



COMMONWEALTH of VIRGINIA
Commonwealth Transportation Board

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Chairman

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Agenda item # 8-B

**RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD**

March 14, 2012

MOTION

**Made By: Mr. Rich Seconded By: Mr. Layne
Action: Motion Carried, Unanimously**

**Title: Limited Access Control Changes and Land Use Permit, Interstate 64
Albemarle County**

WHEREAS, Interstate 64 (I-64) was designated as a Limited Access Highway by the State Highway Commission of Virginia, predecessor to the Commonwealth Transportation Board (CTB), on October 4, 1956; and,

WHEREAS, the Commonwealth acquired certain limited access control easements from various landowners as part of State Highway Project 0064-002-102, PE-105, G-304, P-404; and,

WHEREAS, the Rivanna Water and Sewer Authority (RWSA) is requesting accommodation of RWSA's proposed Ragged Mountain Dam Project by approval of a land use permit to [install a culvert lining under I-64](#) to connect the Ragged Mountain Reservoir to a future pool on the southwest side of I-64; and to shift the limited access control for Interstate 64, along the eastbound and westbound lanes in the vicinity of Mile Post 116, for the resulting rise in the existing normal reservoir elevation by ultimately 42 feet, causing the reservoir boundary to inundate portions of the I-64 limited access right of way; and,

WHEREAS, the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA) have reviewed RWSA's proposed plans to mitigate impacts to the I-64 embankment from the increase in the reservoir's surface elevation, and determined there should be no adverse affect to the safety or operation of I-64; and,

WHEREAS, VDOT and FHWA have determined that the said [proposed shifts of limited access control](#) in the vicinity of Milepost 116, lying along the eastbound lanes of the I-64 southwest proposed right of way and limited access line, beginning from a point approximately 260 feet opposite approximate Station 2262+00, to a point approximately 220 feet opposite
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approximate Station 2272+00; and lying along the westbound lanes of the I-64 northeast proposed right of way and limited access line, from a point approximately 350 feet opposite approximate Station 2266+00; thence to a point approximately 175 feet opposite approximate Station 2267+00; thence to a point and tying into the I-64 northeast proposed right of way and limited access line approximately 170 feet opposite approximate Station 2272+00, are appropriate from a design standpoint; and,

WHEREAS, the County, by letter dated March 1, 2012, supports the said limited access control changes (LACC) to accommodate the Ragged Mountain Dam Project; and,

WHEREAS, VDOT's Culpeper District has determined that as there will be no impact to the operation of the I-64 right of way; that the said LACC are appropriate from a safety and traffic control standpoint, and has waived the requirement for a Global Traffic Analysis; and,

WHEREAS, the RSWA provided numerous opportunities for public involvement and comments in the consideration of the Ragged Mountain Dam Project, and held a public hearing on October 19, 2011, which included the proposed work associated with I-64; and,

WHEREAS, on June 5, 2006, the City of Charlottesville formally approved the Ragged Mountain Dam Project as presented at the said public hearing; and,

WHEREAS, on June 7, 2006, Albemarle County voted to approve the Ragged Mountain Dam Project, as presented at the said public hearing, as the preferred alternative future water supply for the Albemarle County and Charlottesville communities; and,

WHEREAS, given these considerations, the Virginia Department of Transportation (VDOT) has determined that the economic, social, and environmental effects of the proposed Ragged Mountain Dam Project have been sufficiently examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed; and,

WHEREAS, VDOT and the FHWA staff have agreed that there will be no adverse environmental impacts to the I-64 right of way; and,

WHEREAS, all right of way, engineering, construction, and necessary safety improvements, and facilities constructed within the I-64 right of way for the Ragged Mountain Dam Project shall meet all VDOT standards and requirements; and,

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WHEREAS, all project costs, including of right of way, design, engineering construction, operation and all necessary safety improvements, are entirely funded as part of the Ragged Mountain Dam Project through the RWSA; and,

WHEREAS, no compensation shall be due to the Department in consideration of the proposed LACC, due to the public benefit of the Ragged Mountain Dam Project, and that there shall be no enhancement to the value of the adjoining land as a result of the said LACC, as determined by the State Director Right of Way and Utilities Division; and,

WHEREAS, upon approval of the said LACC by the CTB, a Joint Use Agreement will be executed between VDOT and RWSA for the said use of the portions of the I-64 right of way by the Ragged Mountain Reservoir Dam Project, resulting in the issuance of a land use permit to the RWSA; and,

WHEREAS, upon completion of the said proposed work within the right of way of I-64 and acceptance by VDOT, all work, roadway construction, improvements and equipment will become or remain the property of RWSA or VDOT, as previously determined by the said Agreement; and,

WHEREAS, RWSA shall be responsible for any and all costs relating to the proposed RWSA facilities, its maintenance and the use of or effects to the I-64 right of way relating to the Ragged Mountain Dam Project in perpetuity; and,

WHEREAS, the proposed LACC is in compliance with Title 24, Section 30, Chapter 401 of the Virginia Administrative Code; and,

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of §33.1-58 of the Code of Virginia (1950), as amended, the CTB hereby finds and concurs in the determinations made herein, and approves the said Land Use Permit and LACC as aforesaid for the public benefit of the Albemarle County and Charlottesville communities, subject to the above referred to conditions, and those of the said permit and Joint Use Agreement, and in accordance with the statutes of the Commonwealth of Virginia, and in the CTB policies. The Commissioner of Highways is hereby authorized to execute any and all documents needed to comply with this resolution.

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