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HOT lane designs frustrate officials

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By [URIAH A. KISER](#)

Published: February 11, 2009

Transit officials from Northern Virginia are not happy with the current plan to build High Occupancy Toll lanes from Woodbridge to the Pentagon.

At a Wednesday night meeting at the Potomac and Rappahannock Transportation Commission, executive director Al Harf called the proposed design of the lanes "scary." He said that when he posed questions to the Virginia Department of Transportation about how the lanes will be managed, the "silence has been deafening."

The proposed HOT lanes will allow drivers to pay a toll—reportedly as much as a dollar per mile—to get out of traffic and move faster.

If built, they will replace the current HOV lanes that run on Interstate 95 and 395 from Dumfries to the Pentagon.

HOV users—people with three or more in a car— will still be able to use the lanes for free.

Closed-door dealing

But the project has long been plagued by accusations of closed-door dealings between VDOT and the company that is slated to build, operate and maintain the lanes—Australia-based Flour-Transurban.

As the company is already building HOT Lanes on a portion of the Virginia Beltway, Harf cited a closed-door agreement that could potentially cost taxpayers \$1 million.

Like HOV users on I-95/395, motorists will be able to use the beltway lanes for free once they are completed. But according to Harf, if too many HOV users flood the new lanes, Virginia agreed to offset any revenue loss Flour-Transurban may experience—to the tune of \$1 million over 75 years.

Harf said there are no such plans to reimburse Flour-Transurban on the proposed I-95/395 lanes—yet.

And then there is what the agency calls inherent design flaws on the proposed

I-95/395 lanes.

Right now, those lanes are being built as two separate projects.

The northern plan will extend the express lanes south from Dumfries to Va. 610 in North Stafford. That plan also calls for squeezing a third lane into the existing express lanes to accommodate more traffic.

The southern portion, which has a tentative completion date of 2014, will take the lanes from Stafford County south to Massaponax.

But it is that third lane has officials concerned, because there are no plans to widen the road for the new lane.

"We have been beating the drum for months that narrowing the lanes will raise the number of accidents on the roadway," said Harf. "It seems all that we have been getting from them is the same position of 'build it our way or don't build it at all.' "

Commuter breakdow

Harf maintains that if a commuter bus breaks down in one of those slimmer lanes, the bus will not have enough shoulder room to sit comfortably and wait for help—ultimately encroaching on an open travel lane, he said.

The stalled bus will slow traffic and force the closure of one of the lanes, which in turn will drive up PRTC's operating costs, he said.

"Slow traffic can add as much as five minutes to a bus trip, and while five minutes doesn't sound like much, when you take that five minutes and multiply that by the about 100 trips we have per day times the 250 days we operate per year, that comes out to be a pretty big number," said Harf.

But those concerns have yet to be addressed by the state, he said, and have prompted more worries from nearby Fredericksburg.

"When those types of questions about the northern section of the project are going unanswered that doesn't bode well for the southern section," said Matthew Kelley, who represents Fredericksburg on the PRTC board.

VDOT has yet to officially say how much it will cost drivers to use the lanes if they are built, only that the company will charge a per-mile fee that will fluctuate with traffic conditions.

They also have not said what if any guarantees have been made to maintain a working speed limit in times of heavy traffic.

Staff writer Uriah A. Kiser can be reached at 703-878-8065.

Reader Reactions

Posted by (bugmenot) on February 11, 2009 at 11:04 pm

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HOT lane widths are causing concerns toll-lane parking

HOT Lanes width, tolls bring questions at public hearing in Dumfries

Date published: 2/10/2009

By KELLY HANNON



FL-S Customer Care

The newest Honda Civic is 5 feet 9 inches wide. A 2009 Toyota Sienna minivan is 6 feet 4 inches wide. A new Ford F-150 pickup is 6 feet 5 inches wide.

All would fit neatly inside an 11-foot-wide travel lane on Interstate 95.

But is that lane wide enough to carry buses?

Several people asked that question last night at a public hearing for a proposed toll lane project on I-95/395 from the Pentagon to Garrisonville Road.

Squeezing three lanes into the existing median space will require shrinking some lanes to a width of 11 feet for a three-mile stretch.

The Potomac and Rappahannock Transportation Commission runs commuter buses in the current HOV lanes. PRTC's OmniRide and Metro Direct buses are all 8 feet 5 inches wide.

From Eads Street at the Pentagon to Shirlington, a distance of three miles, each toll lane would be 11 feet wide, with a variable shoulder on one side of 2 feet to 9 feet and another shoulder ranging from 8 feet to 9 feet.

Sen. George Barker, D-Prince William, told the audience at Potomac High School in Dumfries that transportation commissions in Northern Virginia have told him they are concerned about safety.

Barker said the narrower lanes are "a disaster waiting to happen."

Most toll lanes would be wider than 11 feet. From Shirlington to the Prince William Parkway, a distance of 17 miles, a 12-foot center lane will be flanked by two 11-foot lanes. A 10-foot shoulder would be on the right, and a 12.5-foot shoulder on the left.

All toll lanes from the Prince William Parkway to Garrisonville Road would be 12 feet wide, with 12-foot shoulders on both sides.


Two companies are working with the Virginia Department of Transportation to determine if they can convert the two High Occupancy Vehicle lanes running along the center of I-95 into three toll lanes over a distance of 28 miles.

A later phase of the project would build two new toll lanes another 28 miles south to Spotsylvania.

To help ease afternoon traffic at the Garrisonville Road exit, one toll lane will be built early in the Fredericksburg area. A 9-mile, single-lane extension will be built from Dumfries to Exit 143 as part of the project's northern section.

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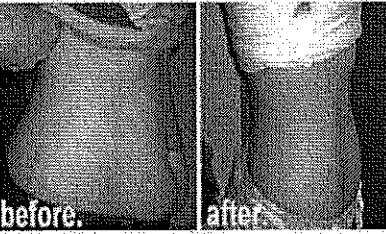
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Toll lanes on I-95 will come with money for public transit along the interstate--

The New York Times



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February 19, 2009

E.P.A. Expected to Regulate Carbon Dioxide

By **JOHN M. BRODER**

WASHINGTON — The Environmental Protection Agency is expected to act for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which most likely would play out in stages over a period of months, would have a profound impact on transportation, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and climate change legislation in Congress and form a basis for the United States' negotiating position at United Nations climate talks set for December in Copenhagen.

The environmental agency is under order from the Supreme Court to make a determination whether carbon dioxide is a pollutant that endangers public health and welfare, an order that the Bush administration essentially ignored despite near-unanimous belief among agency experts that research points inexorably to such a finding.

Lisa P. Jackson, the new E.P.A. administrator, said in an interview that she had asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding. Ms. Jackson said she had not decided to issue such a finding but she pointedly noted that the second anniversary of the Supreme Court decision, Massachusetts v. E.P.A., is April 2, and there is the wide expectation that she will act by then.

"We here know how momentous that decision could be," Ms. Jackson said. "We have to lay out a road map."

She took a first step on Tuesday when she said that the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson suggested that the E.P.A. was considering additional measures to regulate heat-trapping gases. The White House signaled that it fully supported Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case.

Ben LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to Carol M. Browner, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding "consistent with its obligations under the recent Supreme Court decision." She also said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the

regulatory authority of the executive branch to reduce emissions that contribute to global warming.

Mr. LaBolt said the White House would not interfere with the agency's decision-making process.

If the environmental agency determines that carbon dioxide is a dangerous pollutant to be regulated under the Clean Air Act, it would set off one of the most extensive regulatory rule makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and said that she was trying to devise a program that allayed these worries.

"We are poised to be specific on what we regulate and on what schedule," Ms. Jackson said. "We don't want people to spin that into a doomsday scenario."

Even some who favor an aggressive approach to climate change said they were wary of the agency's asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not designed to regulate ubiquitous substances like carbon dioxide. Using the law, they say, would capture carbon emissions from new facilities, but not existing ones, blunting its impact. They also believe that a broader approach that addresses all sectors of the economy and that is fully debated in Congress would be better than a regulatory approach that could drag through the courts for years.

The finding and proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

"What we are likely to see is an interplay of authorities, some new, some existing," she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell, the Michigan Democrat who has long championed the interests of the auto industry, said that the regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the agency's regulatory power to address global warming. Mr. Barrasso called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates, however, said the E.P.A.'s action was long overdue, but added that it was only as a stopgap until Congress passed comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the Sierra Club, a plaintiff in the Supreme Court case.

But, Mr. Bookbinder added, Congressional action is preferable to the agency's acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions," he said. "Trying to address climate change via a series of rule makings from E.P.A. is a distant second best."

As Ms. Jackson navigates the complexities of carbon regulation, she will be advised by Lisa Heinzerling, a

former law professor at Georgetown who wrote the winning Supreme Court briefs in Massachusetts v. E.P.A. Ms. Heinzerling is now the agency's lead attorney for global warming matters.

Jeffrey R. Holmstead, the former head of the agency's office of air and radiation, said that a finding of endangerment from emissions of heat-trapping gases did not initiate immediate regulation but started a clock ticking on a process that typically took 18 months to two years.

"Potentially, it's a huge mess, not only for E.P.A. but for state regulatory agencies, because the Clean Air Act is second only to the Internal Revenue Code in terms of complexity," said Mr. Holmstead, now director of environmental strategies at the law firm Bracewell & Giuliani.

He said that under the clean air law any source emitting more than 250 tons of a declared pollutant would be subject to regulation, potentially including schools, hospitals, shopping centers, even bakeries, which has prompted some critics to call it the "Dunkin' Donuts rule."

But Mr. Bookbinder and other supporters say the regulations can be written to exempt these potential emitters. Ms. Jackson said that there was no timetable for issuing regulations governing carbon emissions and that her agency would not engage in "rash decision making."

But she also said that the Supreme Court decision obliged her to act.

"It places E.P.A. square in the center of the discussion on climate and energy," Ms. Jackson said. "People are waiting."

The headline and summary accompanying an earlier Web version of this article misstated the immediate impact of the E.P.A. review taking place.

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