



## **For Immediate Release**

Contact: Megan Gallagher, SVN, 540-253-5162, cell 540-272-0348  
Stewart Schwartz, CSG, 703-599-6437

# **Valley Resident & Citizens Groups File Suit To Block I-81 Tolls & Excessive Widening**

## **Cite Failure to Include Comprehensive Multistate Rail Alternative and Harm to Valley Communities, Historic Resources and Environment**

A Shenandoah County resident and a coalition of conservation groups working in the northern Shenandoah Valley filed suit December 17 in federal district court to prevent the Virginia Department of Transportation and the Federal Highway Administration from implementing a plan to widen I-81 to eight or more lanes, an expansion to be funded by federal funds and tolls on cars and trucks.

Larry Allamong, a Fishers Hill farmer, joined with the Shenandoah Valley Network and the Coalition for Smarter Growth in the complaint lodged in US District Court for the Western District of Virginia in Charlottesville. Additional plaintiffs are expected to sign on to the suit. The plaintiffs are asking the court to prevent VDOT and FHWA from moving forward with the project until the agencies have corrected the plan's fundamental flaws.

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 citizens and local governments 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 Valley residents, businesses and American taxpayers an estimated \$11.4 billion.

The lawsuit also 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.

Allamong owns 32 acres on the west side of I-81, including a portion of Ramseur's Hill, an important feature of the Fisher's Hill Civil War battlefield. Like thousands of other landowners along the interstate, he stands to lose his property under the plan, which calls for expanding I-81 to at least eight lanes between Edinburg and Interstate 66.

"It's crazy that they want to turn I-81 into another New Jersey Turnpike for interstate trucks," Allamong said. "I grew up in Shenandoah County and plan to live here for the rest of

my life so the land and the history here mean a lot to me. I'm all for keeping this idiocy from ruining Fishers Hill and the Shenandoah Valley."

### **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.

Norfolk Southern CEO Wick Moorman recently summed up the case for more rail: "It's a lot easier and a lot faster to tack on another track to a railroad than to add another lane to a highway," he said, "If there is a good solution that costs between \$2 and \$3 billion and takes a few years and an \$11 billion solution that takes a lot longer, then maybe reason prevails at the end of the day." (Speech to Richmond World Affairs Council, December 5, 2007)

"VDOT is discounting rail freight just when it seems more viable and critically necessary, given rising energy costs," said Rosemary Wallinger, president of the Shenandoah Forum citizens group in Shenandoah County.

Megan Gallagher, director of the Shenandoah Valley Network, agreed. "Valley residents support immediate safety improvements to I-81, which have been identified since 1998, but they see no need to rush into costly and excessive highway widening at the expense of balanced and diverse options, with far fewer impacts at far less cost."

However VDOT's final plan for I-81 would pursue widening exclusively, funded by tolls, while eliminating rail and a composite of other solutions as legal options as the project moves forward.

### **Failure to Evaluate Historic Resources**

The Shenandoah Valley Battlefields Foundation has been working to protect the Fisher's Hill battlefield and six others that lie along the interstate. Foundation Executive Director Howard J. Kittell said that his group shares the plaintiffs' concern that the plan has made decisions about widening that will lead to the destruction of historically important private and public property without first evaluating the impact of the widening on the Valley's historic resources.

"Last year, the Battlefields Foundation joined with others throughout the Valley in endorsing 'Reasonable Solutions' because we believe that I-81 can be improved with minimal

impact to the region’s historically important landscapes,” said Kittell. “We are concerned that VDOT has now foreclosed on the only improvement options that will accomplish this goal.”

### **Local Governments Concerned about VDOT Plans**

Local governments this fall expressed their alarm with VDOT’s final plan for I-81. In October, the Shenandoah County Board of Supervisors asked Governor Tim Kaine to make VDOT revisit its plans for I-81 to give greater consideration to rail freight diversion and the other options. In a letter to Kaine the county stated that “widening I-81 in Shenandoah County is incompatible with our land use plans and should only be considered when every other less costly and destructive option has been considered. The current I-81 (plan) does not provide that level of reasonable analysis.”

Augusta County Board of Supervisors Chairman Nancy Sorrells said she is extremely concerned about VDOT’s I-81 plan. “The citizens and businesses of Augusta County and western Virginia could be saddled with a tax increase of more than \$11 billion to build a road that could be extremely damaging to our economy and our communities,” she said.

The chairmen of three Boards of Supervisors—Sorrells, William Kyger of Rockingham and Dick Neese of Shenandoah—recently asked members of Congress from the Valley to get confirmation from the FHWA that a delay in long-term planning for I-81 will not impact short-term safety improvements for the highway.

### **FHWA and VDOT are Foreclosing Options Supported by the Facts and the Public**

VDOT’s plan for widening I-81 was approved by the Federal Highway Administration in their Record of Decision in June. FHWA then issued a notice in the Federal Register establishing a 180-day deadline for legal challenge, closing on December 17. The plaintiffs are concerned that decisions incorporated in the Record of Decision could be used to exclude less harmful and less costly alternatives at later stages of the project.

“Our first preference was not to file a lawsuit, but we had no choice,” said Stewart Schwartz, Executive Director of the Coalition for Smarter Growth. “We believe that if we did not file a legal challenge now, VDOT’s current plan would foreclose other viable alternatives for addressing traffic—alternatives supported by local jurisdictions, citizens, and businesses—which would minimize the harm to communities, historic resources, the economy, and the environment in the Shenandoah Valley and throughout the I-81 corridor.”

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### **ON THE WEB:**

Shenandoah Valley Network: [www.shenandoahvalleynetwork.org](http://www.shenandoahvalleynetwork.org)

Coalition for Smarter Growth: [www.smartergrowth.net](http://www.smartergrowth.net)

Virginia Department of Transportation I-81 website: [www.i-81.org](http://www.i-81.org)

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