

Sept. 13, 2006

**The Honorable Timothy Kaine
Office of the Governor
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219**

Dear Governor Kaine:

I would like to thank you for your assistance in having the western district of the Virginia Department of Transportation help the factory-built housing industry in West Virginia, North Carolina, Tennessee and Virginia during the summer crisis we faced over the closure of the Interstate 77 tunnels at Big Walker and East River mountains. Through the combined cooperation of the district, VDOT, and the contractor, we were allowed limited access through the tunnels after 4 p.m. Tuesday and Thursdays and all day Friday through Labor Day. This resulted from a meeting July 11 at Wytheville, Va. I would like to acknowledge the outstanding cooperation of VDOT officials: James Givens, Jim Cline, Ken King, Quintin Elliott; Sgt. Ed Murphy of the Virginia State Police; William Childress with the permits at the Department of Motor Vehicles; and Charlie Stokes and Rocky Hedrick with Fort Chiswell Construction Corp. of Bluefield, Va. Each was present at the meeting.

Briefly, at issue is the reconstruction of these two tunnels, which we were informed would close them to our traffic for the next 2 ½ years until 2008. VDOT has offered us three alternative overmountain routes that will cost us at least an additional \$800 per moved section of our homes, “floors” in our terminology. VDOT estimates the shortest detour is 52 miles, while we figure the same detour is 70 miles. We receive an estimated 2,100 floors each year from factories in Virginia, North Carolina and Tennessee, all of which move through these tunnels. Not only will our businesses be affected by this unexpected closure – we were not consulted about these plans ahead of time – but so will factories in your state and the others. Our traffic moves only south-north through these tunnels.

With that said, I regret to inform you that the same cooperative spirit that resulted in the July 11 compromise was not present at our most recent meeting on Aug. 30. We were told the tunnels would be closed until 2008 and we should plan on using the detours. Any future use of the compromise would cost Virginia an additional \$16,780 daily, we were told without being provided details of how that number was estimated. VDOT officials said they would learn the contractors’ work schedule only a week in advance and would post it on the website each Friday afternoon. We, by checking the website, might learn if access might be allowed through the tunnels the following week. We were told the

Governor Kaine 2-2-2

construction work could not be done at night because it would be too expensive. While Mr. Givens disputes this, we were also told Virginia did not have the power to modify the contractors' work schedule. We present at the meeting were disappointed that the contractors were absent on Aug. 30. The company officials were particularly cooperative in July so we were failed to understand why they apparently were not invited to attend the latest meeting.

We had hoped for a more cooperative spirit concerning these matters, particularly with the importance Rep. Nick Rahall, Sen. Robert C. Byrd, and Rep. Shelley Moore Capito have evidenced in seeking to keep the tunnels open to our traffic. Our efforts at compromise were totally rebuffed, as were our attempts to get any information that would assist us with longterm planning, other than a flat rejection for travel through the tunnels for the next 2 ½ years and a statement that VDOT knows of the contractors' plans only a week ahead of time. It is surprising that the contractor is scheduling his work only one week in advance. You can understand, I am sure, that our shipments are planned more in advance than one week and we need additional lead-time to schedule our shipments.

I would ask that you urge VDOT to revisit this issue to see if these tunnels can be made more open to our traffic and that some longrange planning be put into effect so we could know more than a week ahead of time if we could have access to the tunnels. With Congressman Rahall's, Sen. Byrd's and Congresswoman Capito's interest in this issue, I would have thought Virginia might be more flexible in developing compromise solutions to what seems to be a blockade of interstate commerce. This is going to hurt factories in your state and the others, too. The detours are an expensive alternative for us. We understand why they might have to be used at times, but do not understand that the tunnels will be completely shut off to us until 2008.

Thank you for your time and cooperation, governor.

Sincerely,

Kevin Wilfong
Co-President