

The Route 29 Bypass: Far from a Done Deal

A Strategy Update from the Southern Environmental Law Center



Rick Middleton
Founder and
Executive Director



Morgan Butler
Leader, Charlottesville
Land & Community
Project



Trip Pollard
Leader,
Land & Community
Program

Q: Can you give a brief history of the proposed 29 Bypass? How did we get to where we are today?

VDOT was proposing a Route 29 bypass around Charlottesville 25 years ago. It was a huge issue for this community even then, and a number of different routes were studied. VDOT and the federal government ultimately chose the route closest to the city—the very same route we are talking about today.

But back then, the plan wasn't to build the bypass immediately. Studies showed that over 90 percent of traffic on the 29 corridor was local, so the bypass would do virtually nothing to alleviate congestion. So the state decided to pursue a "sequencing approach" that put higher priority on more effective solutions. First, Route 29 would be widened (which happened). Second, overpasses would be built at three key intersections, including Hydraulic Road and Rio Road. Third, they would build the Meadowcreek Parkway. *If and only if* those things failed to reduce traffic on 29 would they build the bypass. Albemarle, Charlottesville, and UVA entered into an agreement supporting this sequencing approach.

Fast-forward a few years. The state suddenly revoked the sequencing approach, ended design and development of the overpasses, and made the bypass a high priority. That's when SELC got heavily involved.

In 1998, we filed a lawsuit to stop construction of the bypass. We argued that VDOT had failed to look at critical issues, especially the impacts to our local drinking water reservoir. The federal court agreed with us that more work needed to be done. The visibility of our lawsuit helped to get accurate information into the public's hands, which catalyzed the existing widespread local opposition. In connection with one VDOT public hearing, more than 7,000 comments opposing the project were received. Our local Metropolitan Planning Organization (MPO) changed its transportation plans to prevent the road from being built.

SELC, concerned citizens, and the state then turned our attention to actively pursuing more effective alternatives, such as overpasses and parallel roads. Over the past decade, we have all been seeking public input; building consensus

among decision-makers; and designating and accruing funds for these solutions. Then suddenly, out of the blue, a majority of the Albemarle County Board of Supervisors revived the dormant project this summer and aggressively pushed it forward with incomplete information and little respect for public input.

Q: Our local leaders have approved the bypass. Does that mean it's a done deal?

No, absolutely not. The road must be approved at the local, state, and federal levels before it can be built. As of today, our local MPO and the state have approved it. But the critical federal review and decision-making process has a long way to go. SELC's law and policy experts will play a central role in ensuring that the federal government meets all necessary requirements.

Q: What has to happen at the federal level for the bypass to move forward?

The federal government's role is extremely significant. Before federal funding can flow, a project has to go through a review process legally mandated under the National Environmental Policy Act, and other federal permits will be necessary. Before signing off on a project, the government must have good information about what impacts the road will have on the environment, community, and public health—and the decision-makers must take a hard look at alternatives to ensure a sound decision. Public participation is critical throughout the process.

Q: Didn't the bypass already go through the federal approval process?

Partially—but the data is now seriously outdated. The original environmental impact study is 18 years old. Land use has changed dramatically on 29 North, and the traffic analysis in the existing studies is way out of date and unreliable. Models for measuring air quality have improved. And there's new evidence and research about the impacts of air pollution on the health of children who live or go to school near a major roadway. None of this has been analyzed. There is much work to be done.

(Continued on Reverse)



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Q: What role will SELC play in the federal phase?

SELC attorneys will ensure that the federal government's review is thorough and that the agency has updated information on the ineffectiveness of the bypass, the long list of negative community impacts, and the availability of better alternatives before a decision is made. Instead of relying on government consultants to inform the process, SELC will provide our own information using experts to help fill important gaps in the record. If the required process works as it's supposed to, decision-makers will conclude that this project makes no sense.

Q: What can be done locally to stop this road?

The key is the Charlottesville-Albemarle Metropolitan Planning Organization, or MPO. This is a joint transportation decision-making body of the City of Charlottesville, Albemarle County, and VDOT. Its five members include two city councilors, two county supervisors, and one representative from VDOT. They are central to the decision-making process because a project can't get federal funding unless it is included in the MPO's transportation plans. The MPO had kept construction funding from being allocated to the bypass since the mid-1990s.

The sudden and unfortunate push to revive the bypass this summer resulted in the MPO's transportation plans being changed to allow construction funding to go to the bypass. The MPO's vote was 3-2, with city representatives opposing it, county representatives supporting it, and VDOT casting the deciding vote. But just as the MPO changed the plans, it can change them back—it has the power to reverse its bad decision and stop this road. This is unlikely unless the Board of Supervisors first changes its stance and instructs its two MPO representatives to reverse this summer's vote. Charlottesville and Albemarle citizens must continue to make their opposition known.

Q: If we don't build the bypass, how will we solve traffic problems on Route 29?

For the last decade, this community has worked hard to advance smarter, long-term solutions to the traffic on Route 29. A number of major studies have shown that the best

solutions focus on addressing the sources of congestion in a corridor rather than short-sighted attempts to try to build new bypasses around it. The two most important things we can do to alleviate traffic on Route 29 are: 1) Build overpasses at the busiest intersections along Route 29; and 2) complete a series of parallel roads along the corridor, including Hillsdale Drive and Berkmar Drive Extended.

Q: Will building the bypass derail these alternatives?

Although the state assured our local officials that it would fund a set of other improvements if they would support the bypass, the MPO ultimately signed off on a number of vague and unenforceable commitments. Even worse, SELC's transportation expert found that building the bypass will likely make it much more complex and costly to build Berkmar Drive Extended—a key project

necessary for reducing congestion on Route 29. And, in these tough fiscal times, the nearly \$200 million in additional bypass funding the state approved this summer makes it very unlikely that our region will see other meaningful transportation funding in the foreseeable future.

Q: Why is SELC opposed to the 29 bypass?

This is an environmental issue, to be sure—the road will impact air and water quality, increase sprawl, and encourage damaging development patterns. But bigger than that, this is a community issue. This road is everything we don't want. It will go through our watershed, it will cut through beautiful western Albemarle countryside, it will blast through a mountain, and it will run adjacent to six schools and the University of Virginia's North Grounds. Where there is now a forest around the Darden School, there will be an

open, flat space with a triple-decker interchange that will forever change the entryway to this community. Worse, the bypass won't work. It won't alleviate local traffic, and it won't serve as a meaningful bypass for through traffic, including drivers from Lynchburg and Danville. And if it does turn out to do more to speed through traffic, it will bring thousands of additional trucks through Charlottesville every day. Finally, it's extremely expensive: roughly \$40 million per mile, based on conservative estimates. It's an example of bad government and terrible decision making, and it will severely damage the unique character of this community we all love.

