



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

The Authority for Transportation in Northern Virginia

March 6, 2008

The Honorable Timothy M. Kaine
Governor of the Commonwealth of Virginia
P.O. Box 1475
Richmond, VA 23218

The Honorable William J. Howell
Speaker of the House of Delegates
General Assembly Building, Room 635

The Honorable Richard S. Saslaw
Senate Majority Leader
General Assembly Building, Room 621

Dear Governor Kaine, Speaker Howell and Majority Leader Saslaw:

I am writing on behalf of my colleagues on the Northern Virginia Transportation Authority (NVTA), which met in emergency session this morning to address the situation confronting our region as a result of last week's Virginia Supreme Court decision and state actions that have significantly gutted funding for transportation. The attached resolution was approved unanimously by the Authority.

We are very appreciative of the efforts made to design a regional transportation funding package for Northern Virginia over the past several years. HB 3202 represented a gargantuan compromise that reflected the great urgency for action on transportation. If the Northern Virginia aspects of the bills had not been invalidated by the Virginia Supreme Court, they would have provided the means to make significant progress on the backlog of unmet needs that are choking our region. NVTA was – and is – prepared to move forward *this year* on a comprehensive program to address our transportation problems. Unfortunately, less than twelve months after the adoption of HB 3202, we are back where we started.

With the Supreme Court's decision, our region faces the loss of approximately \$300 million dollars in annual revenue for transportation projects. At the same time, the Virginia Department of Transportation (VDOT) has announced a 44% reduction (\$1.1 billion) in construction funds statewide. The Virginia Department of Rail and Public Transportation has announced a reduction of 10% (\$70 million) statewide. In addition, both houses of the General Assembly have reallocated \$180 million in state General Funds previously dedicated to transportation to other priorities in the budget. The cumulative effect of these actions will be devastating to both regional and local transportation construction programs in Northern Virginia (see attached list), with immediate consequences for long-awaited improvements to roads,

bridges, rail and bus services throughout the region. This, in turn, will have an adverse effect on the region's economy, which, in turn, will affect state revenues. We cannot allow this to happen.

The Northern Virginia Transportation Authority strongly urges you to move swiftly to address the needed dedicated funding for regional transportation projects. The simplest course of action would be for the General Assembly to impose the existing list of taxes and fees on the region. We are ready and fully prepared to manage these, and would be back in business quickly.

We look forward to working with you to address this critical transportation challenge.

Sincerely,



Christopher Zimmerman
Chairman

C: Members, Northern Virginia Transportation Authority
Northern Virginia Delegation, Virginia General Assembly
The Honorable P. Homer, Secretary of Transportation

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

- RESOLUTION 21-08 -

**URGING THE GENERAL ASSEMBLY
TO TAKE EXPEDITIOUS ACTION TO PROVIDE
FUNDING FOR THE
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

WHEREAS, on July 12, 2007, the Northern Virginia Transportation Authority proceeded to implement the seven taxes and fees authorized by the General Assembly in Chapter 896 of the 2007 Acts of Assembly; and,

WHEREAS, on February 29, 2008, the Virginia Supreme Court ruled that “the General Assembly may not delegate its taxing power to a non-elected body such as NVTA Therefore, such taxes and fees that NVTA has already imposed are null and void”; and,

WHEREAS, the Court’s decision invalidated the seven taxes and fees that were anticipated to raise approximately \$300 million per year for transportation projects and services in Northern Virginia;

WHEREAS, without this funding numerous highway, transit, and multimodal projects and services can not proceed; and

WHEREAS, dedicated funding for the Washington Metropolitan Area Transit Authority and the Virginia Railway Express that the region has worked for years to achieve has also been eliminated; and

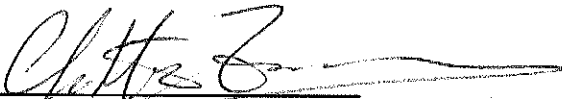
WHEREAS, delaying these projects will result in increased construction costs and congestion;


NOW THEREFORE BE IT RESOLVED THAT the Northern Virginia Transportation Authority:

urges the General Assembly to act expeditiously before adjourning the 2008 Session to implement the seven taxes and fees previously authorized for the Northern Virginia in Chapter 896 of the 2007 Acts of Assembly at the state level or provide alternative funding strategies; and

urges the General Assembly to provide increased transportation funding for all modes from a stable, reliable, and permanent source(s) to address Northern Virginia’s and the Commonwealth’s transportation needs, including maintenance, not covered by any regional transportation funding packages that might be adopted.

Adopted by the Northern Virginia Transportation Authority on this 6th day of March 2008.

By: 
Chairman

Attest: 
Vice Chairman

**Statement of Principles Regarding the Proposed Transportation Plan in
the General Assembly
Adopted February 2007**

The Northern Virginia Transportation Authority (NVTA), Northern Virginia Transportation Commission and the Northern Virginia Regional Commission appreciates the efforts made during the General Assembly session to provide a permanent dedicated source of funding for transportation in order to meet the Commonwealth's future economic competitive needs. We believe that this is a step toward a workable solution. At their meetings on February 1, 2007, the NVTA, NVTC and NVRC will affirm their support for the following principles that will guide them in assessing transportation legislation in the General Assembly:

1. The legislation must provide significant increases in transportation funding for all modes from a stable, reliable, and permanent source(s).
2. Transportation is a state responsibility, and therefore, enactment of new Northern Virginia transportation revenue sources must include a substantial state financial commitment. Any regional/local funding effort should include a broad array of options for choosing among a number of revenue sources.
3. NVTA opposes the devolution of the secondary road systems to counties as proposed. Such action shifts funding responsibilities from the state to the local tax base and home owners associations and will lead to a disparity in the level of road maintenance around the Commonwealth.
4. NVTA does not support language that requires the local government and NVTA to consult with General Assembly members when selecting projects to be funded with new Northern Virginia revenues. There are General Assembly members on NVTA, and the TransAction 2030 Long Range Transportation Plan, adopted unanimously by all nine local governments in the region, already prioritizes Northern Virginia investments.
5. Any change in the existing land use authority of local governments should also be based on a deliberative, consultative process and must include the ability to deny development on the basis of inadequate public facilities.

Further, NVTA respectfully calls on the General Assembly to:

- A. Provide a fair share of funding for Northern Virginia in the statewide package.
- B. Limit the use of General Fund dollars, so as to protect current and future funding for core state obligations, such as K-12, higher education, public safety and human services.
- C. Allocate bond funds to all modes, including transit capital, based on the Transportation Trust Fund formula. *In the substitute for HB 3202, the proposed \$2.0 Billion in bonds are being allocated only to highways.*
- D. Continue to match federal interstate and primary road earmarks with state funds, not shift this responsibility to Northern Virginia regional funds.
- E. Provide an on-going revenue stream of at least \$50 million in capital funding for the Washington Metropolitan Area Transit Authority (WMATA) with no sunset, and no federal match requirement. This will provide flexibility beyond matching federal funds, and will ensure that WMATA's on-going capital needs will be funded.

Projects Likely to Be Impacted Due to Loss of Regional and State Revenue **March 6, 2008**

Major NVTA-Funded Regional Projects Likely to be Adversely Impacted:

- Improvements to the Fairfax County Parkway, the Prince William County Parkway, and Battlefield Parkway
- Route 1 highway and transit improvement in Prince William County and Fairfax County
- Route 7 Improvements in Fairfax County and the City of Falls Church
- Route 28 Improvements in Loudoun County, Prince William County, and Manassas
- Improvements to the King Street, West Falls Church, Huntington, Rosslyn and Vienna Metrorail Stations
- Transit buses and facilities to allow for expanded service in various parts of Northern Virginia
- The Crystal City - Potomac Yards Transitway and Columbia Pike Streetcar Projects
- Route 123 improvements in the City of Fairfax
- Improvements to Manassas Drive in the City of Manassas Park
- Improvements to address impacts of the Base Realignment and Closure Commission (BRAC) actions
- \$50 million annually in dedicated funding for the Washington Metropolitan Area Transit Authority (Metro) capital improvements
 - Railcar Purchases
 - Platform Improvements
 - Unfunded Metro Matters Needs
- \$25 million annually in dedicated funding for Virginia Railway Express
 - Locomotive purchase to replace aging fleet
 - Insurance Trust Fund payment, needed to restore fund to level required by state
 - Additional service on both Fredericksburg and Manassas Lines
 - Capital project matches for federal funding

Local Projects Likely to be Adversely Impacted:¹

- City of Alexandria
 - Eisenhower Avenue Widening
 - Intersection improvements at King Street and Beauregard Street
 - DASH Bus Replacement
- Arlington County:
 - Glebe Road Bridge over Arlington Boulevard Upgrade
 - Wilson Boulevard Reconstruction between N. Oakland and Randolph Streets
 - Lee Highway and Harrison Street Intersection Improvements
 - Ballston-MU Metrorail Station West Entrance
 - Pentagon City-Hayes Street Multimodal Improvements
 - Old Dominion Drive Multimodal Improvements

¹ While VDOT has not yet indicated which specific projects will be impacted by the reductions in state formula allocations, this list represents the localities' best estimate of the projects likely to be affected, as well as those projects impacted by the loss of the 40% NVTA money.

- City of Fairfax
 - Route 50 Corridor Multimodal Improvements
- Fairfax County:
 - Telegraph Road Widening between Beulah Road and Hayfield Road (BRAC-related)
 - Rolling Road Widening between Delong and Fullerton Road (BRAC-related)
 - Pohick Road Widening between Richmond Highway and I-95
 - Lorton Road Realignment and Widening between Route 123 and Silverbrook Road
 - Franconia Road/South Van Dorn Street Interchange
 - Springfield and Engineering Proving Ground Park-and-Ride Lots
- City of Falls Church
 - Future City Center Street Improvements
 - Bus Shelters
 - Municipal Parking Garage
 - Broad Street Streetscape Improvements
 - Various Pedestrian and Bicycle System Improvements
- Town of Herndon
 - East Eldon Street Improvements
- Town of Leesburg
 - Sycolin Road Overpass
- Loudoun County
 - Route 50 Widening Project
 - Widening of the Route 15 Bypass
 - Atlantic and Pacific Boulevard Improvements
- City of Manassas
 - Traffic Signal Upgrades
 - Sudley Road Improvements
 - Liberia Avenue Improvements
- City of Manassas Park
 - Manassas Drive and Euclid Avenue Improvements
- Prince William County
 - University Boulevard construction from Sudley Manor Drive to Hornbaker Road
 - University Boulevard and Route 234 Bypass Intersection Improvements
 - Minnieville Road from Spriggs Road to Route 234
 - Dale Boulevard and Benita Fitzgerald Drive Intersection Improvements
 - Route 15 Park-and-Ride Lot (Haymarket)
 - Balls Ford Road from Rt. 234 to Rt. 234 Bypass
- Town of Purcellville
 - Main Street & Maple Avenue Intersection Improvements
 - The Southern Collector Road
- Potomac Rappahannock Transportation Commission
 - Considering ways to close a \$700,000 FY 2009 budget gap, due to lower state transit assistance levels.