

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 4, 2009

TO: MEMBERS OF THE TRANSPORTATION COMMISSION

FROM: BOB GARBACZ, DIVISION CHIEF/TRANSPORTATION, T&ES

SUBJECT: I-95/395 CORRIDOR HOT LANES UPDATE

This memorandum is to brief the Transportation Commission on the issues and status of the High Occupancy Toll (HOT) Lanes project.

By way of background, the I-95/395 HOT Lanes project is part of an emerging network of managed lanes in Virginia to enable people in single-occupant vehicles to travel in a corridor faster than the general purpose lanes. This project fulfills two decades of regional planning commitment by the State to expand the I-95/395 HOV facility from two to three lanes. The HOT Lanes concept allows the State to leverage private investment to minimize the States commitment for initial capital outlay as well as ongoing operational costs. Fluor/Transurban is financing most of the construction and operational cost of the facility and will manage the day to day operation of the HOT Lanes.

Both Alexandria and Arlington have considerable concerns about the HOT Lanes project and have requested documentation from VDOT which was never provided. Eventually these concerns were raised to Delegate David Englin and Secretary of Transportation Pierce Homer. Consequently, on August 17th VDOT announced that they were delaying the project to address local concerns and because of the bad credit market. Two days later on August 19th Arlington County filed a law suite against the HOT Lanes project. The County alleged that the mandatory National Environmental Policy Act (NEPA) procedures were not satisfied in analyzing and designing the project. Despite what was published in the paper recently, the Arlington lawsuit has not been settled.

The City has decided against joining the Arlington lawsuit at this time and believes that pursuing legislative action will be more productive. The City will be included in any settlement resulting from the Arlington lawsuit or else VDOT would be inviting a potential future lawsuit by the City. On October 27th Council passed a resolution strongly opposing the HOT Lanes project and seeking legislative action against the project. Furthermore, the City is proposing legislation that would direct VDOT to undertake any NEPA studies relating to the proposed HOT LANES project that would have been required if a categorical exclusion had not been granted.