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National, State and Regional Citizens Groups Join Suit To Block Massive I-81 Widening

Seven citizens' organizations – National Trust for Historic Preservation, Scenic Virginia, APVA Preservation Virginia, Virginia Organizing Project, Valley Conservation Council, Rockbridge Area Conservation Council and Sierra Club – Thursday joined a federal lawsuit to block plans to widen I-81 to eight or more lanes throughout most of western Virginia.

The new parties to the lawsuit join Larry Allamong, a Shenandoah County farmer, the Shenandoah Valley Network and the Coalition for Smarter Growth in a legal action lodged on December 17, 2007 in U.S. District Court for the Western District of Virginia in Charlottesville.

The 10 plaintiffs are asking the court to prevent the Federal Highway Administration (FHWA) from allowing the Virginia Department of Transportation (VDOT) to move forward with the I-81 expansion project until the agencies have corrected the plan's fundamental flaws.

"Expanding I-81 would bury some of the nation's most important historic and cultural resources—including some 1,238 acres of Civil War battlefields—under a sheet of asphalt, and would also lead to dramatically increased heavy truck traffic through the pristine landscape of the Shenandoah Valley," said Richard Moe, president of the National Trust for Historic Preservation.

"The National Trust for Historic Preservation encourages the Virginia Department of Transportation to reopen its planning process and take a closer look at less costly, less destructive alternatives to massive widening," he said.

The plaintiffs object to the plan's emphasis on widening the highway to the exclusion of less costly and more efficient alternatives that have been endorsed by local governments and citizens groups throughout the corridor.

VDOT's plan would widen I-81 to eight to 12 lanes through most of the state, a project that would cost Shenandoah Valley residents, businesses and American taxpayers an estimated \$11.4 billion. VDOT plans to use tolls to pay for the project.

"We believe that the tiered planning process for improving I-81 has been deeply flawed," stated Elizabeth Kostelny, Executive Director of APVA Preservation Virginia. "By refusing to examine all of the impacts now, as required by federal law, the plan limits improvement options and forecloses on alternatives that would be less destructive to the region's unique historic and cultural resources," she said. In 2006, APVA Preservation Virginia named the I-81 corridor one of Virginia's Most Endangered Sites.

The lawsuit asserts that the plan's concept for I-81 "will result in significant, irreversible, adverse effects on natural, scenic, cultural, historic and ecological resources, communities and property owners." It notes that VDOT's plan for I-81 would destroy 7,400 acres of developed land; 1,062 acres of prime farmland; between 1,600 and 2,400 residences; 662 businesses; 1,238 acres of Civil War battlefields; 33 acres of wetlands; 361 acres of floodplains; 23 miles of streams; and 13 threatened or endangered species.

“The I-81 corridor contains acres and acres of our Commonwealth’s most beautiful vistas and viewsheds,” said Scenic Virginia Executive Director Leighton Powell. “We oppose the sacrifice of these valuable scenic resources for a road plan based on incomplete information that fails to consider rail options and other thoughtful alternatives. The last thing Virginians need or want is a tolled highway on the scale of the New Jersey Turnpike roaring through the cities, towns and countryside of the Shenandoah Valley and southwest Virginia.”

The I-81 expansion plan remains very much alive, despite VDOT’s announcement in January that it had broken off contract negotiations with Kellogg Brown & Root (KBR), the primary contractor behind the \$13 billion “STAR Solutions” proposal to build a tolled truckway on the corridor.

VDOT filed a “Toll Pilot Application” with the FHWA in 2006 that is now pending. If approved, it would make I-81 the only existing interstate in the country built with tax dollars that was later subject to tolls for routine maintenance and improvements. The threat of unreasonably high I-81 tolls led state lawmakers to approve legislation this month to prohibit any tolls on the corridor without express approval from the General Assembly.

Virginia Organizing Project Chairperson Janice “Jay” Johnson said “opposition to the wasteful plan for I-81 is diverse and broad-based. Shenandoah Valley legislators, local governments, business and farm groups, conservation and community groups all reject the \$11 billion widening project as much too large, costly and destructive to the region’s economy and environment.”

At the Valley Conservation Council, “the I-81 plan represents the largest land use issue of our time in the Shenandoah Valley,” said Executive Director John Eckman. “It impacts everything we care about, our communities, farms, forests, open space, battlefields and other cultural resources,” he said.

Plan Forecloses on Less Costly, More Efficient Alternatives

A series of low-cost, low-impact alternatives for improving I-81, dubbed “Reasonable Solutions,” was endorsed in 2006 by localities and civic organizations throughout the region, including Augusta, Rockingham, Shenandoah, Clarke and Albemarle counties, the city of Roanoke, the towns of Front Royal, Toms Brook, New Market, Edinburg and Mt. Jackson, and 22 civic groups. Reasonable Solutions advocates a balanced mix of improvements to I-81, including spot safety improvements for the roadway’s trouble areas and greater freight diversion from trucks to rail.

In July, Norfolk Southern announced plans for a \$2 billion rail upgrade along the Crescent Corridor from New York to Texas that will divert one million trucks from I-81, including 750,000 trucks in Virginia, up to 25 percent of the current total in the state. A state study of the potential for diverting up to 60 percent of I-81 through truck freight to rail, mandated by the General Assembly, is due this spring.

Plaintiff Organizations:

The **Shenandoah Valley Network** links citizens groups in seven counties working on land use, land protection and transportation issues. (www.shenandoahvalleynetwork.org)

The **Coalition for Smarter Growth** works to ensure that transportation and development decisions accommodate growth while revitalizing communities, providing more housing and travel choices, and conserving our natural and historic areas. (www.smartergrowth.net)

The National Trust for Historic Preservation, with headquarters in Washington, DC, nine regional and field offices, 29 historic sites, including Belle Grove Plantation in Frederick County, and partner organizations in all 50 states, provides leadership, education, advocacy and resources to a national network of people, organizations and local communities committed to saving places, connecting us to our history and collectively shaping the future of America's stories. (www.nationaltrust.org)

Scenic Virginia is the sole statewide organization working to preserve, protect and enhance the scenic beauty and community character of the Commonwealth. (www.scenicvirginia.org)

APVA Preservation Virginia is dedicated to preserving and promoting the state's irreplaceable historic structures, landscapes, collections, communities and archaeological sites, ensuring the vitality of Virginia's distinctive heritage, resulting in cultural, economic and educational benefits for the public by providing leadership, expertise, influence, policy, programs and services to the public and special audiences. (www.apva.org)

The **Virginia Organizing Project**, a statewide social justice organization, has three offices and more than 1,500 members on the I-81 corridor. VOP works to empower local people to challenge injustice and improve the quality of their lives. (www.virginia-organizing.org)

The **Valley Conservation Council**, based in Staunton, serves 11 counties along the I-81 corridor and works to promote land use that sustains the farms, forests, open spaces, and cultural heritage of the Shenandoah Valley region of Virginia. (www.valleyconservation.org)

The **Sierra Club** is the oldest conservation organization in the U.S. **The Virginia Chapter** has approximately 17,000 members throughout Virginia working to build healthy, livable communities, and to conserve and restore our natural environment. (virginia.sierraclub.org)

Rockbridge Area Conservation Council promotes wise stewardship of natural and cultural resources through education, advocacy, and action in order to protect and enhance the quality of life for present and future inhabitants of Rockbridge County. (<http://organizations.rockbridge.net/racc/>)

Also on the web:

Reasonable Solutions: A Six Point Plan for the Future of I-81:

www.shenandoahvalleynetwork.org/images/i81/reasonablesolutions.html

Virginia Department of Transportation I-81 website: www.i-81.org

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