



Central Virginia Transportation  
Planning Organization  
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cvpdc.org

November 16, 2023

The Honorable W. Sheppard Miller, III  
Secretary of Transportation  
Patrick Henry Building  
1111 East Broad Street  
Richmond, VA 23219

Dear Secretary Miller:

The city of Lynchburg, the town of Amherst, and the counties of Amherst, Bedford, and Campbell comprise the Central Virginia Transportation Planning Organization. Councilors, supervisors, and managers of these local governments convene regularly to guide transportation policy and prioritize projects in accordance with their federal mandate as an MPO. The staff of the Central Virginia Planning District Commission provides staff support, technical assistance, and planning expertise to the CVTPO Policy Board.

The CVTPO is following the 2023 SMART SCALE Process Review with interest. We commend the Commonwealth Transportation Board and its staff from the Office of Intermodal Planning and Investment for scrutinizing past performance of SMART SCALE to advance the program motto, “funding the right transportation projects in Virginia.” We appreciate that the process must evolve and that consensus around changes will be difficult to achieve and we applaud the CTB and its staff for hearing concerns from local governments regarding the proposed application cap and adjusting accordingly.

We encourage the CTB and its staff to afford heightened consideration to projects developed through regional consensus to address regional goals and to yield efficiencies that Secretary Shep Miller seeks. More specifically, we offer two points of feedback that will both enhance the SMART SCALE program and improve its consistency with applicable law.

First, the opening paragraphs of HB2 provide that “the Commonwealth Transportation Board shall develop, in accordance with federal transportation requirements, and in cooperation with metropolitan planning organizations... a statewide prioritization process for the use of funds allocated pursuant to the §§ 33.2-358, 33.2-370 (High-Priority Project Program), and 33.2-371 (District Grant Program) or apportioned pursuant to 23 U.S.C. § 104.”

The federal Infrastructure Investment and Jobs Act of 2021 mirrors HB2’s language requiring inclusion of MPOs in such processes in Subsection 11109.(a)(3): “Local Consultation.” MPO involvement might help SMART SCALE’s Land Use scoring methodology to better align with local priorities and desired outcomes. Land-use planning is the exclusive purview of local governments in Virginia.

Second, Virginia Code defines High-Priority Project eligibility in § 33.2-370. Extralegal limitations on the definition of High-Priority Projects are both unnecessary and unnecessarily restrictive. We request that the CTB observe regionally significant projects as determined by regional and metropolitan planning organizations like the CVTPO. Please dismiss any prescriptive list of High-Priority Project types.

Serving Amherst, Bedford, and Campbell Counties;  
the Town of Amherst; and the City of Lynchburg.

The CVTPO thanks the CTB for its consideration of this input. You may direct follow-up inquiries to our secretary, Alec Brebner at [alec.brebner@cypdc.org](mailto:alec.brebner@cypdc.org) or 434-845-3491.

Sincerely,

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Frank Rogers, Chair, CVTPO

Wynter Benda  
Lynchburg City Manager

Jeremy Bryant, Vice-Chair  
Amherst County Administrator

Kenny Craig  
Liberty University (non-voting member)

Robert Hiss  
Bedford County Administrator

Sara McGuffin  
Amherst Town Manager

Marty Misjuns  
Lynchburg City Council

Josh Moore  
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Frank Rogers, Chair  
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John Sharp  
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Dwayne Tuggle  
Amherst Town Council

Drew Wade  
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Charlie Watts  
Campbell County Board of Supervisors

Chris Winstead  
VDOT Lynchburg Administrator