

Dorrier makes late-night switch to revive Western Bypass
written by Newspark Team | June 9, 2011



A new chapter has begun for the proposed Western Bypass of U.S. 29 after the intervention from Virginia's top transportation official.

"It may not be the perfect fix to transportation challenges in the corridor," said Secretary of Transportation Sean Connaughton. "However, it is a major step forward."

The Albemarle County Board of Supervisors voted 4-2 late Wednesday to direct its representatives on the Metropolitan Planning Organization to remove language blocking the state from allocating money for the construction of the bypass.

The vote came one week after a vote on the same motion ended in a 3-3 tie. It required the board to suspend a new rule of order, which said action items not on the agenda as approved at the beginning of a meeting should not be added by members at the end of a meeting for a vote.

Supervisor Lindsay G. Dorrier Jr. asked to rescind that vote after being promised by Connaughton during a phone call earlier in the day that the bypass would be fully funded.

"He stated to me that the county could receive the full cost of the [bypass]," Dorrier said. "He didn't have an exact figure but he said it was in the range of \$260 million to \$270 million."

Connaughton confirmed the conversation in an interview with Charlottesville Tomorrow.

"I assured him that if the MPO did move forward and include construction in its transportation improvement plan that the state would end up altering or revising the six-year program to provide full funding for the project," Connaughton said.

Since 2002, the entry for the Western Bypass on the MPO's transportation improvement program has included a long paragraph that outlines the MPO's preference for other alternatives to alleviate congestion on U.S. 29.

The Virginia Department of Transportation lists the Western Bypass as a project on its six-year improvement program because \$47.2 million has been spent on preliminary engineering and to buy right of way for the route. VDOT does not own the entire right of way for the bypass, though the agency does own 62 parcels along the route.

Connaughton said his assurance was based on the existing alignment and design, and not some other alternative.



Source: Daily Progress/Ross Bradley

Estimates for construction of the four-lane, limited-access highway range from \$161 million to nearly \$300 million.

Connaughton said the project would also be connected to a widening of U.S. 29 from the South Fork of the Rivanna River north to the Hollymead Town Center . He said a new estimate needed to be calculated for both projects.

Mark Peake, the Lynchburg District's representative on the transportation board, welcomed the vote.

"It's a vital next step for the Route 29 corridor from the North Carolina border all the way to [Interstate] 66, and it's especially good for business on the southern side," Peake said. "I'm happy to see the logjam break."

Unannounced vote

The vote to make it the county's new official position came shortly before midnight after a lengthy public hearing on the county's participation in a regional sustainability planning grant.

The board had to suspend rules adopted earlier in the month in order to take the action. One of them was for the board to begin adopting an agenda at the beginning of each meeting to ensure the public is notified of matters the board will vote on.

Supervisor Dennis S. Rooker was opposed to the rule change and the vote.

"It's 11:35 at night, and we're willing to take an item which we know is a huge public interest item, and suspend our own rules ... so that we can deal with that item without the public knowing about it," Rooker questioned.



Supervisor Ken Boyd

Rooker asked for the item to be placed on the agenda for the July meeting, but Supervisor Ken Boyd

made a motion to suspend the rules and that vote carried 4-2 with Supervisor Ann H. Mallek joining Rooker in voting against. Two separate and identical votes rescinded last week's stalemate on the bypass and established the new policy position.

Critics have said the planned roadway is already obsolete because its northern terminus is located south of the Hollymead Town Center and other commercial developments that were not present when it was designed.

Members of the Forest Lakes Community Association sent a letter to Boyd on Thursday requesting to know why he supported a project over their opposition.

"We oppose this idea, as poorly conceptualized, ineffective, undesirable, high cost and dilutive of efforts to make useful and long overdue improvements to transportation in our area," said Scott Elliff, a member of the FLCA's Board of Directors.

Morgan Butler, an attorney with the Southern Environmental Law Center, said in a statement that thousands of people have made written and public comments opposing the road.

"The board forced this vote through and changed the county's position without the public's knowledge or input," Butler said. "Regardless of one's position on the bypass, this is not the board's most shining hour. The public deserves a chance to be heard."

Next steps

The MPO Policy Board will have to take several steps in order to officially remove the language from its transportation improvement plan.

"The bypass is not in either our long-range transportation plan or our transportation improvement program," said Steven Williams, executive director of the MPO and the Thomas Jefferson Planning District Commission .

Williams said federal funding cannot be used in the project unless federal public participation rules are followed. Two public hearings are required to amend both the long-range transportation plan, and another two public hearings are required to amend the TIP.

Such hearings require an advertisement two weeks before a meeting. Williams said the MPO is considering delaying its June meeting by one week in order to follow that rule.

Additionally, Williams said a new environmental assessment would have to be performed before any federal funds could be used because the last study was conducted in 2003.

"The shelf-life [for an environmental assessment] is normally identified as five years," Williams said. "We're well past the end of that."

Williams said the MPO cannot suspend its rules as the Board of Supervisors did.

Bypass supporters Supervisors Duane Snow and Rodney S. Thomas now sit on the MPO Policy Board. At least one of the Charlottesville City Council 's representatives will have to vote to also change the language.

"This council hasn't taken a position on the Western Bypass," said Councilor Satyendra Huja . "Former councils were supporters of the bypass. I will consult with this council to see what their position is."

"We have also discussed the Eastern Connector as a way to alleviate traffic congestion, and the Western Bypass would also help local traffic," Huja added.