COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Agenda item # 9

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

June 24, 2025

MOTION

Made By: Mr. Davis**, Seconded By:** Mr. Good
Action: Motion Carried, Unanimously

Title: Transportation Partnership Opportunity Fund Allocation for the I-64 Exit 211 Interchange Improvement Project in New Kent County.

WHEREAS, Chapter 847 of the 2005 Acts of Assembly created the Transportation Partnership Opportunity Fund (TPOF) to provide funds to address the transportation aspects of economic development opportunities; and

WHEREAS, Chapter 684 of the 2015 Acts of Assembly and Chapter 1230 of the 2020 Acts revised the TPOF, adding components of the Commonwealth Transportation Fund as a funding source and codifying the TPOF as § 33.2-1529.1 of the *Code of Virginia*; and

WHEREAS, Chapters 546 and 547 of the 2023 Acts of Assembly (Acts) amended § 33.2-1529.1, establishing a new statutory process:

1. Authorizing the Governor to direct funds from the TPOF to the Commonwealth Transportation Board (CTB) for transportation projects determined to be necessary to support major economic development initiatives or to enhance the economic development opportunities of the Commonwealth's transportation programs when recommended by the Secretary of Transportation and the Secretary of Commerce and Trade;
2. Expanding the uses of the TPOF to allow for property acquisition and new or improved infrastructure to support economic development opportunities of the Commonwealth's transportation programs; and

3. Requiring that if funds directed by the Governor are (i) in excess of $5 million dollars, the Secretary of Transportation is to submit a report to the Chairmen of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations within 30 days, and (ii) in excess of $35 million dollars on any one project, the direction shall be submitted for review to the Major Employment and Investment Project Approval Commission for approval; and

WHEREAS, on June 21, 2023, the CTB approved revised TPOF Guidelines and Criteria, incorporating the changes to §33.2-1529.1, as amended by the Acts; and

WHEREAS, the Secretary of Transportation and the Secretary of Commerce and Trade have recommended that the Governor direct $20 million from the TPOF to the CTB for allocation to the I-64 Exit 211 Interchange Improvement Project to support the associated development activities in New Kent County; and

WHEREAS, to address the transportation needs of the New Kent City Center and Farms of New Kent development opportunities, New Kent County and VDOT have developed a project (Project) with an estimated cost of $94 million to (i) construct a new two-lane bridge, adjacent to the existing bridge, to carry Route 106 traffic over I-64 to facilitate a Diverging Diamond Interchange; (ii) widen and realign I-64 ramps to add capacity and tie into Route 106 improvements; and (iii) construct a shared use path for the length of the Project along Route 106; and

WHEREAS, this Project is vital to the future growth of New Kent County and the economic growth of New Kent County and Virginia as a whole; and

WHEREAS, the Governor has directed $20 million from the TPOF to the CTB for allocation in support of this Project.

NOW THEREFORE, BE IT RESOLVED, by the Commonwealth Transportation Board, that the $20 million in TPOF funding directed by the Governor is hereby allocated to the I-64 Exit 211 Interchange Improvement Project to support the needs of the associated economic development activities.

BE IT FUTHER RESOLVED, by the Commonwealth Transportation Board, that VDOT will administer the project, entering into the project administration agreements with New Kent County, the Central Virginia Transportation Authority, and Buc-ee's for additional contributions to the Project.

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CTB Decision Brief

Transportation Partnership Opportunity Fund Allocation for the I-64 Exit 211 Interchange Improvement Project in New Kent County.

Issue: The Governor has directed $20 million from the Transportation Partnership Opportunity Fund (TPOF) to the Commonwealth Transportation Board (CTB) pursuant to § 33.2-1529.1 of the *Code of Virginia* for allocation to the I-64 Exit 211 Interchange Improvement Project in New Kent County (Project). The direction of funds has been recommended by the Secretaries of Transportation and Commerce and Trade and CTB allocation of said funds to this Project is sought to support the needs of associated economic development activities.

Facts: Chapter 847 of the 2005 Acts of Assembly created the Transportation Partnership Opportunity Fund (TPOF) as a source of financing to support major economic development initiatives or to enhance the economic development opportunities of the Commonwealth's transportation programs. Chapter 684 of the 2015 Acts of Assembly and Chapter 1230 of the 2020 Acts revised the TPOF, adding components of the Commonwealth Transportation Fund as a funding source and codifying the TPOF as § 33.2-1529.1 of the *Code of Virginia*.

Chapters 546 and 547 of the 2023 Acts of Assembly (Acts) amended § 33.2-1529.1, establishing a new statutory process:

1. Authorizing the Governor to direct funds from the TPOF to the Commonwealth Transportation Board (CTB) for transportation projects determined to be necessary to support major economic development initiatives or to enhance the economic development opportunities of the Commonwealth's transportation programs if recommended by the Secretary of Transportation and the Secretary of Commerce and Trade;
2. Requiring that if funds directed by the Governor are (i) in excess of $5 million dollars, the Secretary of Transportation shall submit a report to the Chairmen of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations within 30 days, and (ii) in excess of $35 million dollars on any one project, the direction shall be submitted for review to the Major Employment and Investment Project Approval Commission for approval; and
3. Expanding the uses of the TPOF to allow for property acquisition and new or improved infrastructure to support economic development opportunities of the Commonwealth's transportation programs.

On June 21, 2023, the CTB approved revised TPOF Guidelines and Criteria, which had been revised to render them consistent with §33.2-1529.1, as amended by the Acts.

Pursuant to § 33.2-1529.1 (C.2), the Governor has directed $20 million from the TPOF to the CTB for allocation to the I-64 Exit 211 Interchange Improvement Project in New Kent County. This Project, in its support of associated economic development activities, is vital to the future growth of New Kent County and the economic growth of New Kent County and Virginia as a whole.

- New Kent County and the Virginia Department of Transportation (VDOT) have developed this Project to address the transportation needs of the New Kent City Center and Farms of New Kent development opportunities.
- The Project, which will be administered by VDOT, includes:
    - construction of a new two-lane bridge, adjacent to the existing bridge, to carry Route 106 traffic over I-64 to facilitate a Diverging Diamond Interchange;
    - widening and realignment of I-64 ramps to add capacity and tie into the Route 106 improvements, which will provide additional capacity by taking the roadway from a three-lane undivided roadway to a four-lane divided roadway; and
    - construction of a shared use path generally along the west side of Route 106 for the length of the project.
- The Project is estimated to cost $94 million. In addition to the TPOF funding directed by the Governor, SMART SCALE District Grant Program funds have been allocated to the Project. Further, New Kent County, the Central Virginia Transportation Authority (CVTA) and Buc-ee's will be making additional contributions to the Project.

Pursuant to § 33.2-1529.1 (C.2) and the TPOF Guidelines and Criteria, the Secretary of Transportation will submit a report to the Chairmen of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations regarding the Governor's direction of this TPOF funding to the CTB.

Recommendations: That the CTB (i) allocate the $20 million directed by the Governor from the TPOF to the CTB pursuant to § 33.2-1529.1 to the I-64 Exit 211 Interchange Improvement Project in New Kent County, and (ii) direct that VDOT will administer the project, entering into the project administration agreements with New Kent County, the CVTA and Buc-ee's for additional contributions to the project. .

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to allocate the funds.

Result, if Approved: The TPOF funds will be used as directed by the Governor and recommended by the Secretary of Transportation and the Secretary of Commerce and Trade.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: None