28 District Project”)**
 - **Set forth the method of financing the Route 28 District Project between CTB and the Authority**
 - **Established procedures related to a levy of a special improvements tax by the Route 28 District (“Route 28 District Revenues”)**
- **The Route 28 District Contract has had amendments and has been amended and restated throughout the years as needed to continue the work of the Route 28 District Project *(most recently in 2022)***

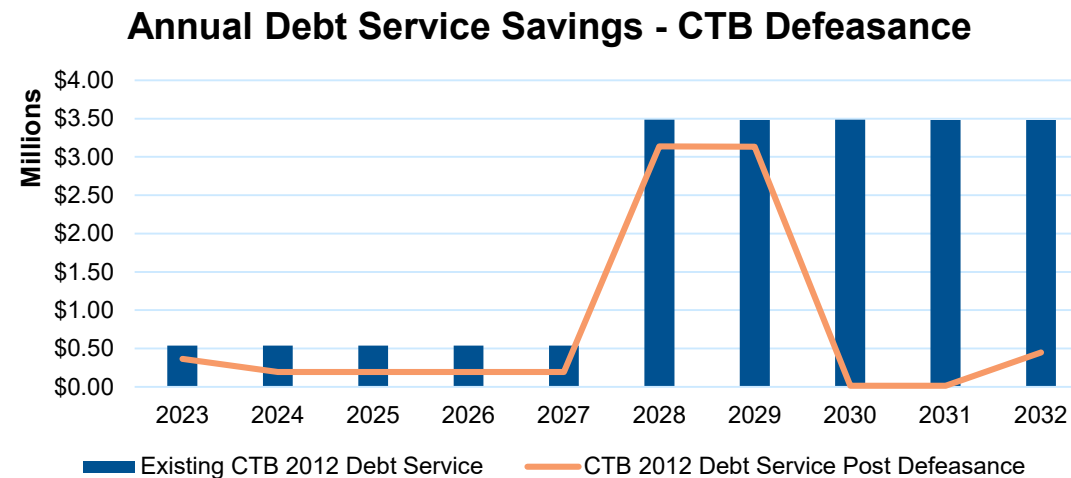
Route 28 Transportation Improvement District Revenue and Financings

- **Route 28 District Revenues are held by U.S. Bank, as the fiscal agent, in accordance with the Fiscal Agent Agreement**
- **Route 28 District Revenues are disbursed to pay debt service on the bonds issued by the Authority and CTB to finance the Route 28 District Project**
- **Excess Route 28 District Revenues ultimately fall into a surplus fund called the Route 28 District Project Completion Fund**
 - **Can be used to cover any debt service shortfalls**
 - **Can be used to complete improvements related to the Route 28 District Project and/or to prepay bonds**
 - **Remaining surplus is to be paid back to the Counties for general governmental purposes, once all bonds are retired**
- **CTB and the Authority have public bond issues outstanding and have taken advantage of refinancing for savings**
 - **CTB has issued \$160.7 million and \$56.2 million is currently outstanding**
 - **The Commission through the Authority has issued \$183.8 million and \$135.1 million is currently outstanding**

Route 28 Transportation Improvement District Revenue and Financings

- At the end of Fiscal Year 2022, the Route 28 District Project Completion Fund had an available balance of \$9.4 million, after setting aside amounts for District reserves
- The District recommends using these amounts to defease a portion of the CTB Series 2012 Bonds since they are currently callable
- Series 2012 Bonds have 5 remaining maturities due in 2028-2032
- Current plan uses available Project Completion Fund balance to defease \$9.3 million across three maturities (two full and one partial) resulting in a gross savings of \$12.2 million
- To defease any of the Series 2012 Bonds, CTB approval is needed

FYE	Cash Flow Savings (000s)
2023	\$173.3
2024	\$346.7
2025	\$346.7
2026	\$346.7
2027	\$346.7
2028	\$346.7
2029	\$346.7
2030	\$3,471.7
2031	\$3,466.7
2032	\$3,031.9
Total	\$12,223.6



Next Steps

- **A resolution will be presented for consideration at the October Meeting**
- **If approved, a defeasance notice will be provided to bond holders and the available revenues in the Project Completion Fund will be used to defease the Series 2012 Bonds before the end of the calendar year**

I-81 Corridor TIFIA Loan Update

 Laura Farmer
Chief Financial Officer

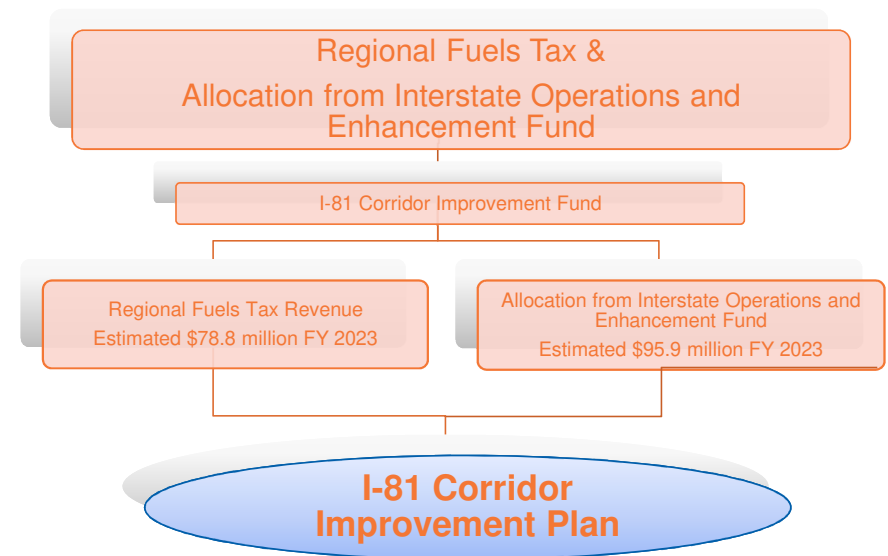
September 20, 2022

Legislative Background

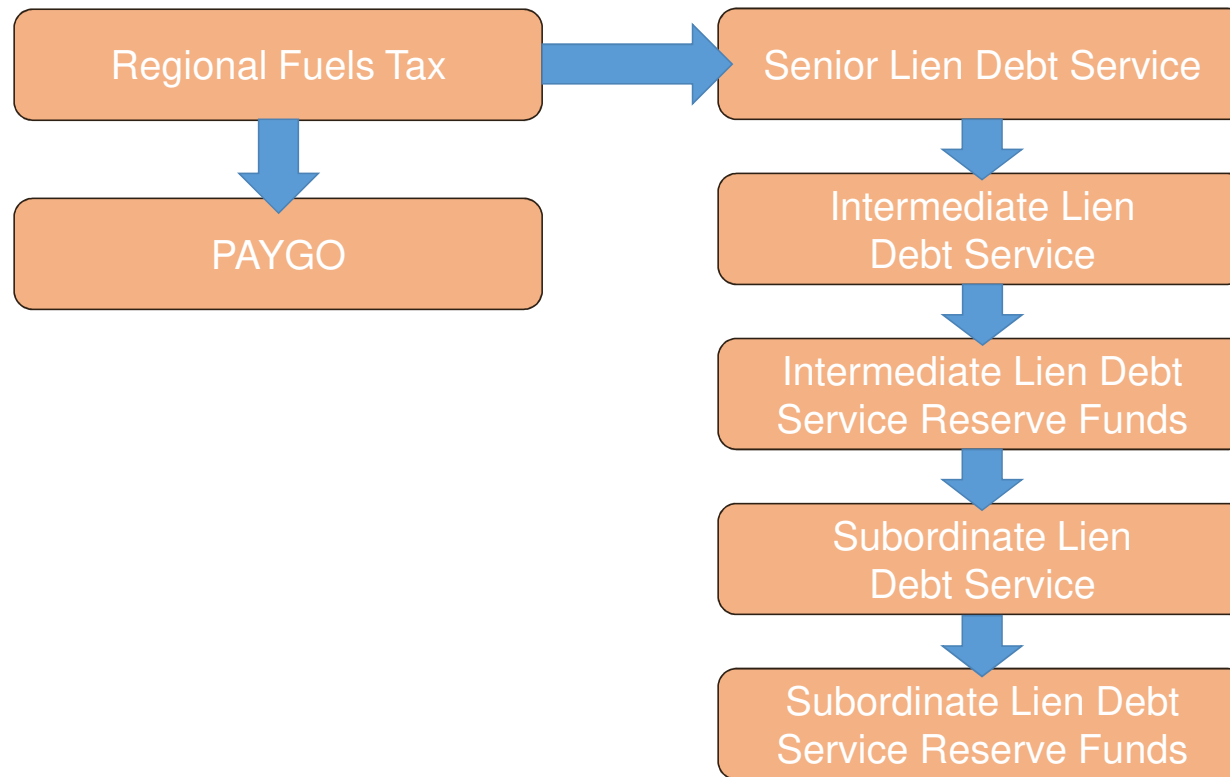
- **Chapters 837 and 846 (HB 2718 and SB 1716, 2019 Session)**
 - Created the Interstate 81 Corridor Improvement Program and Fund
 - Provided new transportation revenues to support the interstate highways and specifically I-81
- **Chapters 1230 and 1275 (HB 1414 and SB 890, 2020 Session)**
 - Authorized the sale and issuance of bonds with an aggregate principal amount not to exceed \$1 billion
 - Reduced the geographic footprint for collections of fuel tax revenues
 - Provided allocated funding from the Interstate Operations and Enhancement Program (IOEP)

Funding Sources and Structure

- **Dedicated funding for the I-81 Program is deposited in the I-81 Corridor Improvement Fund and includes:**
 - Regional Fuels Tax along the I-81 Corridor
 - Share of statewide revenues from allocation of the IOEP
- **Regional Fuels Tax**
 - July 1, 2019 through June 30, 2020, additional 2.1% tax on gasoline and diesel sold by a distributor to a retail dealer
 - Effective July 1, 2020, changed to a per gallon rate subject to annual CPI-U adjustment
 - May be leveraged for debt service and paygo
- **Allocation from IOEP**
 - I-81 receives allocation equal to ratio of Vehicle Miles Traveled (VMT) on I-81 by vehicles Class 6 or higher to total VMT on all Interstate highways
 - Intended to provide funding for paygo



Planned Use of Regional Fuels Tax



Revenue Performance and Projections

Interstate 81 Improvement Fund (in millions) - Actual Receipts for FY 2020 - 2022 and Projections for FY 2023-2028

Source	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	Total
Regional Fuels Tax	\$69.8	\$71.4	\$76.1	\$78.8	\$80.0	\$80.7	\$81.4	\$83.2	\$85.2	\$706.6
Interstate Operations and Enhancement Program	22.6	71.3	68.1	95.9	101.3	110.1	109.2	107.6	107.8	793.9
Interest Income	0.7	0.7	0.5	0.5	0.5	0.5	0.5	0.5	0.5	4.9
Total	\$93.1	\$143.4	\$144.7	\$175.2	\$181.8	\$191.3	\$191.1	\$191.3	\$193.5	\$1,505.4

	(\$millions)
Project Expenditures through July 31, 2022 – from paygo and bond proceeds	\$ 117.4
Fund Balance as of July 31, 2022	\$290.4
Bond Proceeds Balance as of July 31, 2022	\$ 77.6

I-81 Corridor Program – Existing Scope

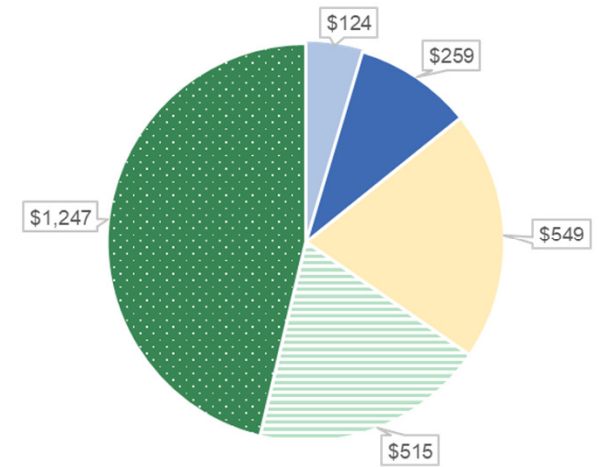
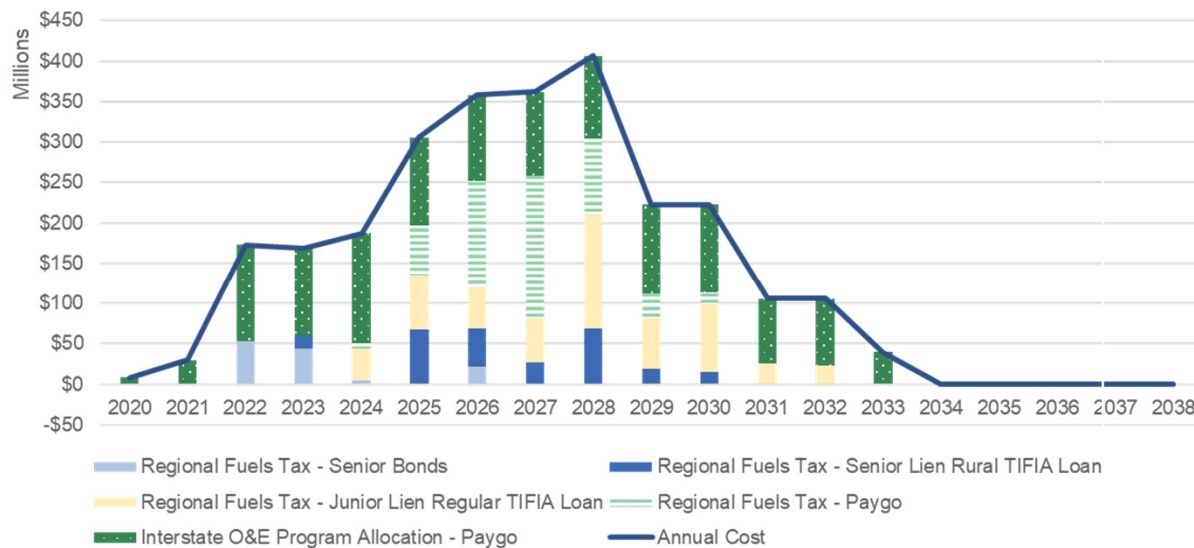
- Based on current revenue assumptions and debt model, estimated costs total \$2.69 billion*, with projects implemented in phases through 2033

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
<i>in millions</i>															
Operational Improvements	\$4	\$12	\$45	\$40	\$38	\$34	\$39	\$26	\$38						\$276
Capital Improvements															
Rural Projects	\$1	\$7	\$35	\$59	\$61	\$103	\$62	\$82	\$80	\$19	\$19				\$529
Regular Projects	\$3	\$10	\$93	\$70	\$88	\$169	\$257	\$254	\$288	\$204	\$204	\$105	\$105	\$40	\$1,889
sub-total	\$4	\$18	\$128	\$128	\$149	\$272	\$319	\$336	\$368	\$223	\$223	\$105	\$105	\$40	\$2,418
Total	\$8	\$30	\$172	\$168	\$187	\$306	\$358	\$362	\$406	\$223	\$223	\$105	\$105	\$40	\$2,694

* Preliminary and subject to change

I-81 Program - Preliminary Funding by Year and Source

- Well-balanced funding mix of paygo and multi-lien debt
- TIFIA loans are shown based on expected cash flow draws with loans committed in advance
- Healthy cash liquidity maintained (preliminary minimum target of \$25 million)



I-81 Program - Debt Issuance Plan

- The I-81 Regional Fuels Tax revenues will support all debt issued
- Will not impact debt capacity of the Commonwealth
- Similar to bond programs implemented by NVTa and HRTAC backed by regional revenues
- Mixture of municipal bonds and Transportation Infrastructure Financing Innovation Act (TIFIA) loans over the life of the program

	2021 Bonds ⁽¹⁾	2022 TIFIA Loans ⁽²⁾	Future Financings	Total
<i>Funded Costs (in \$MM)</i>				
Senior Lien Bonds	\$102	\$0	\$22	\$124
Senior Lien Rural TIFIA Loan	\$0	\$15	\$244	\$259
Subordinate Lien Regular TIFIA Loan	\$0	\$83	\$467	\$549
<i>Total</i>	\$102	\$98	\$733	\$932

Notes:

(1) Issued in August 2021 & includes both bond and and premium amounts

(2) Expect to close in December 2022

Results of Municipal Bond Offering – Series 2021

Summary Terms of Offering/Results	
Issuer	Commonwealth Transportation Board
Project(s)	UPC 116203 - MM136 to MM142 Add Lane in Each Direction Roanoke County
Ratings	Aa1 (Moody's) and AA- (S&P)
Pricing Date	August 4, 2021
Security	Regional Fuels Tax Revenue
Par Amount	\$80,990,000*
Structure	Serial Bonds 2023-2041, Term Bonds 2046, 2051, and 2057
Final Maturity (years)	36
True Interest Cost (TIC)	3.01%

*Resulted in total bond proceeds of \$102 million which includes \$21 million of premium.

Transportation Infrastructure Finance and Innovation Act (TIFIA) Loan

- **Proposed structure allows for maximized TIFIA program benefits**
 - Rural loan – allows for financing of up to 49% of project costs at one-half 30-year U.S. Treasury rate
 - Regular/non-rural loan – allows for financing of up to 33% of project costs at 30-year U.S. Treasury rate
- **Repayment term – 35 years after substantial completion**
- **Flexible payment structure and draw period of up to one-year post substantial completion**
- **TIFIA Program allows VDOT to advance projects with the use of debt financing**
 - Financing approximately \$808 million* loans through multiple applications
- **Projects (UPCs) to be packaged:**
 - Rural v. regular/non-rural projects
 - Based on project readiness/schedules and cash flow

* Subject to change

TIFIA Loan Approach

- **First series of TIFIA Loans are in progress**
 - Submitted two TIFIA Letters of Interest (LOI) initially in July 2021 for the 2022 Loans

2022 TIFIA Loans		
Type	Total Project Costs (millions)*	Estimated Loan Amount (millions)*
Rural Projects	\$41.7	\$20.4
Regular/Non-rural Project	\$232.7	\$81.3
Total	\$274.4	\$101.7

* Estimates in 2021; estimates have been updated (please see page 13 and 14); subject to final negotiation and subject to change

2022 TIFIA Loans – Rural & Regular Projects*

Senior Lien 2022 Rural TIFIA Loan Funded Projects			
UPC(s)	Project Description	Project Location	Project Cost (millions)
115801, 116245	Extending northbound and southbound Exit 205 acceleration lanes	Rockbridge County	\$4.02
115803, 116244, 116270	Extending northbound Exit 291 acceleration lane, northbound Exit 304 acceleration lane, and southbound Exist 296 acceleration lane	Frederick and Shenandoah Counties	2.61
116158, 116174, 116159	Extending northbound deceleration and southbound acceleration lanes	Smyth County	5.58
115345, 115346	Extend southbound deceleration lane from MM 26.7 to 26.8 and 25.9 to 26.1	Washington County	0.89
115795	Extend acceleration lane at Exit 89	Pulaski County	0.76
116171	Extend southbound acceleration lane at MM 16.6	Abingdon	1.41
116155	Extend northbound deceleration lane at MM 19.2	Abingdon	1.33
116165	Extend southbound deceleration lane at MM 84.3	Wythe County	1.49
116162	Extend northbound deceleration lane at MM 67.3	Wytheville	1.20
116173	Apply high friction epoxy to southbound curve Exit 39	Smyth County	1.53
116161	Design Build to extend northbound acceleration lane at MM 48.1	Smyth County	9.88
Total Rural Projects Costs			\$30.69
Subordinate Lien 2022 Regular TIFIA Loan Funded Projects			
116203	MM 136 to MM 139 adding lane in each direction	Roanoke County	\$232.72
Total Regular Project Costs			\$232.72
Total 2022 TIFIA Project Costs			\$263.41

* Estimates as of August 2022; subject to change

2022 TIFIA Loans' Structures

- **Fixed interest rates based on a US Treasury Rate per TIFIA Guidelines**
 - Senior Lien Rural loan – at one-half 30-year U.S. Treasury rate
 - Subordinate Lien Regular loan – at 30-year U.S. Treasury rate

	Senior Lien Series 2022 Rural Loan*	Subordinate Lien Series 2022 Regular Loan*
Drawdown	Single Draw in June 2023	Monthly Draws from May 2025 to June 2025
Capitalized Interest	-	Through Nov 2025
First Interest Payment	Nov 2023	May 2026
First Principal Payment	May 2024	May 2026
Final Payment	May 2057	May 2060
Amortization	Level Debt Service	Level Debt Service

*Preliminary, subject to change.

Additional Debt and Reserve Funding Requirements

- **Debt Service Coverage Thresholds**
 - 2.00x senior lien debt service coverage
 - 1.50x intermediate lien debt service coverage
 - 1.35x total debt service coverage
- **Intermediate Lien (if any) Debt Service Reserve Fund**
 - Requirement: 100% maximum annual debt service
- **Subordinate Lien TIFIA Debt Service Reserve Fund**
 - Requirement: 140% of maximum annual debt service
 - Funded by no later than the later of (a) the date of the final disbursement and (b) the substantial completion date

2022 TIFIA Loans – Preliminary Schedule*



* Subject to change

HAMPTON ROADS EXPRESS LANE NETWORK

Authorization of Additional Toll Facilities Revolving Account (TFRA) Allocations Relating to the Hampton Roads Express Lane Network

 Laura Farmer, Chief Financial Officer

September 20, 2022

Hampton Roads Express Lanes Network – Phased Delivery

HRELN is a continuous network of Express Lanes in each traffic direction on I-64 from the Jefferson Avenue interchange in Newport News to the I-64/I-264/I-664 Bowers Hill interchange in Chesapeake. Divided into four segments, it will be delivered in two phases:

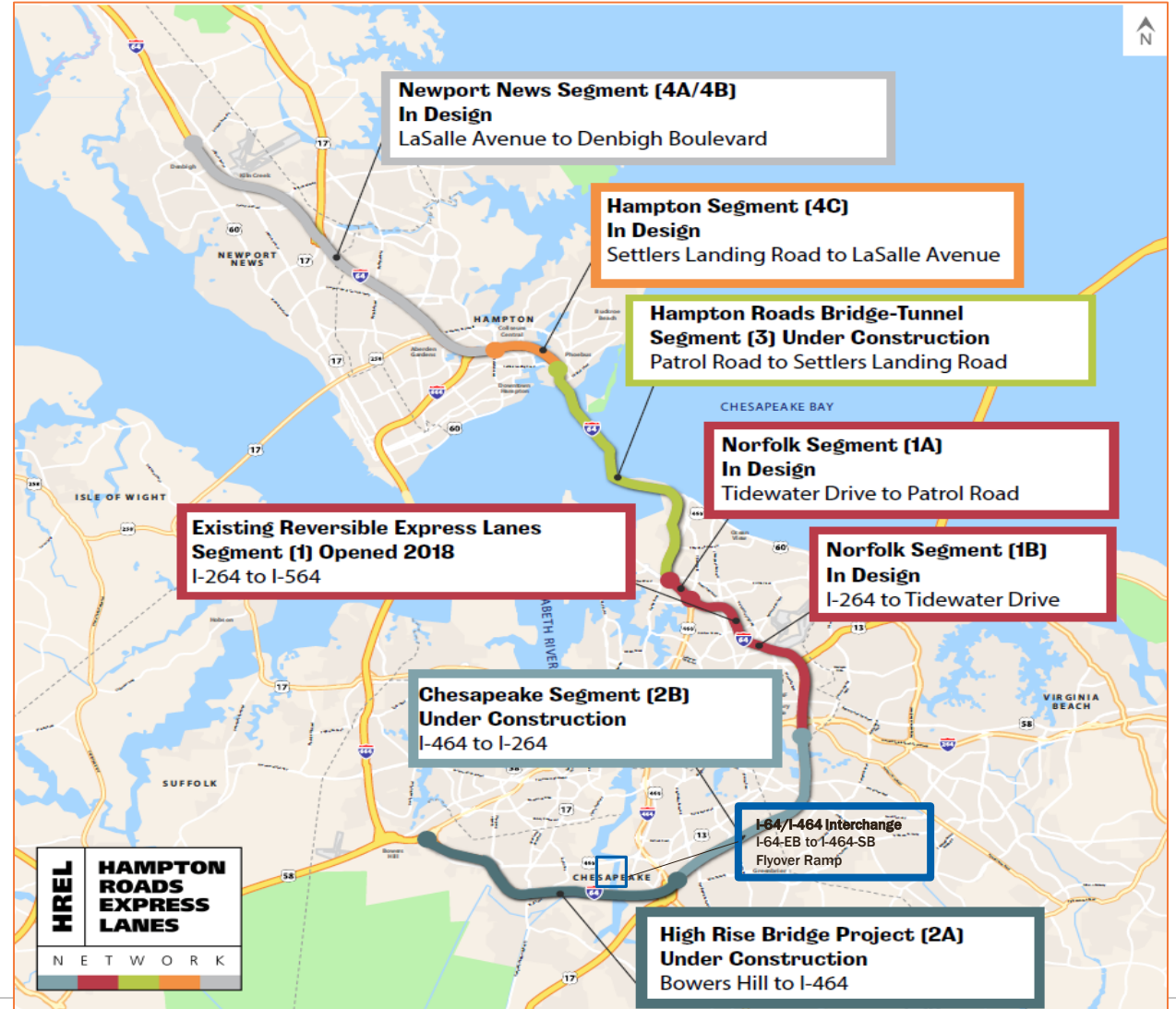
Phase I (Under Construction)

- **Segments 2A and 2B** – under construction; one Express Lane in each direction; completion and operational by middle of 2023
- **Segment 3 (HRBT Expansion Project)** – additional capacity with the construction of new tubes and lanes; completion and operational by end of 2026

Phase II (In Design)

Operational by the end of 2026

- **Segment 1A**
 - Project Award / Begin Construction – November 2022
 - Complete Construction – May 2023, End – December 2025
- **Segment 1B**
 - Project Award / Begin Construction – August 2023
 - Complete Construction – November 2026
- **Segment 4A/4B**
 - Project Award / Begin Construction – September 2024
 - Complete Construction – December 2026
- **Segment 4C**
 - Project Award / Begin Construction – August 2022
 - Complete Construction – December 2026
- **I-64-EB to I-464-SB Flyover Ramp**
 - Project Award / Begin Construction – August 2023
 - Complete Construction – August 2026



HREL I-64 Segment 2B – Tolling Infrastructure

- Tolling Infrastructure for conversion of existing HOV to HOT2 between I-64/I-264 interchange and I-64/I-464 interchange (Chesapeake and Virginia Beach)
- Contract executed on 10/02/2020
- Total Project Estimate = \$24,800,000
- Contract Completion = 8/22/2022
- Final unveiling work items were deleted from the Segment 2B contract due to delay in final opening date of the entirety of Segment 2 (Segment 2B and High Rise Bridge projects)
- New contract is required to execute remaining unveiling work items for Segment 2B.
 - **Remaining Work:**
 - Pavement Markings
 - Tubular Delineators
 - Unveiling Toll-Related Signs
 - **Contract cost estimate of \$2,900,000 for remaining construction activities**
- **VDOT requests \$2.9 million in Toll Facilities Revolving Account Allocations (TFRA) to cover the additional costs**

Toll Facility Revolving Account Status and position in the Master Tolling Agreement

- The CTB is provided the authority to allocate funds from TFRA to pay or finance all or part of the costs of toll facility construction (*Code of Virginia, § 33.2-1529*).
- TFRA Funds available stand at \$72.9 million at FY 2022 year-end.
- Additional Applicable Revolving Account Costs were anticipated in the Master Tolling Agreement (MTA) with HRTAC executed in 2020.
- Based on the arrangements in the Master Tolling Agreement, all TFRA Advances and any additional Incremental TFRA Funding will be repaid in accordance with the Revenues Waterfall for the HREL Network.

Requested CTB Action

- **VDOT requests authorization of additional Toll Facilities Revolving Account Allocations for the Hampton Roads Express Lanes Network, as follows:**
 - **\$2.9 million in Toll Facilities Revolving Allocations (TFRA) to complete the pavement markings, tubular delineators and unveiling of signs for tolling of the HREL Segment 2 Project in the City of Chesapeake**
- **Action requested in September to facilitate further federal requirements for TIP/STIP consideration by the MPO in October**

HAMPTON ROADS EXPRESS LANE NETWORK

Authorization of Additional Toll Facilities Revolving Account (TFRA) Allocations Relating to the Hampton Roads Express Lane Network



MAINTENANCE AND OPERATIONS PROGRAM COMPREHENSIVE REVIEW BACKGROUND

 Kevin Gregg, Chief of Maintenance and Operations

September 20, 2022

Maintenance and Operations Program Comprehensive Review

Why?

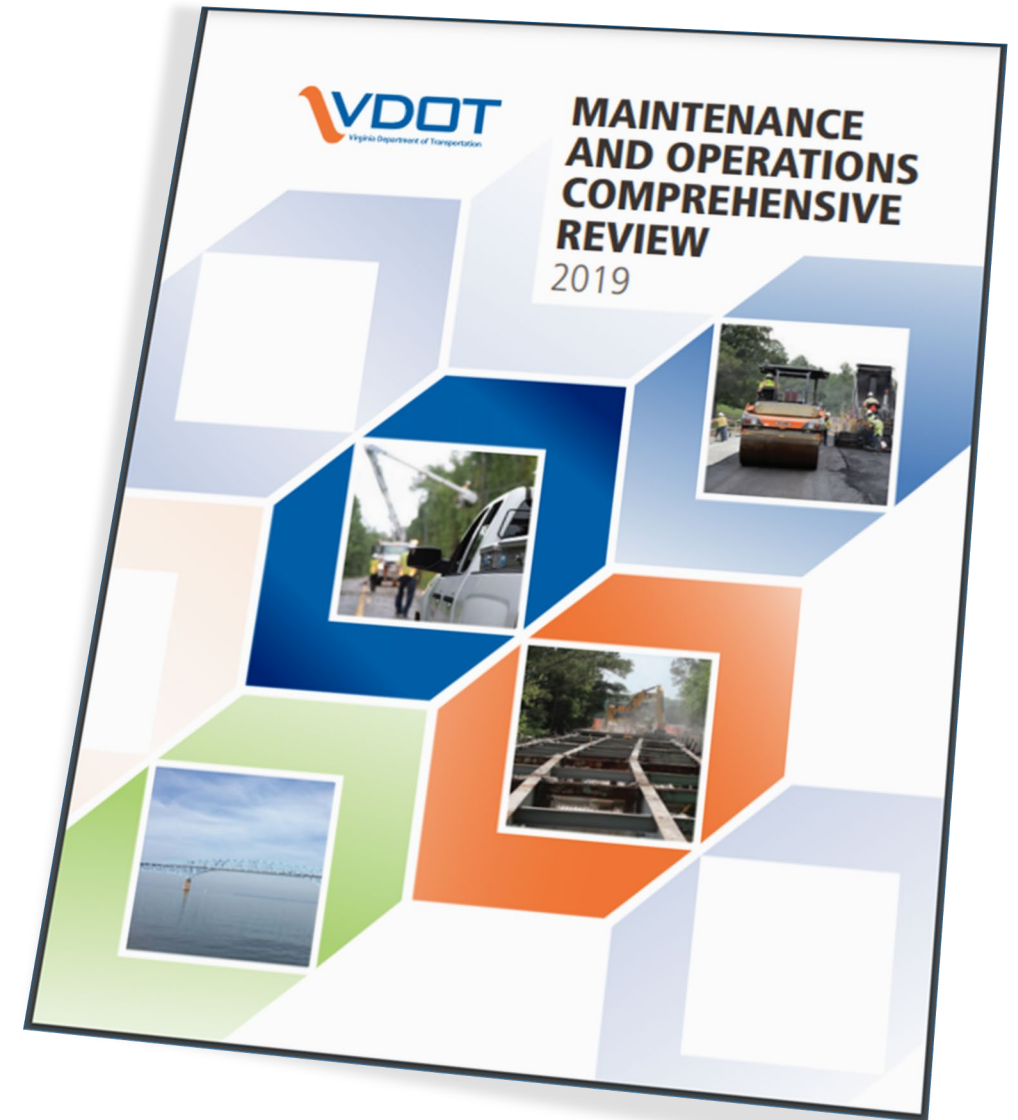
- Commissioner of Highways – business focus
- Impact on future generations – shift from short term
- Back to basics

Investment Strategy – Long-Term Sustainable Performance of Assets

- Pavements (20 Year)
- Bridges (50 Year)
- Special Structures
- Routine Maintenance

Investments

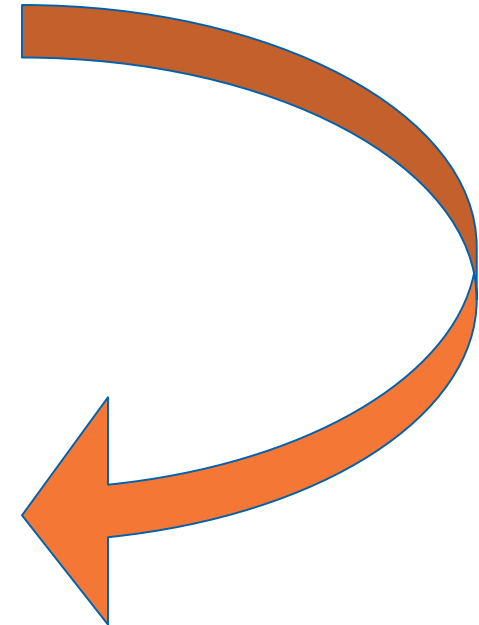
- Maintenance and Operations Program
- State of Good Repair Program



Pavement Condition Assessment Process

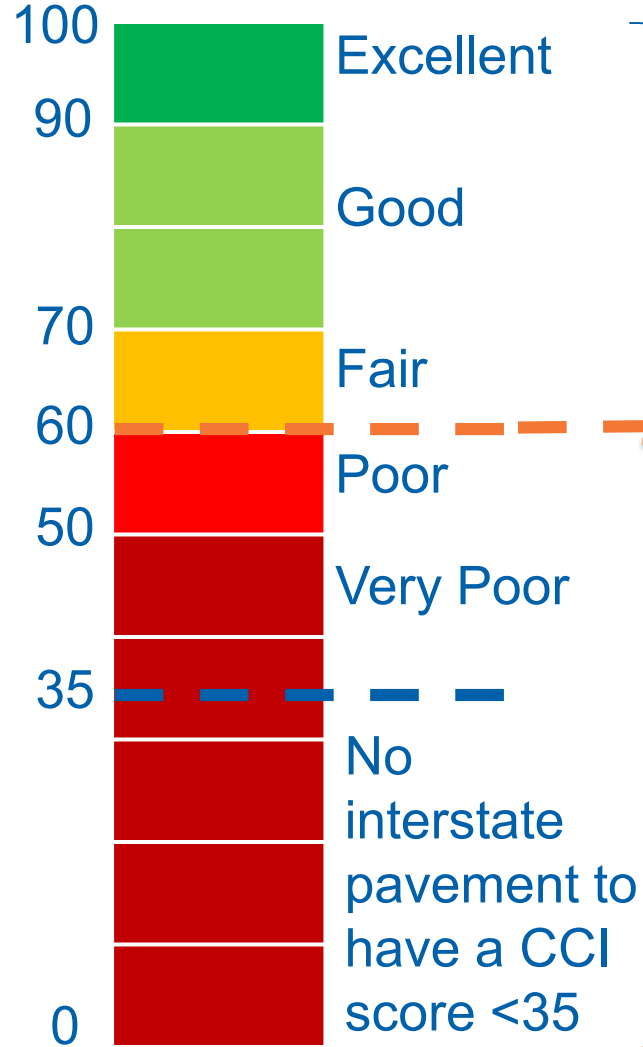
Pavement Assessment Process

Interstate and Primary – annual
Secondary – 20% annually



Pavement Rating – Critical Condition Index (CCI)

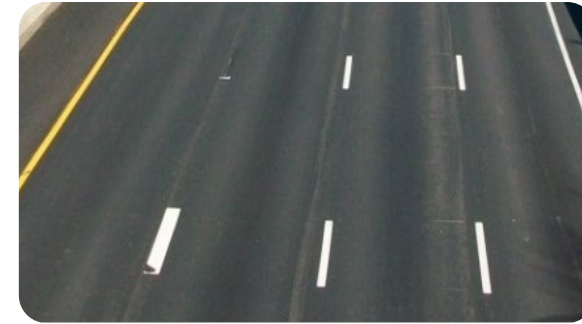
CCI



Sufficiency Percentage is the percentage of lane miles with a CCI score ≥ 60

SGR Eligible is CCI < 60

What does CCI look like?



CCI 90-100
(Excellent)



CCI 50-59
(Poor)

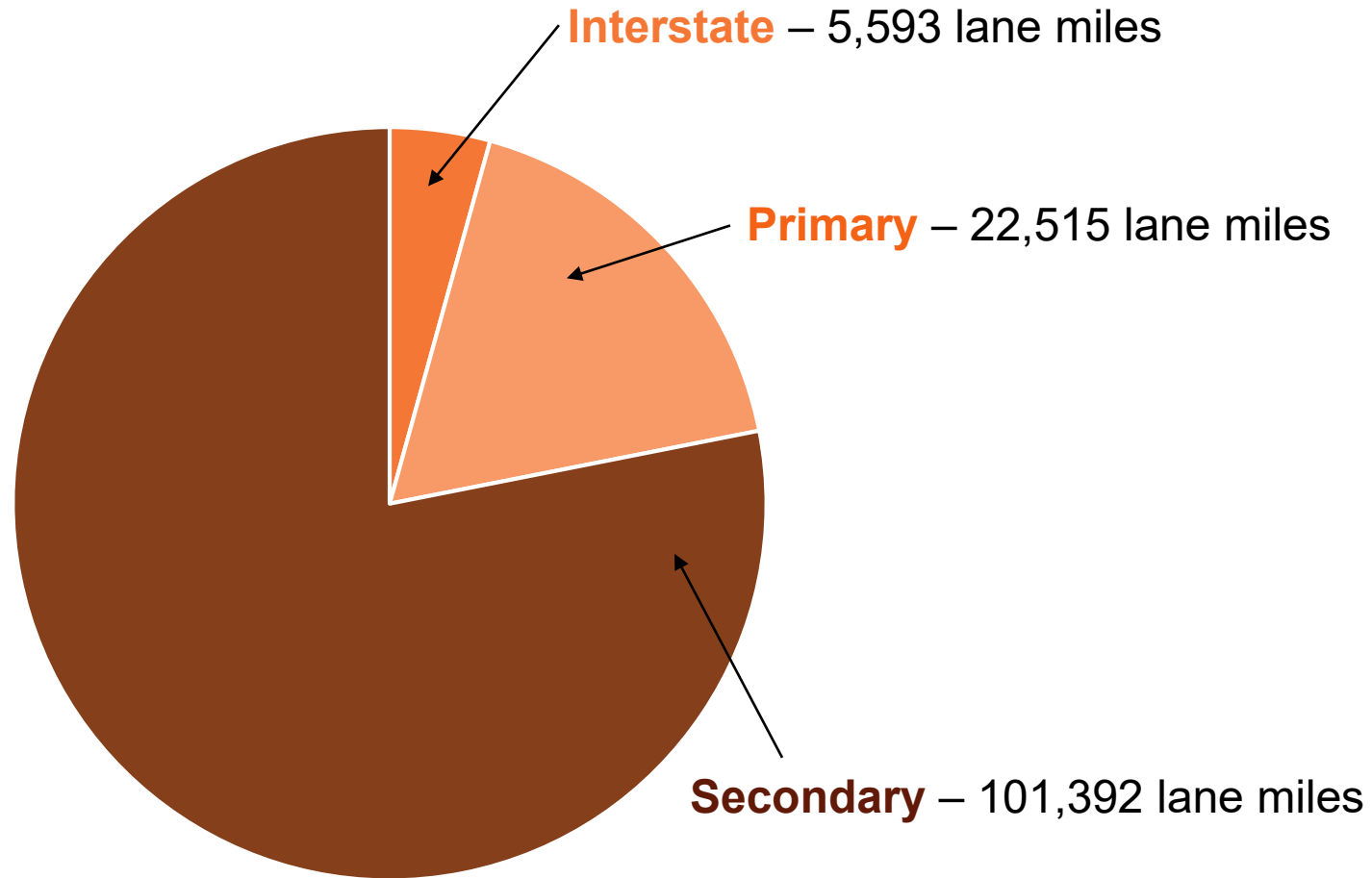


CCI < 49
(Very Poor)

Image shows approximately CCI 35

VDOT Pavements – Inventory (Lane Miles)

129,500
Total VDOT Lane Miles



Bridge Condition Assessment Process

Structure Inspection & Assessment Process

FRAZER, BRETT

Bridge: 0416270-000000000 Facility Carried (007): RAMBLE ROAD Inspection: 2016-07-06 (MHS) Type: Regular NBI Metric English

Inspection > Condition

Condition Ratings

Deck (058): N N/A (NBI) Channel (061): 7 Minor Damage Validate NBI Converter Profile: BrM Default
 Superstructure (059): N N/A (NBI) Culvert (062): 8 No Major Problem Calculate SR
 Substructure (060): N N/A (NBI) Waterway (071): 8 Equal Desirable Calculate NBI
 Unrepaired Spalls: (SF)

Element Conditions

Hide Elem Inspection Details Arrow Key Grid Navigation Help

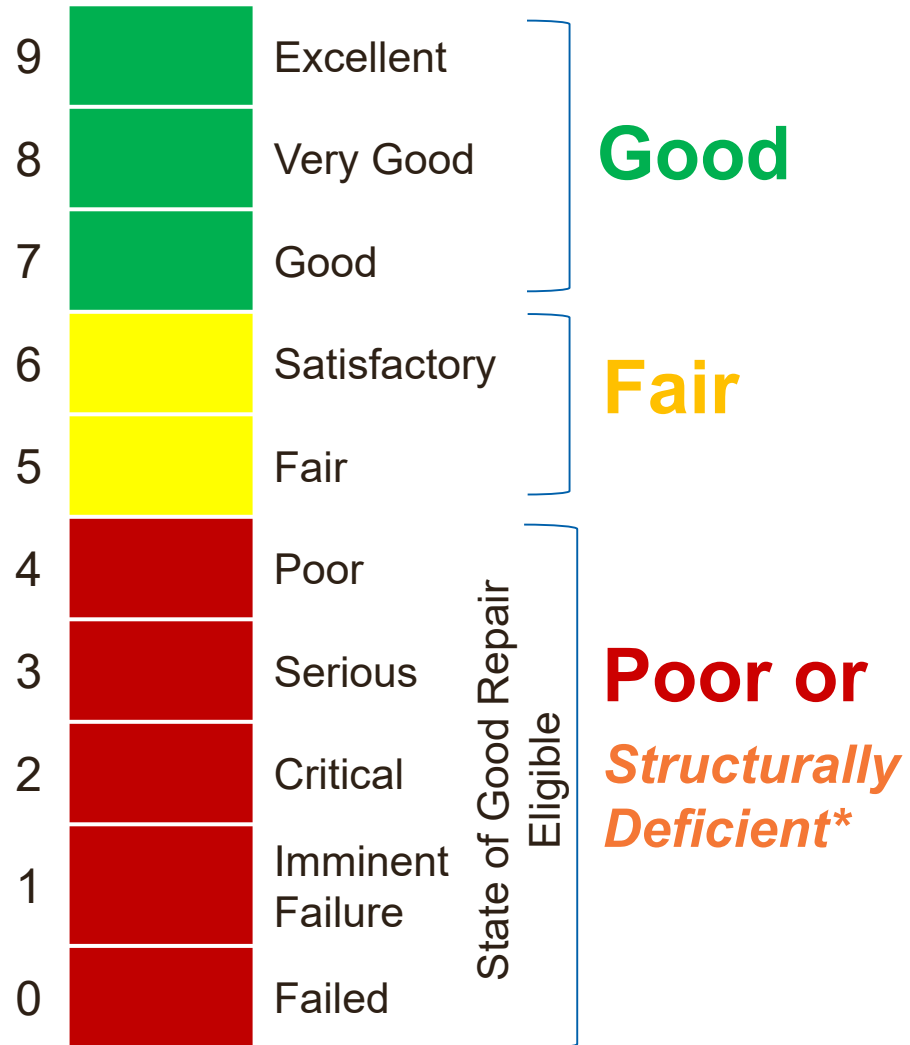
Element: Elem # or Elem Desc. Struct. Unit: All Env.: All Clear Filters Quantity Percent Add Element

Elem.	Str. Unit.	Env.	Element Description	Tot. Qty.	Units	Qty1	Qty2	Qty3	Qty4			
241	1	Low (2)	Re Conc Culvert	79	ft	79,000	0	0	0	🟢	🔴	✖
824	1	Low (2)	RC Wingwall	4	(EA)	4,000	0	0	0	🟢	🔴	✖
831	1	Low (2)	Culvert End/Headwall	2	(EA)	2,000	0	0	0	🟢	🔴	✖
833	1	Low (2)	Roadway Ov. Culv.	1	(EA)	1,000	0	0	0	🟢	🔴	✖
854	1	Low (2)	Channel	1	(EA)	1,000	0	0	0	🟢	🔴	✖

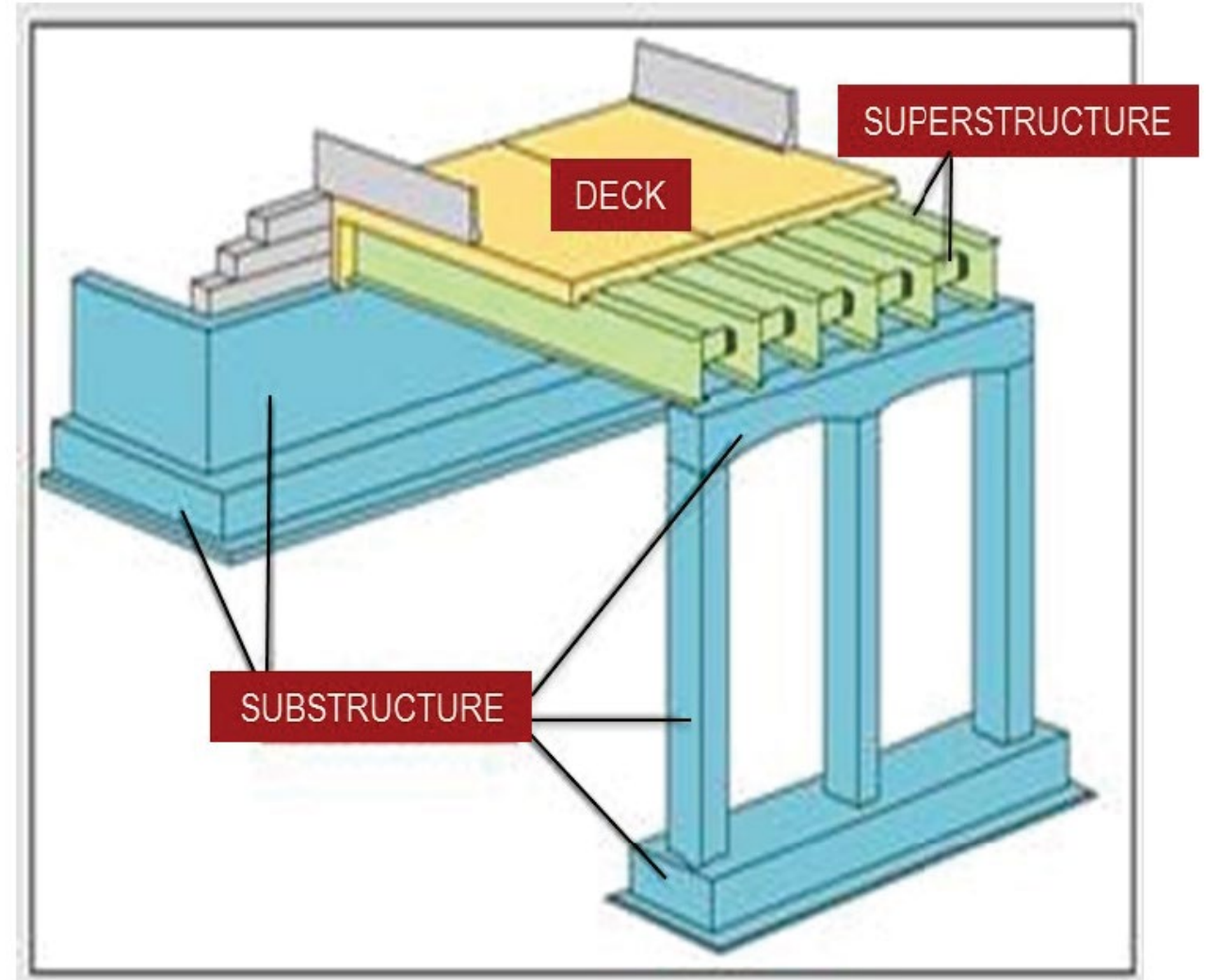
2 year cycle



What is a GCR (General Condition Rating)?



Bridge Components



Examples of Good, Fair, and Poor Bridges

Good



Fair on the "CUSP" of Poor

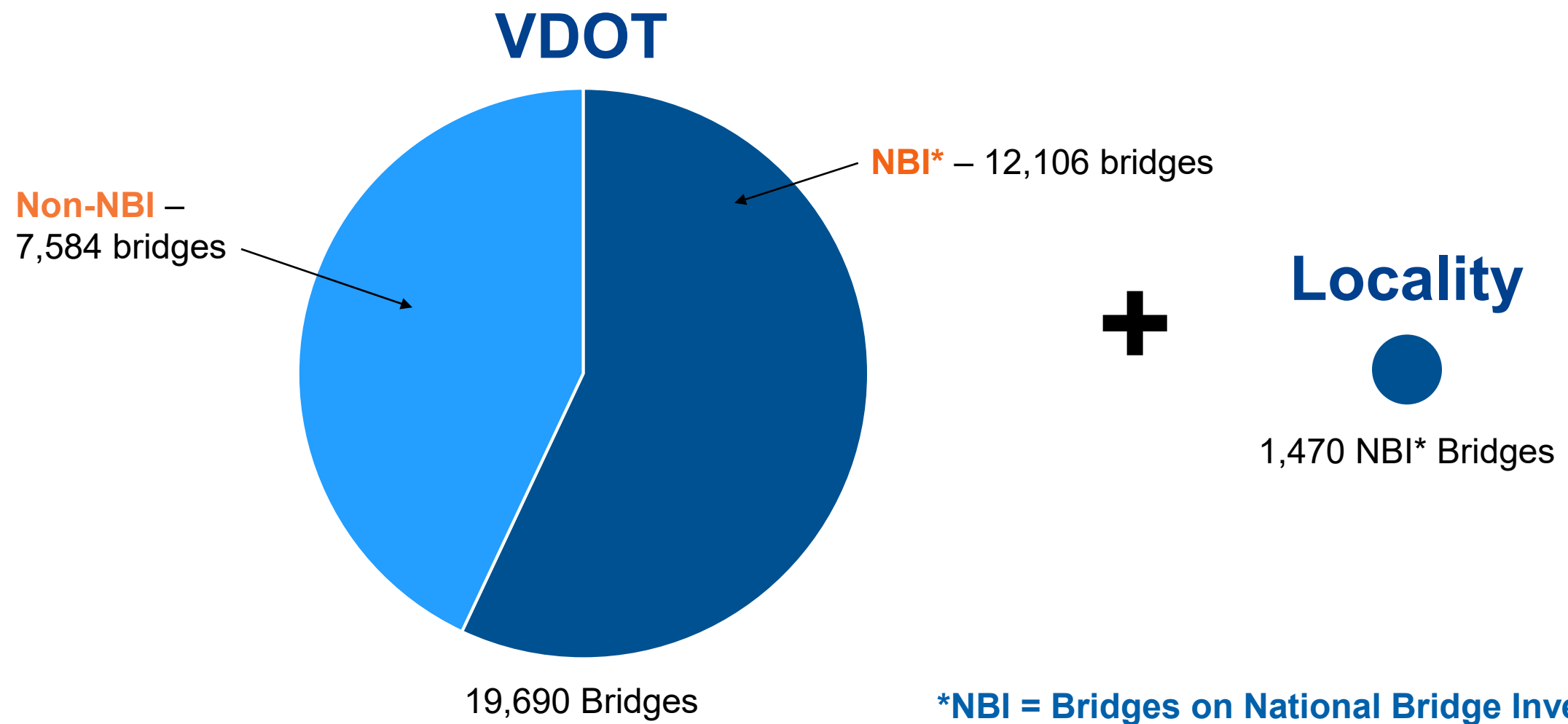


Poor (Structurally Deficient)



VDOT and Locality Bridges – Inventory (Number)

21,160
Total Bridges



***NBI = Bridges on National Bridge Inventory (>20')**

Maintenance and Operations Program

Comprehensive Review – Continued focus on targets

Performance Targets:

All Programs 2019 Investment Needed:

Pavements (20 Year)

Sufficiency = percent of lane miles with CCI \geq 60

	MEASURES AND TARGETS SUFFICIENCY
Interstate	82%
Primary	82% FOR \geq 3,500 AADT 75% FOR $<$ 3,500 AADT
Secondary	82% FOR \geq 3,500 AADT 60% FOR $<$ 3,500 AADT

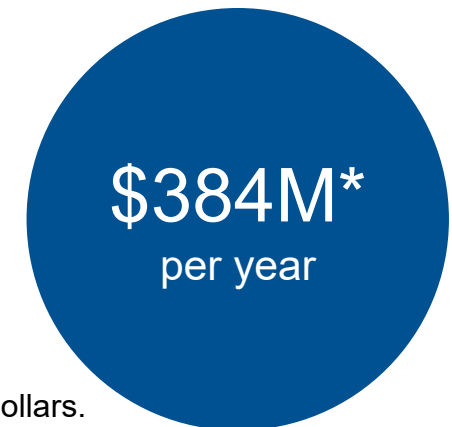


Bridges (50 Year)

Preservation Approach

Sufficiency = percent of structures with GCR \geq 5

	NEW PERFORMANCE MEASURES AND TARGETS SUFFICIENCY
All Systems	AVERAGE WEIGHTED GCR \geq 5.6
Interstate	\geq 97%
Primary	\geq 93%
Secondary	\geq 90%

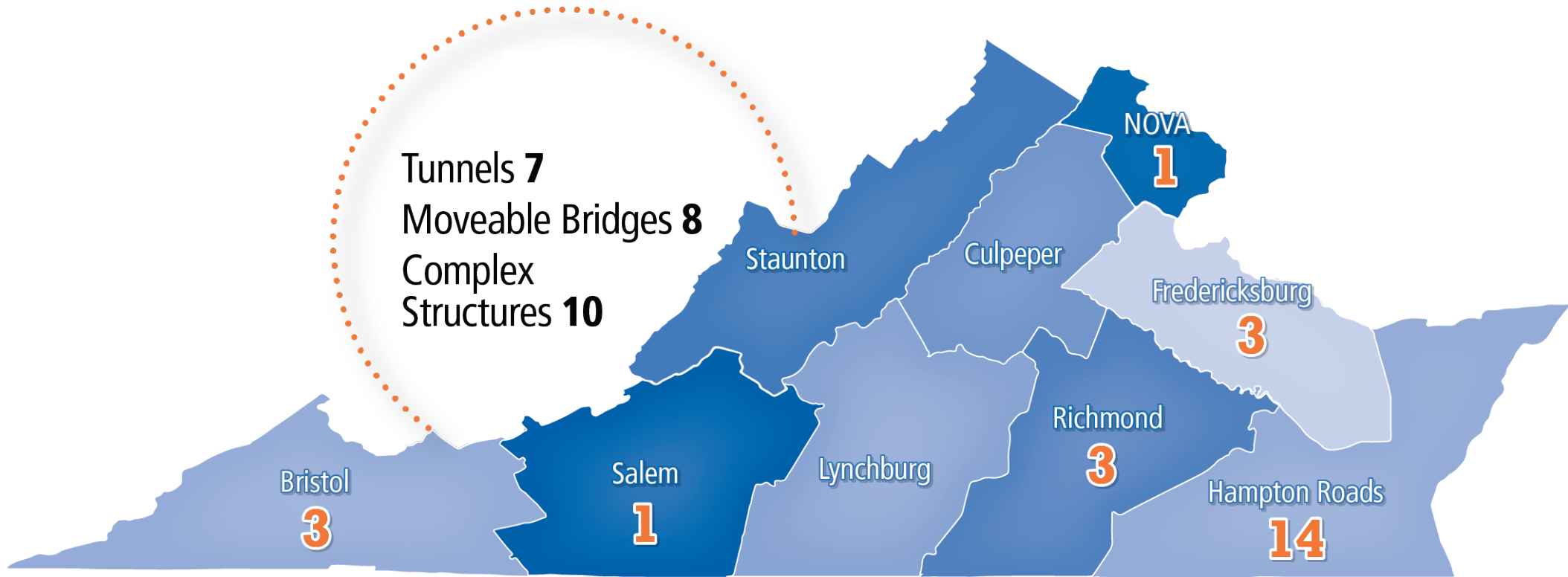


*2019 dollars.

GCR is a national (defined by FHWA) rating system (0-9 scale) for bridge components.

Special Structures

Special Structures – Current Inventory



Defined By:

- Risk/Complexity
 - Maintenance Cost
 - Importance
- Long Detours, High Traffic, Economic Significance (Shipping and Vehicular), Access to Vital Facilities (Military and Ports)

Special Structures - Tunnels

Mountain Tunnels

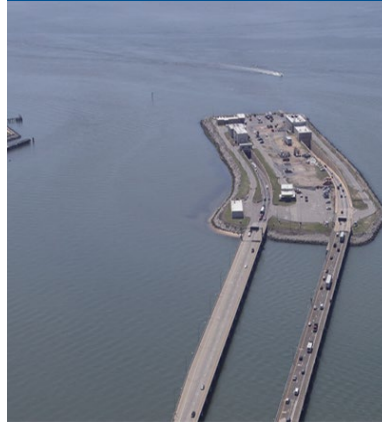
Big Walker Mountain Tunnel



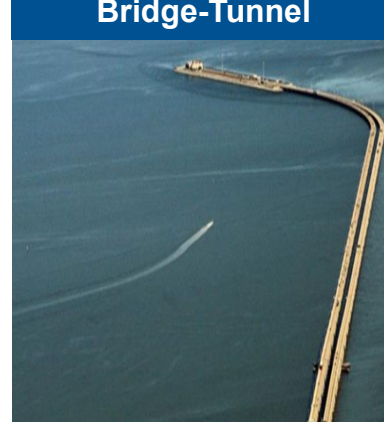
East River Mountain Tunnel



Hampton Roads Bridge-Tunnel



Monitor-Merrimac Memorial Bridge-Tunnel



Elizabeth River Tunnel (Midtown)



Elizabeth River Tunnel (Downtown)



Gateway Park / Rosslyn Tunnel

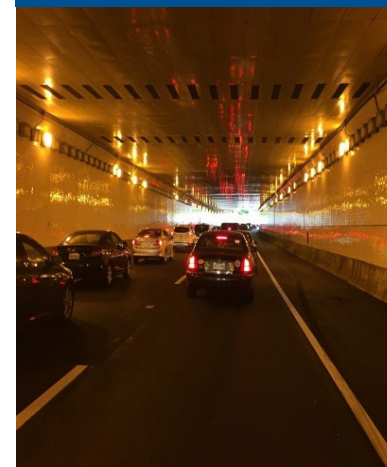
3 Highway bridges, 7 Pedestrian bridges, 2 In-fill (deck or park) structure



Gateway Park



Rosslyn Tunnel



Special Structures - Movable Bridges

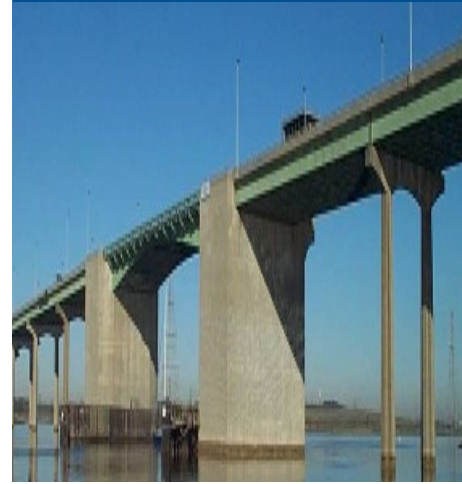
Benjamin Harrison Memorial Bridge



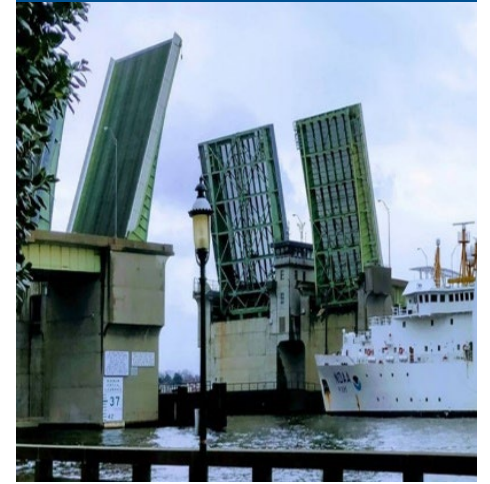
John B. Whealton Memorial Causeway Bridge (Chincoteague)



High Rise Bridge



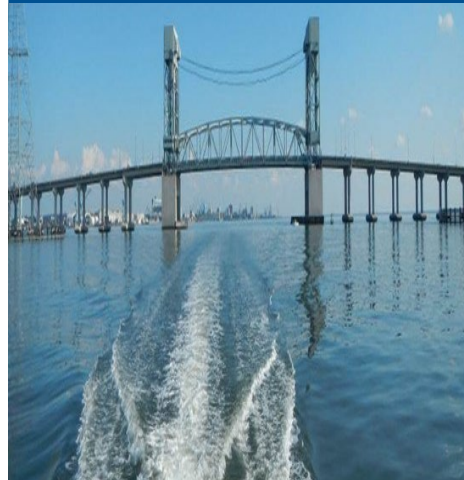
Berkeley Bridge



George P. Coleman Memorial Bridge



James River Bridge



Eltham Bridge



Gwynn's Island Bridge



Special Structures - Complex Structures

Grassy Creek Bridge
(460 Connector)



Gordon C. Willis
SMART Road Bridge



Varina-Enon Bridge



Pocahontas Parkway



Hampton Road
Bridge-Tunnel
(Willoughby Bay)



Hampton Roads
Bridge-Tunnel
Approach Bridges



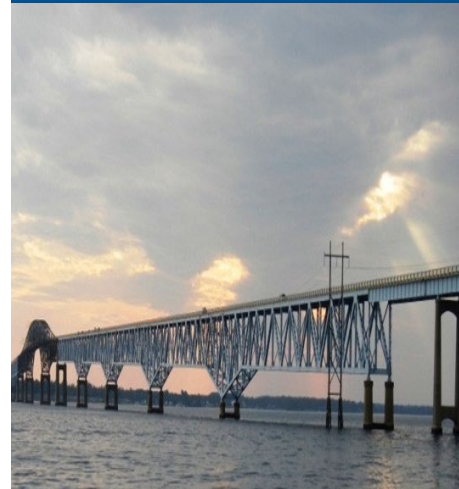
Monitor-Merrimac Memorial
Bridge-Tunnel
Approach Bridges



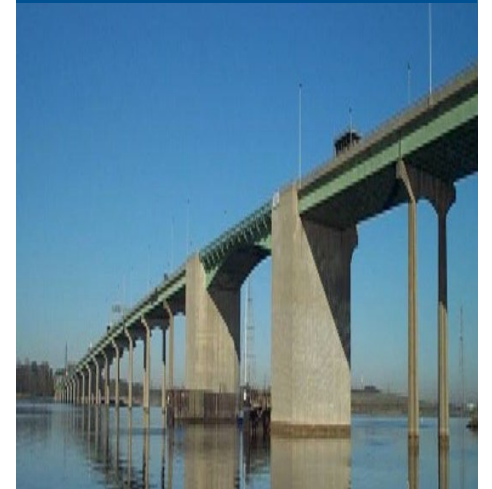
James River Bridge



Robert O. Norris Bridge



High Rise Bridge



Special Structures – Movable Inspection

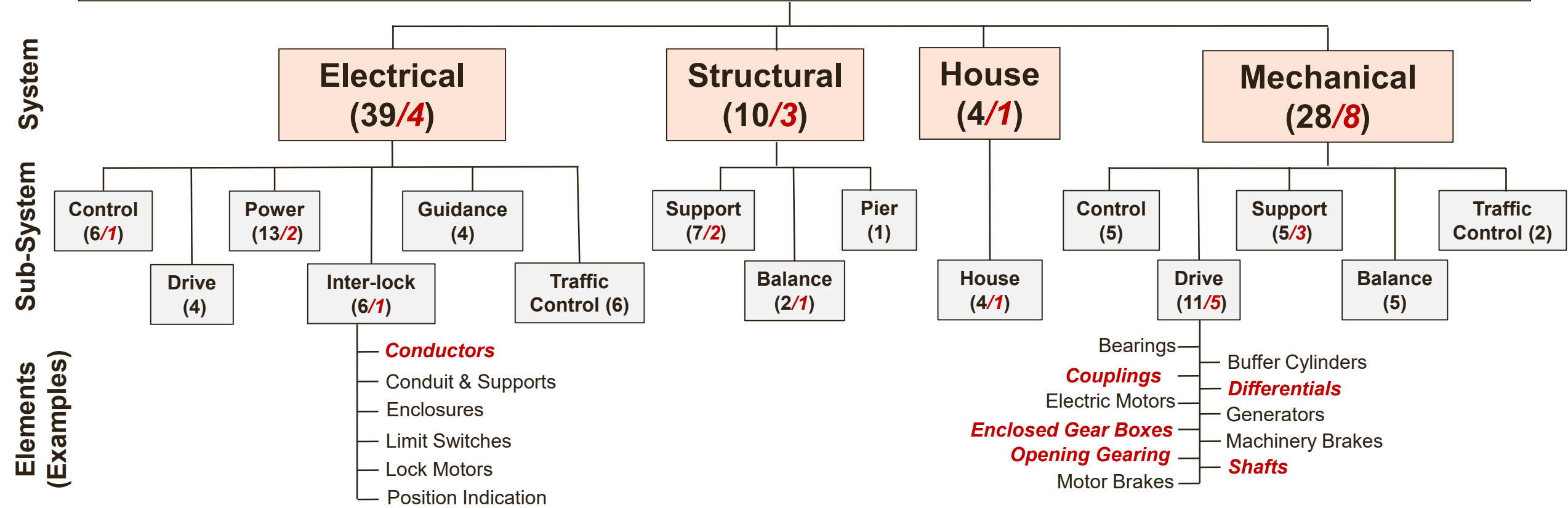


Every two years



Special Structures - Movable Bridges Health Index

Movable Bridge Example
(4 Systems, 15 Subsystems, 81 Elements & *16 Critical Elements*)



Special Structures - Movable Bridges Health Index

Health Index for Movable Bridges (CURRENT)					
Bridge	Electrical	House	Mechanical	Structural	Overall HI/Bridge
Benjamin Harrison	Orange	Yellow	Orange	Yellow	Orange
Berkley EBL	Orange	Yellow	Yellow	Yellow	Yellow
Berkley WBL	Orange	Yellow	Orange	Orange	Orange
Chincoteague	Green	Green	Yellow	Yellow	Green
Coleman	Yellow	Green	Yellow	Orange	Yellow
Eltham	Yellow	Green	Green	Green	Yellow
Gwynn's Island	Orange	Yellow	Orange	Red	Orange
High Rise	Orange	Green	Yellow	Yellow	Yellow
James River	Orange	Yellow	Yellow	Yellow	Yellow

Current: Percentage & Number of Systems in Each Condition Category	
Good	19% (7)
Fair	47% (17)
Poor	31% (11)
Severe	3% (1)

Health Index for Movable Bridges (10 YEAR PREDICTION)					
Bridge	Electrical	House	Mechanical	Structural	Overall HI/Bridge
Benjamin Harrison	Green	Yellow	Yellow	Yellow	Green
Berkley EBL	Green	Yellow	Green	Yellow	Green
Berkley WBL	Green	Yellow	Green	Yellow	Green
Chincoteague	Green	Green	Yellow	Yellow	Yellow
Coleman	Green	Green	Green	Orange	Green
Eltham	Yellow	Green	Yellow	Yellow	Yellow
Gwynn's Island	Green	Green	Green	Green	Green
High Rise	Yellow	Yellow	Yellow	Yellow	Yellow
James River	Green	Yellow	Green	Yellow	Green

Predicted in 10 Years: Percentage & Number of Systems in Each Condition Category	
Good	47% (17)
Fair	50% (18)
Poor	3% (1)
Severe	0% (0)

Special Structures – Tunnel Inspection



Every two years

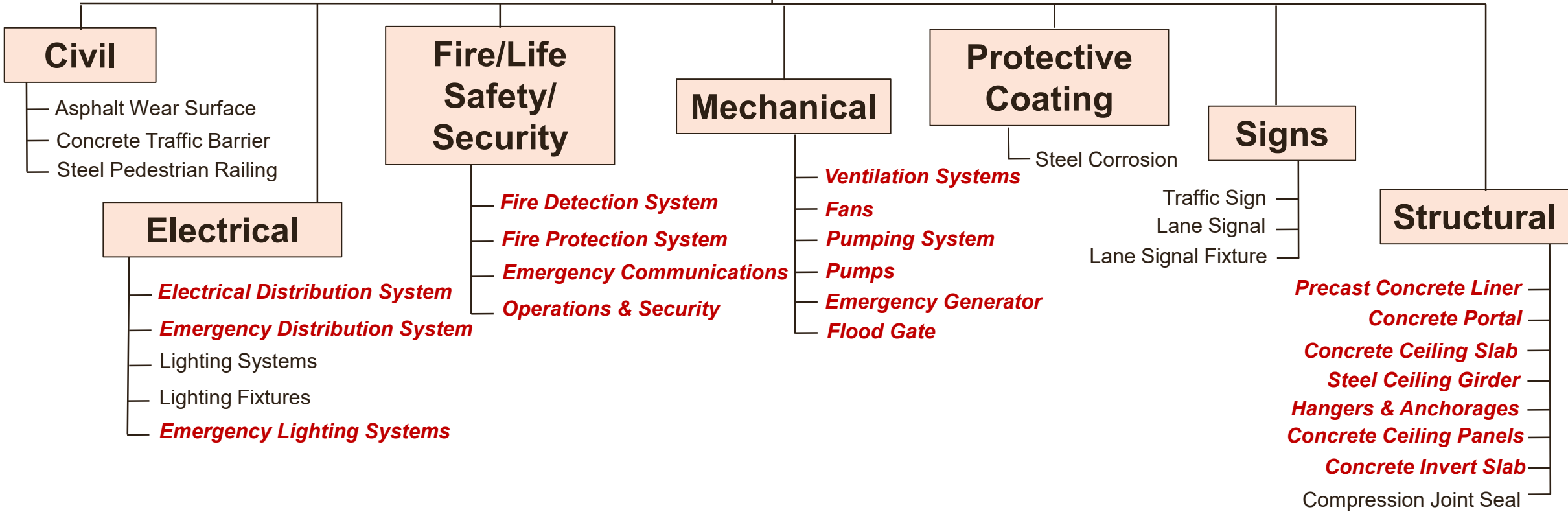


Special Structures - Tunnels Health Index

Tunnel Example (7 Systems, 30 Elements & *20 Critical Elements*)

Systems

Elements



Special Structures - Tunnels Health Index

Health Index for Tunnels (CURRENT)						
Tunnel	Civil	Electrical	Fire/Life Safety/Security	Mechanical	Structural	Overall HI per Tunnel
Big Walker	Green	Yellow	Yellow	Yellow	Green	Yellow
East River	Green	Orange	Orange	Orange	Green	Yellow
Hampton Roads Eastbound	Green	Green	Yellow	Yellow	Yellow	Yellow
Hampton Roads Westbound	Green	Green	Yellow	Yellow	Yellow	Yellow
Monitor Merrimac	Green	Yellow	Yellow	Yellow	Green	Yellow
Rosslyn	Green	Yellow	Yellow	Orange	Yellow	Yellow

Current: Percentage & Number of Systems in Each Condition Category	
Good	33% (10)
Fair	53% (16)
Poor	13% (4)
Severe	0% (0)

Health Index for Tunnels (10 YEAR PREDICTION)						
Tunnel	Civil	Electrical	Fire/Life Safety/Security	Mechanical	Structural	Overall HI per Tunnel
Big Walker	Green	Green	Green	Green	Green	Green
East River	Green	Green	Green	Green	Green	Green
Hampton Roads Eastbound	Green	Green	Green	Green	Yellow	Green
Hampton Roads Westbound	Yellow	Green	Green	Green	Green	Green
Monitor Merrimac	Green	Green	Yellow	Yellow	Green	Yellow
Rosslyn	Green	Green	Green	Yellow	Green	Yellow

Predicted in 10 Years: Percentage & Number of Systems in Each Condition Category	
Good	73% (22)
Fair	27% (8)
Poor	0% (0)
Severe	0% (0)

Routine Maintenance

Routine Maintenance

Back to Basics

Targeted work

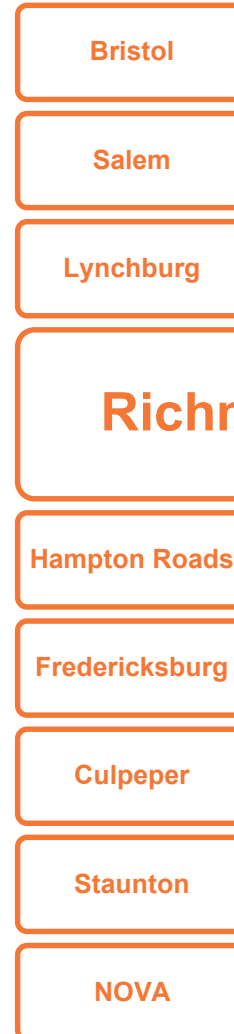
- Ditching
- Pipes
- Unpaved shoulders
- Roadway patching

Non-targeted work

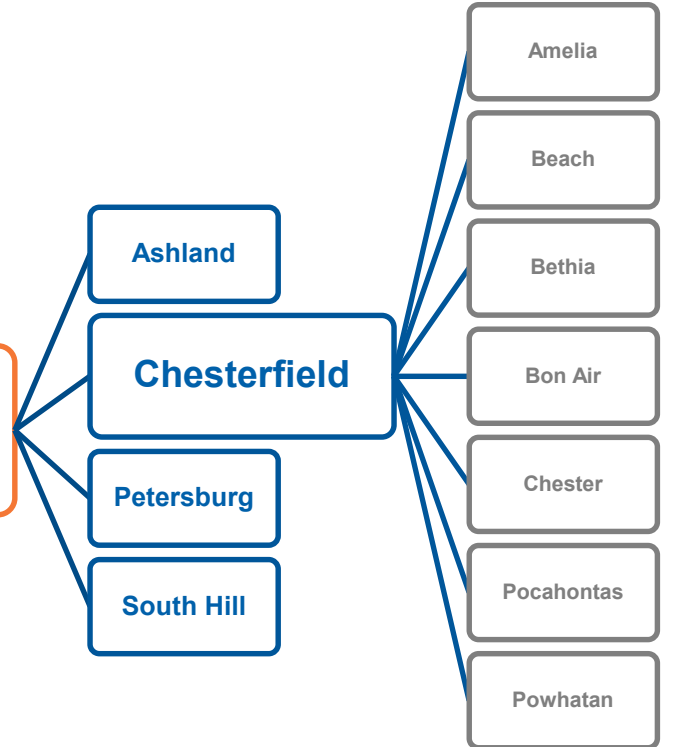
- Sound walls/fences
- Daylighting of signs
- Maintenance of closed drainage facilities

Budget Distribution

9 Districts



31 Residencies



196 AHQ

Area Headquarters

- Salaries
- Equipment
- Materials

Routine Maintenance – Performance Metrics

Asset	Best Practice Frequency	2019 Target Frequency	Statewide Annual Target	
Turf (Mowing)	3 times / yr	IS: 3 times / yr PR: 3 times / yr SC: 2 times/ yr	340,600	acres
Trees	10% of inventory	6% of inventory	8,200	shoulder miles
Pipes	20% of inventory	10% of inventory	33,900	each
SWM Facilities	2 times / yr	2 times / yr	4,400	each
Ditches	20% of inventory	5% of inventory	4,400	ditch miles
Unpaved Roads	4 times / yr	4 times / yr	25,500	center line miles
Unpaved Shoulders	20% of inventory	20% of inventory	14,800	shoulder miles
Signs	7% of inventory	5% of inventory	47,300	each
Signals	20% of inventory	20% of inventory	630	each
Pavement Marking	Material dependent	70% of inventory	50,800	miles

Questions

PERIODIC REGULATORY REVIEW

Jo Anne Maxwell, Director of Governance and Legislative Affairs

September 20, 2022

Periodic Regulatory Review – APA Requirement

- **The Administrative Process Act requires any agency that adopts regulations to periodically review those regulations, including consideration of:**
 - 1) the extent to which regulations remain supported by statutory authority/do not duplicate/overlap/conflict with state or federal law;**
 - 2) the nature of complaints/comments received from the public;**
 - 3) whether the regulations are necessary for the protection of public health, safety and welfare;**
 - 4) whether the regulations are clearly written and easily understandable;**
 - 5) whether the regulations' economic impacts on small businesses and families are minimized as much as possible; and**
 - 6) the length of time since the regulation has been evaluated.**

See § 2.2-4007.1 and § 2.2-4017 of the *Code of Virginia*

Periodic Regulatory Review Process Authorities

- ❑ **Executive Order 19 – Issued June 30, 2022**
 - **Creates new Office of Regulatory Management (ORM) to, among other things, work with each regulatory agency to review all existing regulations, required once every four years, to reduce the overall regulatory burden on the public.**

- ❑ **NEW ORM Procedures**
 - **Will outline the periodic review requirements, including a new economic analysis comprised of a benefit-cost analysis, consideration of local government impact and economic impacts on families and small businesses, and the count of regulatory requirements embedded in the regulation.**

- ❑ **Chapter 444 of the 2018 Acts of Assembly**
 - **Requires the Department of Planning and Budget (DPB) to track and report to the General Assembly annually which agencies are complying with the periodic review requirements.**

Periodic Regulatory Review Process

- ❑ The agency posts a notice to the public on Virginia Town Hall that it is beginning a periodic review of one or more of its regulations
- ❑ The notice is published in the next edition of the Virginia Register of Regulations
- ❑ The agency collects public comment on the regulations
- ❑ Within 120 days of the end of the public comment period, the agency must report on its review, indicating one of the following:
 - That the regulation will be retained “as is”;
 - That the regulation will be amended; or
 - That the regulation will be repealed.
- ❑ Process for each review period
 - Workshop presentation describing regulation and proposed action for each regulation (retain, repeal, or amend)
 - Resolution approving action and authorizing Commissioner to take all action necessary to implement approved action

Summary of Periodic Regulatory Review for CTB Regulations

During the past 3-year regulatory review period, **338 sections** of regulations have been reviewed by VDOT and/or the CTB.

38 Sections Repealed

VDOT – 13
CTB - 25

6 Sections Amended

VDOT – 0
CTB - 6

294 Sections Retained

VDOT – 39
CTB - 255

Of the **31 chapters** of CTB regulations reviewed, **13 chapters** have been **repealed**, leaving **only 18 chapters**

Results of 2018-2022 Periodic Reviews

REPEALED REGULATIONS		
Chapter	Title	Year
24 VAC 30-160	Setoff Debt Collection Act	2019
24 VAC 30-240	Cert. for Dis. And Women-owned Bus.	2019
24 VAC 30-530	Roadway and Structure Lighting	2019
24 VAC 30-590	Residential Cut-Through Traffic	2019
24 VAC 30-570	Inclusion of Routes in the NIQN and VAS	2020
24 VAC 30-340	Debarment or Suspension of Contr.	2020
24 VAC 30-390	Scenic Highways and Byways	2020
24 VAC 30-130	Prequal. And Classification of Bidders	2021
24 VAC 30-210	Underground Utility Policy	2021
24 VAC 30-420	Maintenance of Roads in Towns <3500	2021
24 VAC 30-271	Economic Development Access Fund	2021
24 VAC 30-430	Maintenance of Roads Crossing the Intst.	2021
24 VAC 30-451	Airport Access Fund	2021

REMAINING REGULATIONS			
Chapter	Title	Action	Year
24 VAC 30-11	Public Participation Guidelines	Amend	2019
24 VAC 30-91	Subdivision Street Requirements	Retain	2019
24 VAC 30-92	Secondary Street Acceptance Req.'s	Retain	2019
24 VAC 30-325	Urban Maintenance and Constr. Policy	Retain	2019
24 VAC 30-380	Location and Desgin of Hwy. Projects	Retain	2019
24 VAC 30-41	Relocation Assistance	Retain	2019
24 VAC 30-200	Vegetation Control on State ROW	Amend	2019
24 VAC 30-401	Change in Limited Access Control	Retain	2019
24 VAC 30-580	Restricting Through Trucks	Amend	2019
24 VAC 30-151	Land Use Permits	Retain	2020
24 VAC 30-620	Toll and Bridge Facilities	Amend	2020
24 VAC 30-61	Trans. Of Haz. Mat. Through Bridge/Tun.	Retain	2020
24 VAC 30-315	Traffic Control Devices	Retain	2020
24 VAC 30-21	General Rules and Reg.'s of the CTB	Retain	2021
24 VAC 30-50	Admin. Of Waysides and Rest Areas	Retain	2021
24 VAC 30-100	Admin. Of Parking Lots and Environs	Retain	2021
24 VAC 30-120	Outdoor Advertising and Dir. Signs	Retain	2021
24 VAC 30-551	IDSP	Retain	2021

Periodic Regulatory Review

❑ **Eighteen** Chapters to be reviewed over the next four years (2022-2025)

❑ **Review Schedule:**

- **6 Chapters due 12/16/2022***
- **5 Chapters due 12/15/2023**
- **5 Chapters due 12/20/2024**
- **2 Chapters due 12/19/2025**

❑ ***Six Chapters to be reviewed for this periodic review (Due 12/16/2022):**

- **24 VAC 30-11 Public Participation Guidelines**
- **24 VAC 30-41 Rules and Regulations Governing Relocation Assistance**
- **24 VAC 30-91 Subdivision Street Requirements**
- **24 VAC 30-92 Secondary Street Acceptance Requirements**
- **24 VAC 30-325 Urban Maintenance and Construction Policy**
- **24 VAC 30-380 Public Hearings for the Location and Design of Highway Projects**

Periodic Regulatory Review Public Participation Guidelines (24 VAC 30-11)

- Section 2.2-4007.02 of the *Code of Virginia* requires each agency that promulgates regulations to adopt public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations.
- The CTB is authorized to promulgate regulations for the protection of and covering traffic on and for the use of systems of state highways pursuant to § 33.2-210.
- Originally adopted by the CTB in 2008. Amended in 2021 as a result of the CTB's previous regulatory review to conform with the Department of Planning and Budget's model public participation guidelines.
- Promotes public involvement in the development, amendment, or repeal of regulations; written to be understandable; no negative impact on local partners/families/small businesses.
- No public comment received.
- Recommendation: Retain As Is.

Periodic Regulatory Review

Rules and Regulations Governing Relocation Assistance (24 VAC 30-41)

- ❑ Regulation promulgated by the CTB as authorized by § 25.1-402 of the *Code of Virginia*, which provides assurances to the FHWA that VDOT will comply with the Uniform Relocation and Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4601 et seq.), as amended, and as required in 49 CFR 24.4 in order to receive federal financial assistance for highway construction projects.
- ❑ The CTB is authorized to comply fully with the provisions of federal aid acts pursuant to § 33.2-221 of the *Code of Virginia*.
- ❑ Originally adopted by the CTB in 2001. Last substantive amendments in 2014. Last periodic review in 2019.
- ❑ Protects public by providing for relocation benefits and advisory assistance to persons/entities displaced by highway construction projects, ensuring they will not suffer disproportionate injuries as a result of VDOT's highway improvement program; written to be understandable; no negative impact on local partners/families/small businesses.
- ❑ No public comment received.
- ❑ Recommendation: Retain As Is.

Periodic Regulatory Review Subdivision Street Requirements (24 VAC 30-91)

- ❑ Section 33.2-326 of the *Code of Virginia* vests in VDOT control, supervision, management, and jurisdiction over the secondary system of highways.
- ❑ Although § 33.2-705 grants authority to localities to establish highways, including subdivision streets, if the locality or private developer wishes to have VDOT assume maintenance of those streets, the design and construction must meet VDOT's standards.
- ❑ Establishes conditions which must be met before subdivision streets constructed by entities other than VDOT will be accepted into the state secondary system. Proposed developments which include roads to be accepted into the secondary system initially received by VDOT prior to July 1, 2009 may be grandfathered under these requirements.
- ❑ Requirements originally became effective in 1949. Last substantive amendments in 2005 when 24 VAC 30-91 was established to replace 24 VAC 30-90. Last periodic review in 2019.
- ❑ Protects public by ensuring access by emergency response vehicles, reducing congestion, and ensuring the safe, efficient movement of people and goods; written to be understandable; no negative impact on local partners/families/small businesses.
- ❑ One public comment received.
- ❑ Recommendation: Retain As Is.

Periodic Regulatory Review

Secondary Street Acceptance Requirements (24 VAC 30-92)

- ❑ Section 33.2-326 of the *Code of Virginia* vests in VDOT control, supervision, management, and jurisdiction over the secondary system of highways.
- ❑ VDOT is authorized by § 33.2-334 to set standards for the acceptance of streets into the secondary system of highways.
- ❑ Although § 33.2-705 grants authority to localities to establish highways, including subdivision streets, if the locality or private developer wishes to have VDOT assume maintenance of those streets, the design and construction must meet VDOT's standards.
- ❑ Offers guidance on the design and construction features of secondary street development and sets out design parameters deemed appropriate for most land development scenarios. All proposed developments which include roads to be accepted into the secondary system initially received by VDOT on/after July 1, 2009 must meet SSAR requirements.
- ❑ Originally implemented in 2009 as a result of legislation passed in 2007. Last substantive amendments in 2011. Last periodic review in 2019.
- ❑ Protects public by ensuring consistent construction, review, and acceptance of streets; written to be understandable; no negative impact on local partners/families/small businesses.
- ❑ No public comment received.
- ❑ Recommendation: Retain As Is.

Periodic Regulatory Review

Urban Maintenance and Construction Policy

(24 VAC 30-325)

- ❑ Section 33.2-319 of the *Code of Virginia* authorizes payments for maintenance, construction, or reconstruction of highways to all cities and towns eligible for funds. Such payments shall only be made if those highways functionally classified as principal and minor arterial roads were constructed to certain standards and are maintained to a standard satisfactory to VDOT.
- ❑ The CTB is authorized to promulgate regulations for the protection of and covering traffic on and for the use of systems of state highways pursuant to § 33.2-210.
- ❑ Originally implemented in 2007. No substantive amendments. Last periodic review in 2019.
- ❑ Amendments to § 33.2-358 regarding the way funds are allocated to localities and the repeal of § 33.2-362 and related statutes have made provisions of the regulation referencing the urban construction allocation obsolete.
- ❑ Protects public by setting design standards to which urban highways should be constructed and maintained; written to be understandable; no negative impact on local partners/families/small businesses.
- ❑ One public comment received.
- ❑ Recommendation: Amend.

Periodic Regulatory Review

Public Hearings for the Location and Design of Highway Projects (24 VAC 30-380)

- ❑ Promulgated by the CTB based on current Federal and State statutory and regulatory authorities as found in 23 USC 128, 23 CFR 771.111, and § 33.2-208 of the *Code of Virginia*.
- ❑ The CTB is authorized to promulgate regulations for the protection of and covering traffic on and for the use of systems of state highways pursuant to § 33.2-210.
- ❑ Policy originally adopted by the CTB in 1966, regulation established in 1993. Last substantive amendments in 2008. Last periodic review in 2019.
- ❑ Promotes public involvement in the development of highway construction projects; written to be understandable; no negative impact on local partners/families/small businesses.
- ❑ One public comment received.
- ❑ Recommendation: Retain As Is.

Periodic Regulatory Review – Next Steps

- ❑ **CTB will be presented with a resolution in October to approve recommended actions for the six CTB regulations reviewed this year.**
- ❑ **VDOT will post results on Town Hall.**
- ❑ **VDOT will develop and obtain CTB approval for proposed amendment(s) to the Chapter (24 VAC 30-325) recommended for amendment prior to a final regulatory action.**
- ❑ **In the ensuing years, CTB will be presented with results of scheduled reviews and requests to approve recommended actions.**

Questions?



NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE PROGRAM

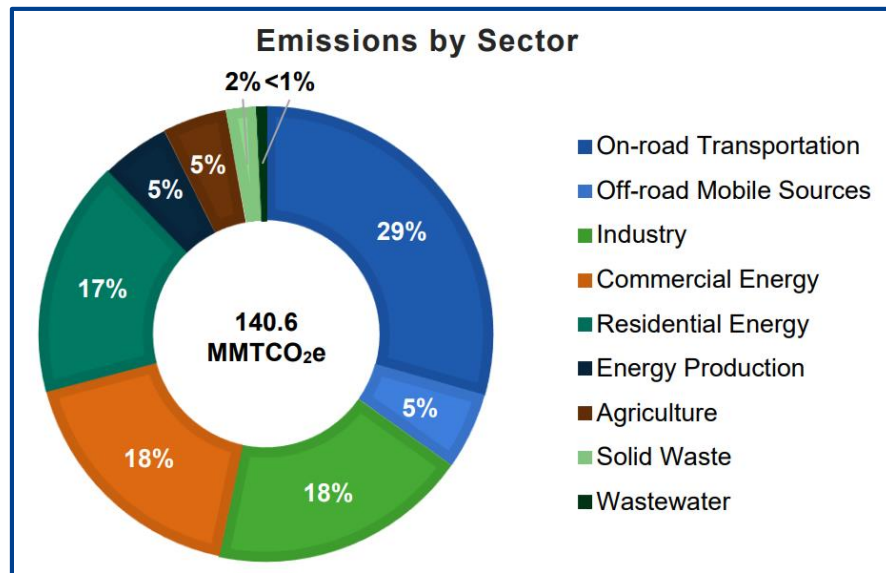
| Angel Deem, VDOT Chief of Policy

September 21, 2022

Background

Emissions

- Transportation is leading source of emission in Virginia and nationwide
- Electrification seen as an essential tool to reduce transportation emissions



Department of Environmental Quality

Electrification

- VA is 11th nationally in electric vehicle (EV) registrations (45,000 currently)
- Automaker electrification commitments and investments
 - Planned investments of \$130B in EV manufacturing through 2030
 - Several Large Vehicle Manufacturers committed to 100% electric by 2035

Electric Vehicles



Hybrid Electric Vehicles (Hybrids)

- Internal Combustion Engine combined with one or more Electric Motors
- Use energy stored in a battery plus gasoline to operate the combustion engine
- Battery is charged by regenerative braking, not plugging in



Plug in Hybrid Electric Vehicles (PHEVs)

- Powered by an Internal Combustion Engine and an Electric Motor
- PHEVs can operate in all-electric mode
- PHEVs have larger batteries than HEVs and can be plugged in to charge



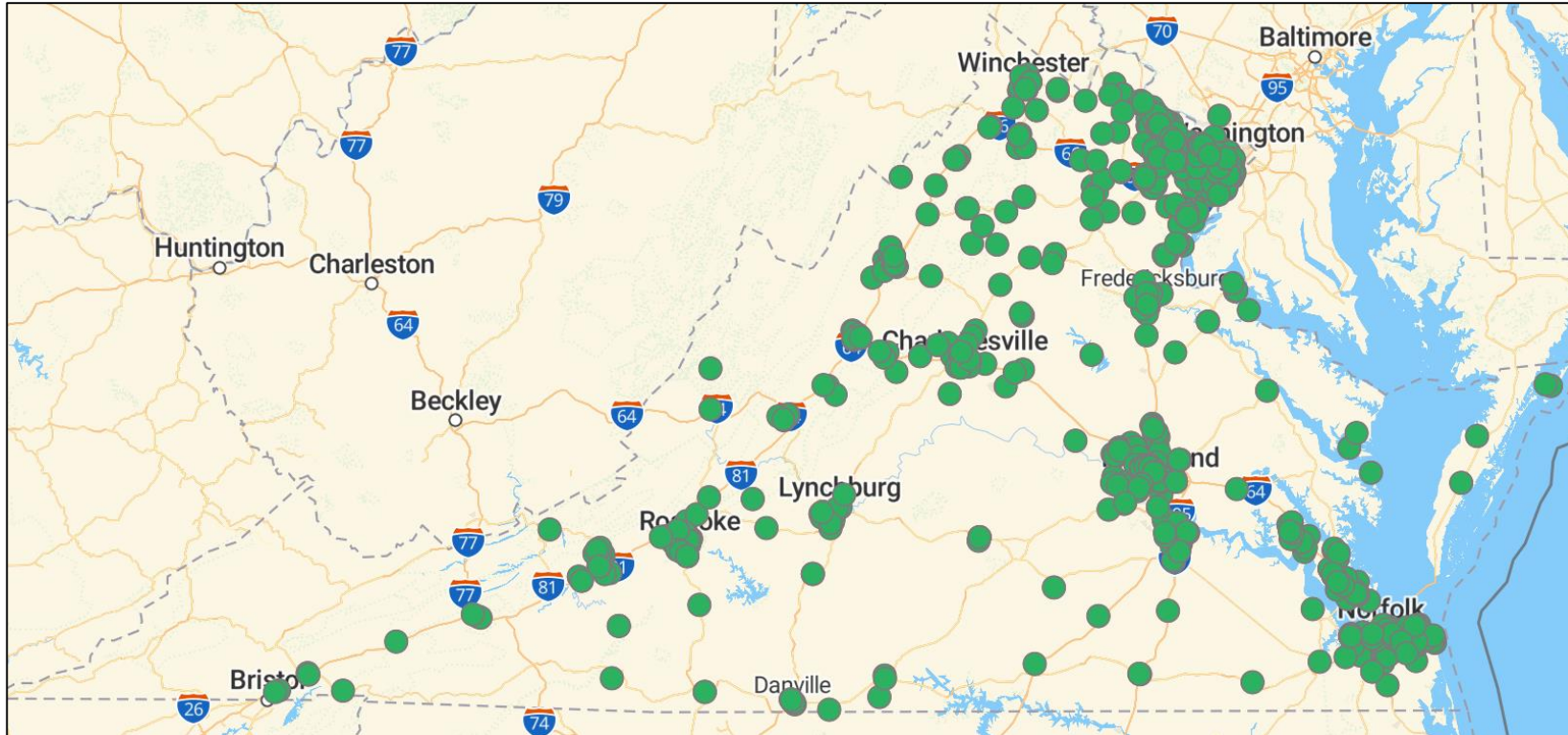
Battery Electric Vehicles (BEVs)

- Operate solely on electric motors in all-electric mode
- Charged by plugging in to charging equipment
- Typical driving ranges from 150 to 400 miles

Electric Vehicle Charging



Virginia EV Charging Infrastructure

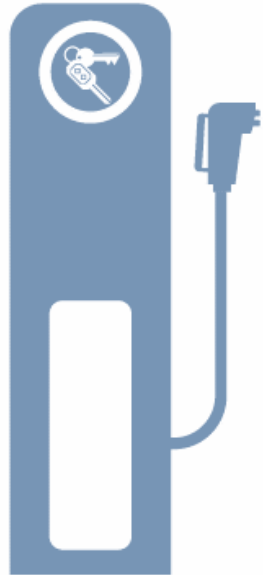


Alternative Fuels Data Center

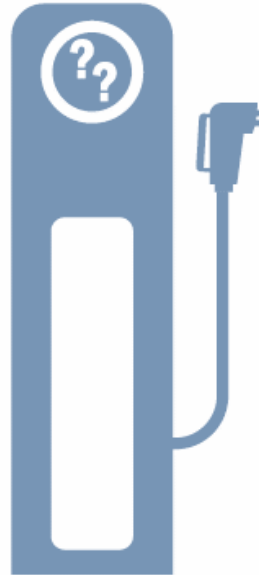
- 1,139 public stations providing 3,301 charging ports across all charging speeds
- 139 stations equipped with Direct Current fast chargers (DCFCs)
- **17 DCFCs meet NEVI criteria -**
 - 1 mile from interstate
 - Every 50 miles
 - 4 ports per station
 - 150 kW per port

2021 EV Readiness Study

59% OF CURRENT
EV OWNERS



81% OF THOSE
CONSIDERING AN EV



**NOTED THE DIFFICULTY OF FINDING A
CHARGING STATION AS A BARRIER***

*Percentage of participants that rated the difficulty of finding a charging station a very important concern

Virginia Transportation Electric Vehicle Readiness Study

- ‘Range anxiety’ and difficulty finding a charging stations identified as a primary barrier to EV adoption
- Continue building EV charging infrastructure to provide all Virginians with convenient, reliable, and affordable access
 - Fill gaps in existing charging network
 - Expand community charging

National Electric Vehicle Infrastructure (NEVI) Program

- Authorized by Infrastructure Investment and Jobs Act (IIJA)
- IIJA and FHWA Guidance establish program requirements
- Strategically deploy EV charging infrastructure and establish an interconnected national charging network to facilitate data collection, access, and reliability.
 - Goal of 500,000 chargers nationwide by 2030
- Support travel, reduce range anxiety, accelerate awareness
- \$100 million in federal formula funding over 5 years for Virginia
 - VDOT is lead agency, under the direction of the Secretary of Transportation

NEVI Charging Stations

- **Installation/upgrade of publicly accessible direct current fast chargers**
 - 1 mile from interstate, every 50 miles, 4 ports per station, 150 kW per port
 - On-site distributed energy resources
 - 5 years of operations and maintenance funding
- **Third parties will acquire, install, own, operate, and maintain**
 - Provide minimum 20% match



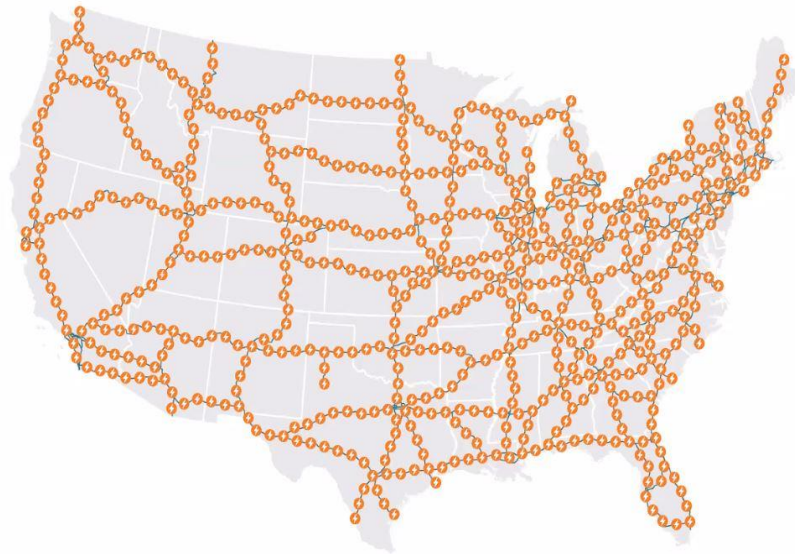
EV Update Media



UC San Diego News Center

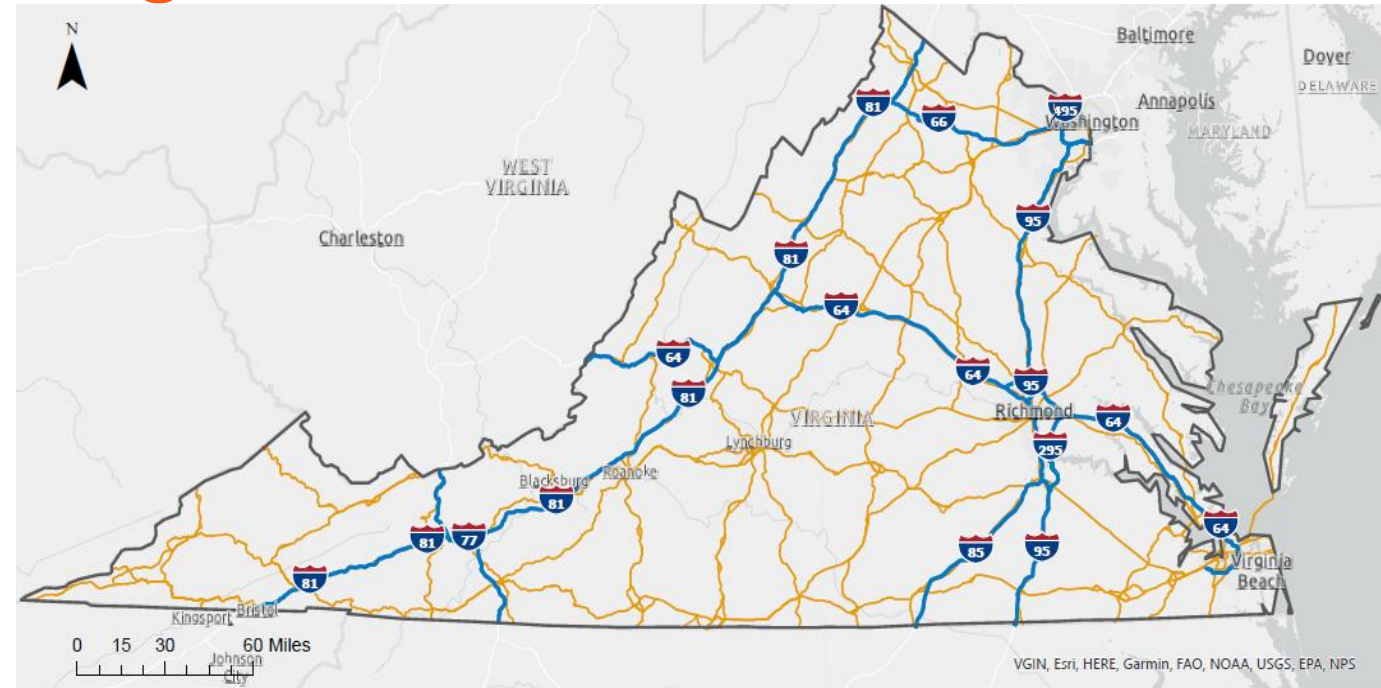
Alternative Fuel Corridors (AFCs)

Nationally:



Connecting regions and ensuring an EV charging network that is convenient, accessible, reliable, and equitable.

Virginia:



Virginia AFCs:

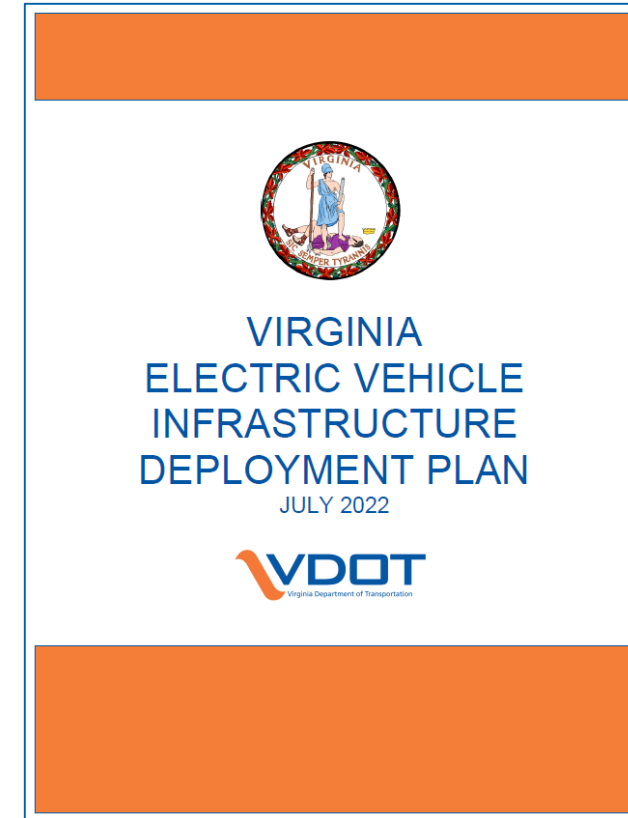
985 miles

I-64, I-66, I-77, I-81, I-85, I-95,

I-295, I-495

EV Charging Infrastructure Deployment Plan

- NEVI Program required states to develop and submit to FHWA by August 1, 2022
- FHWA Guidance and Template
- VDOT lead agency, with guidance from Secretary of Transportation's office
- Approval by September 30, 2022
 - VDOT has made minor revisions in response to initial FHWA feedback



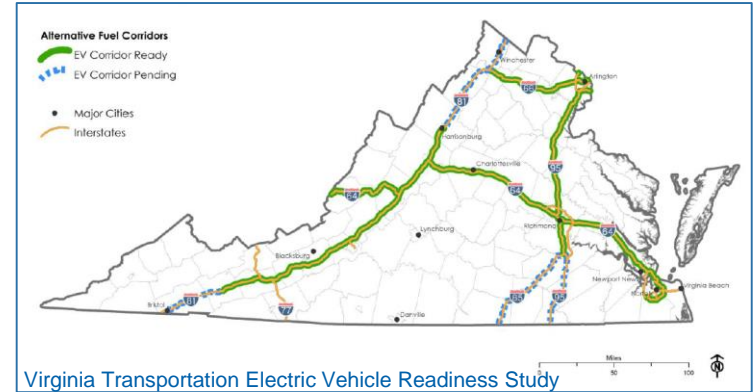
Planning Phases

Phase 1
(2022-2023)

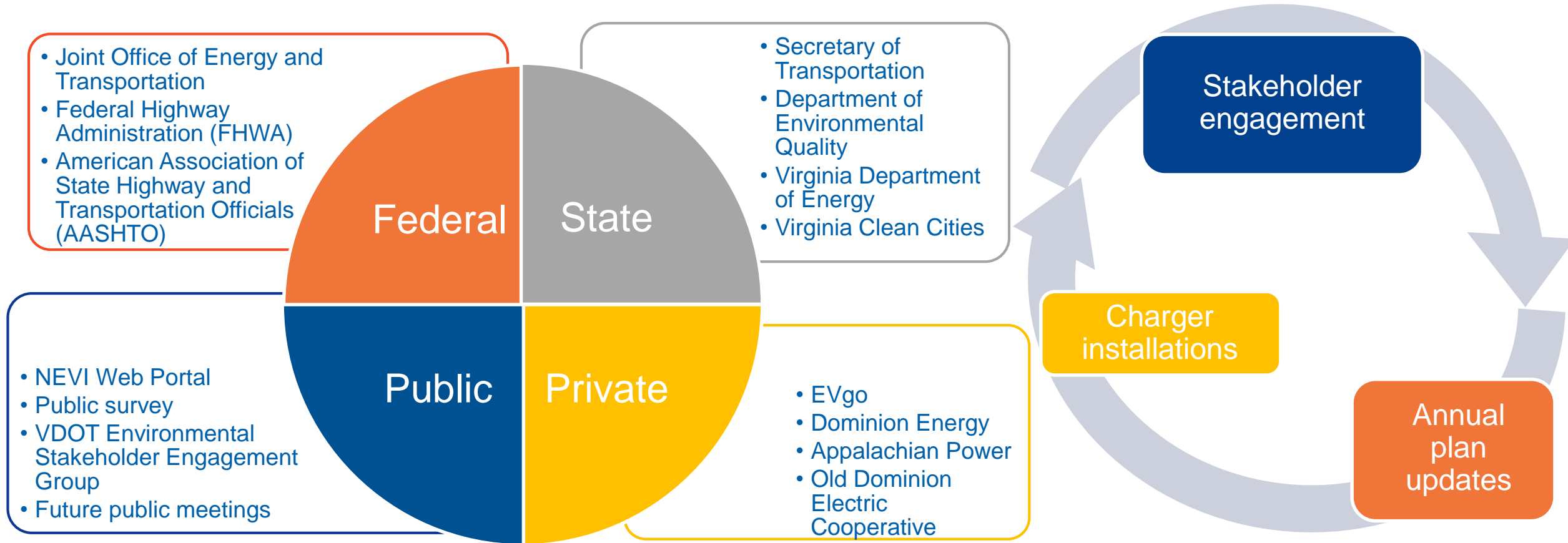
- ✓ **Nominated** additional Alternative Fuel Corridors
- ✓ Initial stakeholder and public outreach
- ✓ Developed **Initial EV Charging Deployment Plan**
 - **Build out** Alternative Fuel Corridors

Phase 2
(2023-2026)

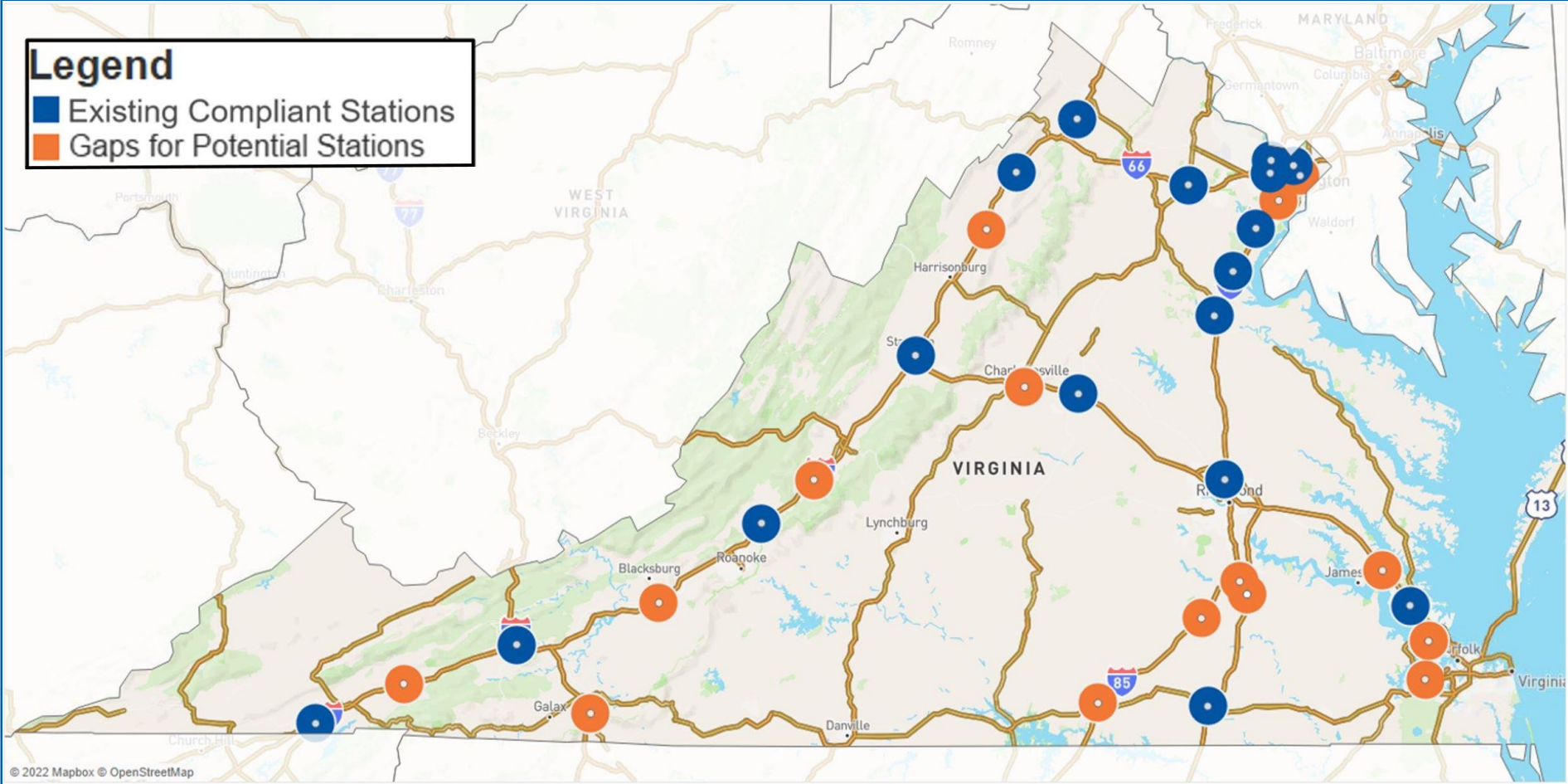
- Ongoing stakeholder engagement
- Annual EV Charging Deployment Plan **updates**
- Consider expansion to **Corridors of Statewide Significance and community charging**



Stakeholder Engagement & Iterative Planning Process



Existing and Potential AFC Sites



NEVI Program Next Steps

- Deployment Plan approval by September 30, 2022
- Funding opportunity for third party procurement of chargers
- Build out Alternative Fuel Corridors
- Ongoing stakeholder engagement and public outreach
- Annual Plan updates and charger funding opportunities
- CTB Engagement and Actions prior to Grant Awards

Looking Ahead ... Discretionary Grant Program for Charging and Fueling Infrastructure

- Authorized by IIJA
- Federal guidance is forthcoming
- \$2.5 billion in discretionary grant funding over 5 years
- State and local authorities that own publicly accessible transportation facilities
 - \$1.25 billion Corridor Charging Grant Program
 - Focused on filling gaps in Alternative Fuel Corridors
 - \$1.25 billion Community Charging Grant Program
 - Focused on rural areas, low- and moderate-income neighborhoods and communities with limited private parking



COMMONWEALTH of VIRGINIA
Office of the
SECRETARY of TRANSPORTATION

**Multi-Use Trails Funding
State Trails Office**

**John Lawson
Deputy Secretary of Transportation**

September 20, 2022



Transportation Initiatives - Investment in Trails

- **General Fund dollars were provided in the State Budgets approved by the General Assembly in June 2022 for the planning, development, and construction of multi-use trails throughout the Commonwealth**
- **Budget language charges the CTB to prioritize the funds for:**
 - **New regional trails**
 - **Projects to improve connectivity of existing trail networks**
 - **Provide geographic diversity in the use of such funds**
- **Also, directs the establishment of a State Trails Office**
 - **Develop a State Trails Plan and State Trails Information Clearinghouse consistent with the January 2022 "Report of Virginia Multi-Use Trails Initiative"**
 - **State Trails Office shall coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation**

Transportation Initiatives - Investment in Trails

<i>(in millions)</i>	Previously Provided (2021 Transportation Initiative)	FY 2022 (Chapter 1)	FY 2023 (Chapter 2)	FY 2024 Chapter 2)	Total
General Fund	\$10.0	\$37.5	\$41.5	\$ -	\$89.0
Transportation Alternatives Program (Federal)			7.0	7.0	\$14.0
TOTAL					\$103.0

State Trails Office

- **Following the direction provided by the legislature and the January 2022 report, the following steps will be taken to stand up the State Trails Office.**
 - **The Office will be a matrixed organization within VDOT**
 - **TMPD will serve as the Office lead**
 - **Two positions will be filled initially**
 - Transportation and Mobility Planning Division (TMPD)
 - Local Assistance Division (LAD).
 - **Third position will be held until the need is determined**
- **Per the Budget, \$800,000 in FY 2023 funding will be used to:**
 - **Fund positions and to secure consultant services**
 - Perform analysis
 - Conduct outreach
 - Develop the State Trails Plan and the State Trails Information Clearinghouse

High Priority Trails

General Assembly Priorities

- The Budget did not prescribe funding amounts to specific trails
- In providing the funding, General Assembly considered the needs of five specific trails

Project	Explanation
Shenandoah Valley Project	Rural, long-distance; To be used only to purchase the Right of Way until final decision is made regarding the Rail Line; Rockingham, through Shenandoah and the central part of Warren Counties
Craig Valley Trail	Rural, medium distance; Right of Way, Engineering, and Construction; Botetourt and Craig counties
Peaks to Creeks	Urban trail connectivity; City of Lynchburg
Tobacco Heritage Trail	Rural trail network connectivity; Mecklenburg County
Eastern Shore	Rural, long-distance; Full engineering study of the project; Northampton and Accomack Counties

- Flexibility was retained given the status of the trails and to provide ability to address cost increases due to inflation and supply chain issues

Funding Recommendations

- **TAP Funding**
 - FY's 2023-2024 TAP selections funded \$11.8 million of trail projects
 - The remaining \$2.2 million will be held for future allocation
- **Establish the Trails Office and develop the State Trails Plan and the State Trails Information Clearinghouse using the \$800K provided**
- **Recommend the CTB utilize the provided GF funds to support the five trails previously noted as GA priorities**
 - Provide up to \$1M as needed to each trail to support project evaluation and scoping, RW negotiations and construction planning
 - Prior to expending additional funds on these projects or the initiation of RW or CN activities, the scope of work and cost estimate for each trail will be presented to the CTB with a request for a budget allocation

Next Steps

- **Advance the General Assembly identified Priority Trails**
 - **CTB action to provide up to \$1M to each Priority Trail**
- **Fill positions and establish the State Trails Office**
- **Begin coordination with State Trails Advisory Committee and Department of Conservation and Recreation**
- **Begin development of a State Trails Plan and State Trails Information Clearinghouse consistent with the January 2022 "Report of Virginia Multi-Use Trails Initiative"**



WMATA Annual Reporting Requirements

Commonwealth Transportation Board

Jennifer DeBruhl, Director

September 20, 2022



Background

- Chapter 854 and 856 of the 2018 Virginia Acts of Assembly:
 - Established WMATA Capital Fund to provide Virginia's agreed upon share of regional dedicated capital funding to WMATA
 - Requires the CTB to withhold funding available to WMATA (passed through NVTC) under certain conditions
- In September 2018 the CTB adopted its "Policy and Guidelines for Implementation of Governance and Funding Reforms for WMATA" (amended in January 2021) to govern future Board decisions
 - WMATA submits information to demonstrate compliance to the CTB by July 1
 - DRPT analyzes information, coordinates with OAG for legal sufficiency, and presents recommendation for enforcement actions to CTB

WMATA Reporting Requirements

- By July 1 WMATA must annually certify compliance with applicable law and CTB policy for the following items:
 - Board Governance
 - 3% cap on annual growth in total Virginia Operating Assistance
 - Strategic Plan
 - Capital Improvement Plan
- WMATA provides required documentation/certifications to DRPT on June 30
- Office of Attorney General reviews for compliance with statutory requirements
- DRPT reviews for compliance with CTB policy requirements (non-statutory)

WMATA Board Governance

DRPT Recommendation

- **WMATA has met the requirements of the statute and Board policy**
- **No enforcement action is recommended**

Legislative Requirement

- Alternate directors shall not participate or take action at an official WMATA Board meeting or Committee meeting unless they are serving in absence of a primary director
- WMATA Board must adopt bylaws that would prohibit such participation by alternate directors

Consequences of Non-compliance (Code of Virginia)

- Board shall withhold 20% of state WMATA allocation if found to be non-compliant

3% Cap on Growth in Operating Assistance

DRPT Recommendation

- **WMATA has met the requirements of the statute and Board policy**
- **No enforcement action is recommended**

Legislative Requirement

- Operating costs related to the following are excluded from this calculation:
 - Any service, equipment, or facility that is required by any applicable law, rule or regulation
 - Any capital project approved by the WMATA Board before or after effective date
 - Any payment/obligation resulting from a legal dispute or proceeding
 - Any service increases approved by the WMATA Board

Consequences of Non-compliance (Code of Virginia)

- Board shall withhold 35% of state WMATA allocation if found to be non-compliant

WMATA Strategic Plan

DRPT Recommendation

- **WMATA has met the minimum requirements of the statute and Board policy**
- **No enforcement action is recommended**
- **DRPT recommends that the Board amend its policy to require the next WMATA strategic plan to focus on safety, operating costs, service optimization and recovery from the ridership impacts of COVID**

Legislative Requirement

- WMATA must adopt or update within the preceding 36 months a strategic plan and hold an in-person public hearing on the strategic plan in Northern Virginia
- Next update due by June 30, 2023
 - Delayed from March 2022 by 2021 State Budget Amendment

Consequences of Non-compliance (Code of Virginia)

- Board shall withhold 20% of state WMATA allocation if found to be non-compliant

WMATA Capital Improvement Plan

DRPT Recommendation

- **WMATA has met the requirements of the statute and Board policy**
- **No enforcement action is recommended**

Legislative Requirement

- WMATA must adopt every year by July 1 a capital improvement program that covers a 6-year period
- WMATA must hold an in-person public hearing in Northern Virginia
 - WMATA held a hybrid hearing with an in-person element on February 7, 2022 at the Arlington County Board Room facilitated by Commonwealth appointee and WMATA Board Chair, Paul Smedberg

Consequences of Non-compliance (Code of Virginia)

- Board shall withhold 20% of state WMATA allocation if found to be non-compliant

Next Steps

- October 2022 – DRPT will present the annual certification resolution and decision memo to the Board for action on compliance recommendations
- December 2022 – DRPT will present recommendations at CTB Workshop for revisions and/or updates to the Board Policy that governs future Board decisions related to the Governance and Funding Reforms for WMATA enacted by the General Assembly in 2018
- January 2023 – CTB takes action on DRPT's recommendations for revisions and/or updates to Board Policy