



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Agenda item # NB1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 21, 2022

MOTION

Made By: Mr. Kasprowicz **Seconded By:** Mr. Merrill

Action: Motion carried, unanimously

Title: Action Regarding Funding for Pre-Scoping Activities for Priority Trails

WHEREAS, pursuant to Item 447.10 of Chapter 552 of the 2021 Acts of the Assembly (Special Session I, Appropriations Act), the General Assembly directed that up to \$10 million be allocated to regional trails with priority given by the Commonwealth Transportation Board (Board) to developing new regional trails, to projects to improve connectivity of existing trail networks, and to geographic diversity in the use of such funds; and

WHEREAS, subsequently, pursuant to Item 447.10 of Chapter 1 and Item 452 of Chapter 2 of the 2022 Acts of the Assembly (Special Session I, Appropriations Acts), the General Assembly appropriated a total of \$79.0 million in General Fund dollars in Fiscal Years 2022 and 2023 for the planning, development, and construction of multi-use trails throughout the Commonwealth specifying the same priorities as those cited in the 2021 legislation; and

WHEREAS, the General Assembly, pursuant to Item 452 of Chapter 2 of the 2022 Acts of the Assembly (Special Session I), directed further that \$14.0 million in funds received from the Transportation Alternatives Program pursuant to 23 USC 133(h) be set aside by the Board for regional multi-use trails; and

WHEREAS, pursuant to Item 447.10 of Chapter 1 of the 2022 Acts of the Assembly (Special Session I, Appropriation Act), the General Assembly directed the establishment of a State Trails Office to develop a State Trails Plan and State Trails Information Clearinghouse consistent with the January 2022 "Report of Virginia Multi-Use Trails Initiative" and to coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation; and

WHEREAS, while none of the foregoing Appropriations Acts prescribed funding for specific trails, during the legislative process the General Assembly considered the funding needs for several specific trails, including the Shenandoah Valley Trail, Craig Valley Trail, Peaks to Creeks Trail, Tobacco Heritage Trail, and Eastern Shore Trail (Priority Trails), and given the early project development status of each of these trails and ongoing uncertainty regarding inflation and supply chain issues, it was necessary to maintain flexibility in the commitment of resources to these trails; and

WHEREAS, allocation of funding to support project pre-scoping activities will facilitate refinement of the scope, schedule, and construction estimate for each trail without jeopardizing flexibility in the overall commitment of resources to these and other trails.

NOW THEREFORE, BE IT RESOLVED, that it is the Board's desire to utilize a portion of the General Fund dollars provided in the Appropriations Acts for multi-use trails to support initial phases of project evaluation and scoping, right of way negotiations, and pre-construction planning for the five trails previously contemplated for funding by the General Assembly.

BE IT FURTHER RESOLVED , that the Board directs up to \$1 million be provided to each of the Priority Trails, as needed, to support project evaluation and scoping, right of way negotiations, and pre-construction planning as part of approval of the revised budgets and SYIP in October

BE IT FURTHER RESOLVED, that prior to expenditure of additional funds beyond those referenced herein for these projects or the initiation of right of way or construction activities, the scope of work and cost estimate for each trail shall be presented to the Board with a request for an additional allocation.

BE IT FURTHER RESOLVED, that the Board directs the Commissioner of Highways to take all actions necessary to effectuate the Board's intent as described herein.

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CTB Decision Brief

Action Regarding Funding for Pre-Scoping Activities for Priority Trails

Issue: The General Assembly has directed use of General Fund dollars and other federal dollars to support the planning, development, and construction of multi-use trails in throughout the Commonwealth and has identifies certain priority trails. Pre-scoping activities to facilitate refinement of the scope, schedule, and construction estimate for each of the priority trails is necessary but given the early project development status of each of these trails and ongoing uncertainty regarding inflation and supply chain issues, it is necessary to maintain flexibility in the commitment of resources to these trails.

Facts: In Item 447.10 of Chapter 552 of the 2021 Acts of the Assembly (Special Session I, Appropriations Act), the General Assembly directed that up to \$10 million be allocated to regional trails with priority given by the Commonwealth Transportation Board (Board) to developing new regional trails, to projects to improve connectivity of existing trail networks, and to geographic diversity in the use of such funds. Subsequently, pursuant to Item 447.10 of Chapter 1 and Item 452 of Chapter 2 of the 2022 Acts of the Assembly (Special Session I, Appropriations Acts), the General Assembly appropriated a total of \$79.0 million in General Fund dollars in Fiscal Years 2022 and 2023 for the planning, development, and construction of multi-use trails throughout the Commonwealth specifying the same priorities as those cited in the 2021 legislation. The General Assembly, pursuant to Item 452 of Chapter 2 of the 2022 Acts of the Assembly (Special Session I), directed further that \$14.0 million in funds received from the Transportation Alternatives Program pursuant to 23 USC 133(h) be set aside by the Board for regional multi-use trails.

Pursuant to Item 447.10 of Chapter 1 of the 2022 Acts of the Assembly (Special Session 1, Appropriation Act), the General Assembly directed the establishment of a State Trails Office to develop a State Trails Plan and State Trails Information Clearinghouse consistent with the January 2022 "Report of Virginia Multi-Use Trails Initiative" and to coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation.

While none of the foregoing Appropriations Acts prescribed funding for specific trails, during the legislative process the General Assembly considered the funding needs for several specific trails, including the Shenandoah Valley Trail, Craig Valley Trail, Peaks to Creeks Trail, Tobacco Heritage Trail, and Eastern Shore Trail (Priority Trails). Given the early project development status of each of these trails and ongoing uncertainty regarding inflation and supply chain issues, it was necessary to maintain flexibility in the commitment of resources to these trails.

Allocation of funding to support project pre-scoping activities will facilitate refinement of the scope, schedule, and construction estimate for each trail without jeopardizing flexibility in the overall commitment of resources to these and other trails.

Recommendations: The proposed resolution expresses the Board's desire to utilize a portion of the General Fund dollars provided in the Appropriations Acts for multi-use trails to support initial phases of project evaluation and scoping, right of way negotiations, and pre-construction

planning for the five Priority Trails previously contemplated for funding by the General Assembly.

Specifically, it is recommended that up to \$1 million in General Fund dollars, as needed, be provided to each of the Priority Trails, to support project evaluation and scoping, right of way negotiations, and pre-construction planning as part of approval of the revised budgets and SYIP in October 2022. Prior to expenditure of additional funds beyond those referenced herein for these Priority Trails or the initiation of right of way or construction activities, the scope of work and cost estimate for each trail will need to be presented to the Board with a request for an additional allocation.

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to allocate up to \$1 million in General Fund dollars, as needed, to the five priority trails in the Revised FY2023-2028 Six-Year Improvement Program to be presented to the Board for approval in October 2022.

Result, if Approved: If the resolution is approved, in October, 2022, the Board will be presented with a request to approve allocations of up to \$1 million in General Fund dollars, as needed, for each of the five Priority Trails in the Revised FY2023-2028 Six-Year Improvement Program.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: None