



December 21, 2011

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Jack Marshall
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phone (434) 974-6390
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Irene Rico, Division Administrator
Ed Sundra, Planning and Environmental Manager
Federal Highway Administration
400 North 8th St., Suite 750
Richmond, VA 23219-4825

Dear Ms. Rico and Mr. Sundra,

Re: Rt. 29 Western Bypass in Charlottesville/Albemarle County

I am writing on behalf of the 330-member grassroots nonpartisan organization Advocates for a Sustainable Albemarle Population (ASAP) to

Advisory Council

Diana Abbott
Gib Akin
Jim Bonner
Whitman Cross
Nick Evans
John Hermsmeier
Laura Horn
Tom Olivier
John Stack
Al Weed
Jane Williamson
Andy Wright

(a) confirm that many in the Charlottesville/Albemarle community are dismayed with the decision to build the Rt. 29 Bypass, and

(b) urge you to ensure that a thorough environmental review of the proposed project is completed.

The list of opponents to the proposed bypass is long, and the reasons for opposition are diverse and detailed. ASAP has repeatedly argued before the Albemarle County Board of Supervisors and the Charlottesville/Albemarle Metropolitan Planning Organizations that ***the proposed bypass is the wrong road, in wrong place, at the wrong time, for the wrong price.*** Rather than repeat the myriad reasons for our (and others') opposition, in this letter we simply urge you to undertake a thorough environmental review of the proposed project. We trust that an objective, fact-based assessment of the environmental costs—particularly when coupled with an honest estimate of the fiscal costs—will leave little doubt that the project should be rejected.

Office Administrator

Clare Ranigan
phone: (434) 872-0044

3570 Brinnington Road
Charlottesville, VA 22901

www.ASAPnow.org

Section 1502.9 of the NEPA regulations states that Environmental Impact Statements (EISs) that are more than 5 years old "should be *carefully reexamined* (my emphasis) to determine if the criteria in Section 1502.9 compel preparation of an EIS supplement." The Final EIS on this project will soon be 19 years old. The Supplemental EIS, which evaluated only impacts on cultural resources and the South Fork Rivanna Reservoir, is nearly 9 years old. ***A new and comprehensive Supplemental EIS is essential.***

Section 1502.9(c) of the NEPA regulations state that if there have been substantial changes in a proposed action that is relevant to environmental concerns, or if there is significant new information relevant to environmental concerns and having a bearing on the proposed action or its impacts, *a supplemental EIS must be prepared* (my emphasis) for an old EIS so that the agency has the best possible information to make any necessary substantive changes in its decisions regarding the proposal. The proposed bypass qualifies on the grounds of significant new circumstances and information. Nearly 19 years of development has occurred, all completed with the understanding that the proposed bypass would not be built.

The consideration of alternatives is an important part of any environmental review. The primary traffic data that has been relied upon in the NEPA documentation to determine and

compare the effectiveness of various alternatives in meeting the project purpose and need was assembled prior to the Final EIS nearly two decades ago and is long past being reliable or valid. That data must be updated and the comparison redone. In addition, less than a year ago the Albemarle County Board of Supervisors passed, unanimously, a transportation and land use master plan called Places 29. That plan was developed after extensive staff work and public involvement. The transportation component of that plan must be evaluated as an alternative to the proposed bypass.

We intend to stay engaged and serve our members while your environmental review proceeds. We expect to see an Environmental Analysis (EA) conclude that a new Supplemental EIS must be prepared.

Sincerely,

Jack Marshall, Ph.D.
President,
Advocates for a Sustainable Albemarle Population

Cc: Sean Connaughton, Secretary of Transportation
Richard L. Walton, Jr., Chief of Policy and the Environment, Virginia Department of Transportation
Harold Jones, P.E. , Virginia Department of Transportation, Culpeper District, Location & Design Section
Albemarle County Board of Supervisors
Charlottesville City Council
Commonwealth Transportation Board
Stephen Williams, Director, Charlottesville-Albemarle Metropolitan Planning Organization