



Fall 2007

Planner's Page

Virginia's Transportation Planning Newsletter

Federal Planning, Conformity and Census Regulations

Statewide and Metropolitan Planning

Final statewide and metropolitan transportation [planning regulations, 23 CFR 450](#), were issued jointly by FHWA and FTA on February 14, 2007. These regulations implement federal transportation law, SAFETEA-LU (PL109-59), and related planning requirements.

Air Quality

A companion proposal to update the EPA air quality transportation conformity regulations of 40 CFR 93 was issued on May 2, 2007. The conformity features proposed by the EPA include aligning the conformity re-demonstration frequency dates with the transportation planning regulations. This has the potential for reducing the analysis years for conformity criteria, applying a one year grace period before conformity lapses, and allowing areas to substitute or add transportation control measures without a state air quality implementation plan (SIP) revision.

SAFETEA-LU Transportation Planning – Virginia Status

The state and Metropolitan Planning Organizations (MPOs) continue to work diligently on implementing newly required SAFETEA-LU elements. Items for priority attention have included:

- Developing, approving and using enhanced metropolitan Participation Plans.
- Arranging TIP-STIP program coverage for 4 or more fiscal years
- Demonstrating fiscal constraint for metropolitan long range plans as well as state and metropolitan programs using year of expenditure estimates by December 11, 2007.
- Consulting with agencies to compare plans and/or discuss environmental mitigation in state and metropolitan long range transportation plan development.
- Clarifying the definition and processing of minor revision actions, known as “administrative modifications”, in contrast to non-minor amendment or update actions.
- Upgrading the administrative 3-C MOU agreements identifying state and MPO planning responsibilities. *(continued next page)*



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KEY PLANNING WEBSITES

➤ Overview of the FHWA/FTA Final Rule

http://www.fta.dot.gov/planning/metro/planning_environment_6476.html

➤ House Bill 3202

<http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+CHAP0896>

➤ Traffic Impact Analysis Regulations

<http://www.virginiadot.org/projects/chapter527/default.asp>

➤ Chapter 527

<http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+CHAP0527>



LEGISLATION ON TRANSPORTATION PLANNING

The Virginia 2007 "Transportation Bill", ([HB 3202 Acts of the Assembly, Chapter 896](#)), is expected to provide the largest revenue increase for funding transportation in Virginia in 20 years. An addition of eventually about \$1 billion a year is expected solely for use with transportation through the issuance of new debt, fees, fines, regional taxes, and tolls. Key transportation planning highlights from its many pages follow:

Urban Development Areas (UDAs) -

By year 2011, a locality with a population of 20,000 or greater with a 10-year growth rate of 5% or any locality with a 10-year growth rate of 15% **shall designate** (all other localities **may** designate) areas in the local comprehensive plan sufficient to accommodate 10 to 20 years of growth and to incorporate new urbanism principles with at least a density of 4 dwellings per acre or a 0.4 floor-area ratio. 61 Counties, 13 Cities, and 46 towns must identify these UDAs. "To the extent possible" state and local transportation, housing and economic development funds are to be directed to these UDAs. Yet, localities may not require developers to place developments inside a UDA.

Urban Transportation Service Districts (UTSDs)-

Urban Counties with a population of greater than 90,000 **may**, with CTB concurrence and an ordinance, designate certain areas having an overall density of 1 dwelling per acre as a UTSD wherein that locality shall maintain its own roads (at an urban cost rate) and may **levy property tax assessments** to fund the public facilities. The urban counties with this service district option are Chesterfield (roads only), Fairfax, Loudoun, Prince William, Spotsylvania and Stafford.

see GENERAL ASSEMBLY page 3

- Arranging coordination for funding transportation for special needs persons as selected from Coordinated Human Service Mobility (CHSM) planning.
- Meeting and using checklists to jointly review and discuss the progress of MPOs in becoming SAFETEA-LU compliant.

Most MPOs are in substantial compliance with SAFETEA-LU.

Northern Virginia and Hampton Roads Transportation Authorities



The Northern Virginia Transportation Authority (NVTA) and Hampton Roads Transportation Authority (HRTA) are undertaking actions authorized effective July 1, 2007 by HB3202. The NVTA voted July 12, 2007 to assess a \$330 million regional package of supplemental fees and taxes for funding needed transportation improvement projects.

The newly formed HRTA held a public meeting July 18, 2007 to address concerns regarding the authority. Similar to the NVTA, the HRTA is expected to have its Board vote on whether to assess a \$200 million regional package of supplemental fees and taxes.

Planning and NEPA – Procedural Improvements

New operating procedures within VDOT are being implemented to improve the coordination and documentation of information used in the development of projects during planning and NEPA stages. Measures for the planning stage include:

- providing improved project item descriptions that identify purpose and need, cost information, alternatives considered and potential environmental concerns.
- providing key planning documents on the intranet (finals that contain the enhanced project descriptions)
- e-mail notification methods to alert transportation and environmental planners of upcoming NEPA project scoping meetings or of state or metro planning or programming amendment or update actions
- ensuring that depictions of projects at the planning stage are labeled as conceptual

MPOs are urged to support and observe the procedures to aid in expediting the development of their projects. A copy of the procedures is available for review or comment. For more info, contact Chris Detmer at (804) 786-3599.

UPCOMING EVENTS

- VML 2007 Annual Conference, James City County, October. 14-16, 2007
For general information contact Toni Jerry at jterry@vml.org or (804) 523-8529, for exhibition information contact Kimberly Pollard at kpollard@vml.org or (804) 523-8528
- TRB 87th Annual Meeting, Washington D.C., January 13-17, 2008

Public-Private Partnership Projects and Fiscal Constraint

FHWA May 29, 2007 guidance clarified that, to be included in transportation plans and programs, a demonstration of fiscal constraint requires that certain planning information be provided in the plans and programs on the project, including public-private partnership projects. Under SAFETEA-LU, project-phase cost estimates are to be given in dollars inflated for year of expenditure. The project information is to demonstrate that funding is reasonably expected to be "available" with regard to:

(1) **the project's government-sponsor endorsement(s)** - financing may be reasonably expected to be "available" if there at least is support indicated by the Governor and/or other appropriate local/regional decision makers, and a strategy exists for securing necessary approvals within the time period for implementing the affected project(s). Other indicators of reasonableness for special projects are if a State or local jurisdiction has had past success in implementing such special projects, and if enabling State legislation is in place.

(2) **financial source(s)** - listing a project either as merely "PPTA" or "innovative financing" would not adequately demonstrate constraint. The appropriate plan and/or program financial information at least is to indicate (inclusively) the likely or possible public and/or private funding source mechanism(s), and the proposed amount(s) of funds or a range of funds to be used (inflated for year of expenditure). Typically, a list of sources to support projects may include a combination of : (a) shareholder equity; (b) grant anticipation bonds (GARVEEs and GANs); (c) revenue and general obligation bonds; (d) private activity bonds; (e) bank loans; (f) SIB loans; (g) TIFIA credit assistance; (h) direct user charges (tolls and transit fares) leveraged to obtain state and/or local bonds; (i) normal Federal-aid formula highway funds and/or normal Federal transit funds; and (j) other public agency dedicated revenue streams made available to a private franchisee or concessionaire (e.g., leases, direct user charges from other tolled facilities, and shadow tolls where public sector sponsors pay "tolls" rather than motorists).

The project estimates used in all plan and/or program **updates or amendments are to use the latest available information to demonstrate fiscal constraint, both for revenues and costs.**

Further, a strict(er) federal programming requirement exists. More definite information is required when a project is to enter the first two years of the TIP and STIP in air quality nonattainment and maintenance areas (certain localities in NOVA, Fredericksburg, Hampton Roads and Richmond) because those projects shall be limited to funding that is not just likely but indeed "available" or "committed" ([23 CFR 450.104](#) contains the definitions of these terms). Incidentally, FHWA also has associated [project management guidance available on major projects](#). Briefly, the major project guidance directs that cost estimates include inflated cost ranges for year of expenditure and contingencies in planning for larger capital projects consistent with FHWA's May 29th planning guidance. For more information, contact Chad Tucker at (804) 786-2974.

Road Impact Fees- Only certain localities have the option to assess road impact fees on developments (fees to be assessed incrementally on developers with possible allowances for certain proffers or other credits). Two categories of road impact fees are authorized:

1. Each of the 120 localities required to have UDAs **may** adopt an ordinance for assessing impact fees in concert with a local comprehensive plan build-out or 20 year needs assessment and development of a **Road Improvements Plan** for each **Impact Fee Service Area**. A locality **may** choose to exclude their UDA(s) from these impact fees.
2. The localities that adopt a UTSD **may** adopt impact fees only in their non-UTSD portions where capital costs are identified in their comprehensive plan and only for use with currently agricultural zoned parcels being subdivided for by-right residential.

The Northern Virginia Transportation Authority (NVTVA) now has funding authority that it lacked earlier (tolls, issuing bonds with a priority use formula &, if uniform, imposing transportation revenue taxes, fines & fees. NVTVA will consult & coordinate with VDOT and the CTB, but NVTVA now makes its decisions independently).

The General Assembly Joint Commission on Transportation Accountability (no Executive branch members) will make performance reviews of transportation agencies by studying operations, practices and duties thereof on a continuous basis, appointing a director and employing staff.

see GENERAL ASSEMBLY pg 4

UPCOMING EVENTS

- Transportation training events by the Virginia Local Technical Assistance Program (LTAP), advance registration needed:
 - Access Management September 20-21, Chantilly
 - Site Impact Analysis October 17-18, Chantilly
 - Intersection & Arterial Capacity Analysis November 5-7, Chester
 - Pedestrian & Bicycle Accommodations December 11, ChantillyVisit <http://ltap.cts.virginia.edu> for more info.

Outsourcing- The VDOT Commissioner, to maximize efficiency, shall take steps as appropriate to **outsource or privatize** any VDOT functions that might reasonably be provided in the private sector.

Performance goals & measures are to be set by the CTB with the Statewide Transportation Plan (VTrans). The CTB shall biennially approve those of the NVTA and HRTA, coordinate goals and measures development with MPOs and **consider the goals in selecting transportation improvements.**

Tolls may vary by time, travel conditions and/or vehicle, and toll facilities shall be capable of fully automatic operation. Also, by 2008, VDOT is to **report on its free-flow toll plans.**

CTB is to issue new Bonds, up to \$300,000,000 per year as "Capital Improvement Revenue Bonds"

Hampton Roads Transportation Authority (HRTA- includes chairs or designees of 12 locales, from Isle of Wight to James City County) Upon approval of certain local governments and certain members of the authority and in consultation with the CTB, the HRTA may issue tunnel bonds, impose tolls, fines and/or fees if they agree to apply them "all or nothing" and use them for pre-designated phased MPO approved projects; VDOT and the PDC staff shall assist during the HRTA formation; regarding bridge tunnel bonds the authority could add Eastern Shore members.

Functional Classification – VDOT, with the CTB, shall assess the implications of, and provide a plan for determining funding based on **functionally reassigning** the components of Virginia's primary, secondary and urban route systems to the maximum extent, and provide a report by 1/1/09.



VDOT has an increased opportunity to provide information on land development impacts under the new Chapter 527

Traffic impact review has become a significant land development control component in Virginia. VDOT is reviewing land developments with localities at the 1) comprehensive plan-zoning; 2) subdivision; 3) site plan and 4) permitting stages. Virginia enacted traffic impact review into law statewide through [Chapter 527](#) of the 2006 (regular session) Acts of General Assembly (SB 699). It directed the development of regulations to provide a procedure for VDOT review and comment on pending local government land use actions that would substantially affect transportation on state controlled highways. VDOT adopted Traffic Impact Analysis Regulations last year, with implementation occurring gradually by region, with regional training and implementation schedules:

- The Northern Virginia, Richmond and Salem Districts from 7/1/07 to 1/1/08
- Culpeper, Staunton and Fredericksburg from 1/1/08 to 7/1/08
- Hampton Roads, Lynchburg and Bristol from 7/1/08 to 1/1/09.

Currently, the vehicle traffic increase thresholds for Chapter 527 review are:

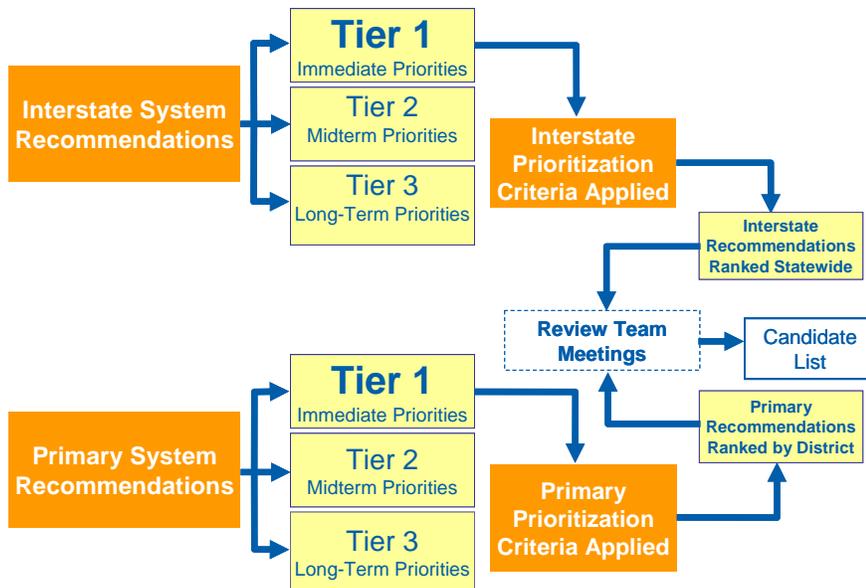
- **Comprehensive plans: 5,000 Vehicles/Day**
Examples include the traffic generated from a 500 home subdivision, a 690,000 sq ft light industry center, a 460,000 sq ft general office, a new thoroughfare, a major widening or relocation of an existing highway, or a significant adjustment to proposed land use
- **Rezoning and site plan actions:**
 - 100 Vehicles/Hour generated from residential sites, such as a 100 home subdivision or a 150 unit apartment complex
 - 250 Vehicles/Hour or 2,500 Vehicles/Day with other developments, such as a 60,00 sq ft home store or a 16-pump commercial gas-market, or
 - Alternatively, on low volume roads, a residential site generating 200 Vehicles/Day and at least a doubling of the existing volume.

The reviews provide identification, open discussion and consideration of land use impact on transportation. After consideration of the traffic impacts, the approval, modification or disapproval of pending land use actions remain at the discretion of local government.

CHAPTER 527 TRAFFIC IMPACT REVIEW TRAINING EVENTS

- Sept. 10 – Culpeper District, 2 – 5 p.m. (VDOT Culpeper District Auditorium)
- Sept. 11 – Culpeper District, 9 a.m. – noon (Albemarle County Office Building, Room A)
- Sept. 12 – Staunton District, 2 – 5 p.m. (Shenandoah University, Fairfax-Cameron Building, Room 102)
- Sept. 13. – Staunton District, 9 a.m. – noon (Augusta County Government Center Board Meeting Room 18)
- Sept. 20 – Fredericksburg District, 9 a.m. – noon (VDOT Fredericksburg District Auditorium)
- Sept. 21 – Fredericksburg District, 2 – 5 p.m. (Rappahannock Community College Glens Campus LEXOR Hall, Room 131)

Prioritization of Projects in Plans



Did you know that VDOT planning staff has a database driven quantification method that evaluates and identifies the top interstate and primary capital improvement candidates for review and consideration by the public, VDOT District administrators and CTB members? The prioritization process is a tool that helps Virginia narrow down and identify the field of needed projects that merit advancement for an upcoming SYIP. For more information, call Chris Detmer at (804) 786-3509.

STARS (Strategically Targeted Affordable Roadway Solutions)

Virginia has many types of immediate transportation needs. Although many circumstances call for planning major, long-term capital road interstate and primary projects, some situations can be remedied with less cost and time. This is the mission of the VDOT STARS program – to identify priority needs where effective low-cost and short-midterm solutions can be applied and implemented quickly. The STARS program targets low-cost improvements for areas with high crash densities and high levels of congestion. VDOT will be working with localities and MPOs in the next 18 months to identify potential recommendations. For more information on the STARS program, call Bill Guiher at (804) 786-9483.

Travel Modeling Update

Looking for an update on travel modeling? Visit the VDOT VTM newsletter at: www.virginiadot.gov/projects/planners_vtm.asp. Incidentally, the key planning database and evaluation tool, the State Planning System (SPS), is undergoing special efforts to ready it for use in upcoming planning applications.

In addition to the “Transportation Bill”, other 2007 General Assembly Acts relate to transportation planning. Key ones include:

HB 2228- CTB is to **set access management standards & guides** by December 31, 2007 to be effective July 1, 2008.

HB 2314- CTB is authorized so that it **may toll interstates**

HB 2838- VDOT is to **id and prioritize two year operation & maintenance performance needs** in reports each odd number year

HB 2850- A **new Office of Intermodal Planning and Investments** is established under the Secretary of Transportation that adds major corridor studies and innovative project to that office’s transportation planning scope

SB 1181- CTB is to promulgate secondary streets standards and regulations.

CTB-VDOT MEETINGS

September 19: Open Meeting – Board Workshop (Richmond)

September 20: Open Meeting (Richmond)

October 17: Open Meeting – Board Workshop (Richmond)

October 18: Open Meeting (Richmond)

November 7: Combined Board Workshop / Business Meeting (Roanoke)

December 13: Combined Board Workshop / Business Meeting (Richmond)

FALL PLANNING AND PROGRAMMING MEETING SCHEDULE

- Oct. 9, Hampton Roads, Chesapeake Conference Center
- Oct. 15, Staunton, Augusta Government Center
- Oct. 16, Richmond, Greater Richmond Convention Center
- Oct. 23, Bristol, Southwest Virginia Community College
- Oct. 24, Salem, Salem Civic Center

- Oct. 29, Lynchburg, The Kirkley Hotel
- Oct. 30, Fredericksburg, Stafford County Board Room
- Nov. 1, Culpeper, District Office Auditorium
- Nov. 13, NOVA, Fairfax County Government Center

For more information, please contact Kim Spence at (804) 371-4864.

Future Project Cost Estimation

A recommendation is being developed to provide the State and MPOs with a method to estimate systems level costs escalated for inflation for future year of expenditure. Per SAFETEA-LU, all MPOs must adopt Constrained Long Range Plans that are year of expenditure compliant by December 11, 2007. Future costs and revenues are required to balance in metropolitan long range plans as well as state and metro programs with respect to maintenance, operations and construction activities for fixed-guide and highway travel. VDOT will provide information on the year of expenditure methodology as it is developed. For more information call Ron Mustain at (804) 786-7458

Environmental Justice and Underserved Populations Maps

The environmental justice regulatory framework, established with Title VI of the Civil Rights Act and reinforced by Executive Order 12898 of 1994, directs every federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on traditionally under-represented groups, defined as “minority populations and low-income populations”. Under these requirements each agency receiving federal funds is expected to examine how well past and future transportation plans address environmental justice issues. There are three fundamental environmental justice principles:

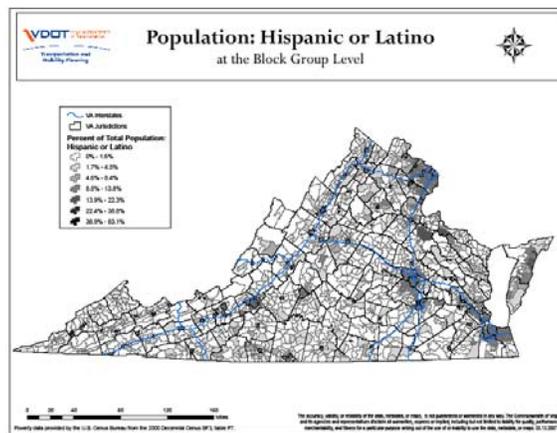
- To avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The first step in analyzing environmental justice issues is to identify the population areas of traditionally under-represented groups, specifically low-income and minority populations. In order to assist VDOT and outside agencies better meet compliance with environmental justice requirements, TMPD Policy Section, with assistance from TMPD Planning Systems and VDOT Civil Rights Division developed a series of maps identifying traditionally underserved populations. A total of 26 maps derived from the 2000 Census were generated. The maps display disabled populations, women, elderly, median household income, households below poverty status, unemployment in addition to a series of nine maps displaying race, nine maps displaying linguistics characteristics and two maps identifying countries of origin.

All maps are available on VDOT's external website which can be located at the following address:

<http://www.virginiadot.org/business/bu-civil-rights-maps.asp>

It is anticipated that these maps will provide a great benefit for those agencies that do not have GIS capabilities and will result in time savings for those that do. For more information on the Virginia Block Group Level Demographic Maps, please contact Brad Shelton, TMPD Policy Section, at (804) 786-1893.



- VDOT's new demographic maps can help agencies identify traditionally underserved populations.