



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairman

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 17, 2015

MOTION

Made By: Mr. Garczynski, Seconded By: Mr. Dyke

Action: Motion Carried, Unanimously

Title: Limited Access Control Changes (LACCs), Route 267 (Dulles Toll Road), Fairfax County and Route 267 Extended (Dulles Greenway), Loudoun County

WHEREAS, the Federal Aviation Administration (FAA), on behalf of the United States of America, acquired property, designed and built the Dulles Airport Access Road (DAAR), from I-495 to the Washington Dulles International Airport to serve airport users; and

WHEREAS, the FAA specifically restricted the number and specifically determined the location of points of public access and egress for the said DAAR; and

WHEREAS, the United States of America, by and through the Secretary of Transportation, leased the Property for the DAAR to the Metropolitan Washington Airports Authority (MWAA), by lease dated March 2, 1987, therefore, assuming the activities formerly of the FAA; and

WHEREAS, the Virginia Department of Highways and Transportation, predecessor to the Virginia Department of Transportation (VDOT), entered into an agreement with the FAA on January 10, 1983, to construct, reconstruct, operate and maintain a limited access toll road (Dulles Toll Road [DTR]) along the DAAR corridor; and

WHEREAS, Route 267, between Interstate 66 and Interstate 495, in Fairfax County, was designed and built as Federal Highway Project 34-5(6) by the United States Department of

Transportation, FAA, and was designated as a Limited Access Highway as a design feature of the project; and

WHEREAS, the State Highway and Transportation Commission, predecessor to the Commonwealth Transportation Board (CTB), by Resolution dated August 20, 1981, and the CTB by Resolution dated October 26, 1988, approved the location and design features of the DTR, now designated as Route 267, including its designation as a limited access highway in Fairfax County; and

WHEREAS, Toll Road Investors Partnership II, LP (TRIP II) owns and operates a toll road that serves as an extension of Route 267, known as the Dulles Greenway (Greenway), from Route 28 at Washington Dulles International Airport to Route 7/15 in the Town of Leesburg under the terms of the Virginia Highway Corporation Act of 1988 (the Act); and

WHEREAS, the CTB by Resolution dated July 20, 1989 approved the application of Toll Road Corporation of Virginia (precursor to TRIP II) to build the Dulles Greenway under the Act; and

WHEREAS, pursuant to the terms of the Act, a Certificate of Authority to build and operate the Greenway was issued to TRIP II by the State Corporation Commission on June 6, 1990 and is currently set to expire on December 31, 2099; and

WHEREAS, the CTB by Resolution dated June 21, 1991, approved the location and design features of the Greenway, including its designation as a Limited Access Highway in Loudoun County; and

WHEREAS, due to the construction of 11.4 miles extension of the Washington Metropolitan Area Transit Authority (WMATA's) Metrorail system in the Northern Virginia's Dulles Corridor from the existing Wiehle-Reston Station to a terminus near Route 772 in eastern Loudoun County, MWAA, TRIP II and VDOT have identified and requested various proposed shifts to the right of way and/or limited access control along Route 267 (DTR and Greenway) as shown on the plan drawings for said Project and specifically described as:

Route 267 (Dulles Toll Road), DRAWING FIG-N07-R-004, being a proposed southerly shift of the limited access control along the northern side of Route 267 (DTR) westbound, beginning at a point 156.46 feet opposite Station 447+08.27 (WB DIAAH baseline) and tying into the existing limited access control at a point 156.51 feet opposite station 449+09.85 to accommodate the construction of the proposed Traction Power Substation (TPSS) #12; and

Route 267 (Dulles Toll Road), DRAWING FIG-N08-R-002, being a proposed southerly shift of the limited access control along the southern side of Route 267 (DTR)

eastbound, beginning at a point 285.33 feet opposite Station 485+87.84 (EB DIAAH baseline) and tying into the existing limited access control at a point 192.85 feet opposite Station 491+47.43, to accommodate the location of the proposed Tie Breaker Station (TBS) #6 and the Storm Water Management (SWM) Pond #2-4A; and

Route 267 (Dulles Toll Road), DRAWING FIG-N09-R-003, being a proposed northerly shift of the limited access control along the southern side of Route 267 (DTR) eastbound, beginning at a point 202.52 feet opposite Station 590+02.86 (EB DIAAH baseline) and tying into the existing limited access control at a point 158.50 feet opposite Station 596+60.26, to accommodate the location of the proposed TPSS #14 and the SWM Ponds #2-6C and #2-6C2; and

Route 267 (Dulles Greenway), DRAWING FIG-N96-R-005, FIG-N97-R-001, FIG-N97-R-002, FIG-N97-R-003, being a proposed southerly shift of the limited access control along the southern side of the Greenway eastbound, beginning at a point 67.58 feet opposite Station 108+40.24 (EB Greenway baseline) and tying into the existing limited access control at a point 79.46 feet opposite Station 135+09.05, to accommodate future widening of the Greenway and construction of the piers for the Guideway straddle bents; and

WHEREAS, the design of the proposed rail alignment and the train control facilities have been coordinated with Fairfax and Loudoun County's Comprehensive Plans, and VDOT's SYIP, and does not preclude any planned improvements; and

WHEREAS, VDOT will review the plans provided by the consultant to ensure that the said proposed access from within limited access controlled right of way, as aforesaid, to include any safety improvements, as required, is appropriate from a design, safety and traffic control standpoint subject to further review and approval; and

WHEREAS, VDOT has determined that the requirements for a global traffic analysis, locality support, environmental and air quality conformity review, and public notices separate from those made for the said Metrorail Project, as set forth in Title 24, Section 30, Chapter 401 of the Virginia Administrative Code, were documented in the Amended Record of Decision issued by the Federal Transit Administration dated November, 2006; and **furthermore, the proposed limited access control changes contained herein do not significantly impact the operations of the DATR and the Greenway; and**

WHEREAS, VDOT has determined that the requirements for the compensation in consideration of the said proposed access shall not be required as the access is to accommodate a public transportation project; and

WHEREAS, all right of way, engineering, construction, and necessary safety improvements shall meet all requirements included in 23CFR 625; and

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WHEREAS, all costs of engineering and construction, including all necessary safety improvements will be borne by MWAA; and

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

WHEREAS, upon completion and acceptance of the said proposed access by VDOT, all work, roadway construction, improvements and equipment will remain the property of the Commonwealth or become the property of the FAA, as appropriate, with land rights and maintenance responsibilities within Route 267 remaining as previously defined.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of Sections 33.2-310 and 33.2-401 of the *Code of Virginia* the CTB hereby finds and concurs with the determinations set forth herein and approves the said access for Dulles Metrorail facilities, for public street and other transportation purposes as set forth, pending the approval of same by MWAA, and subject to the above referred to conditions and restrictions.

BE IT FURTHER RESOLVED, the Commissioner of Highways is authorized to execute any and all documents necessary to implement such changes.

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