

Virginia Department of Transportation Rural Rustic Road Program Manual



Administered by the
Virginia Department of Transportation
Local Assistance Division

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Background

The Rural Rustic Road concept, first enacted by the 2002 Session of the General Assembly of Virginia, is a practical approach to paving Virginia's low volume unpaved roads. A pilot program, implemented in July 2002, demonstrated the success of this concept. It ensures that VDOT practices environmental and financial stewardship while providing basic paved access to more of Virginia's rural countryside. The 2003 Session of the General Assembly amended the legislation to provide that this method be considered as a first alternative for improving all unpaved roads in the future. The Rural Rustic Road Program, under § 33.2-332 (previously 33.1-70.1) of the Code of Virginia, became effective July 1, 2003. The Virginia Department of Transportation's Local Assistance Division working with the Rural Rustic Road Policy Committee established the initial guidelines for this program.

The Local Assistance Division, in consultation with the Location and Design Division, has periodically updated the guidelines to reflect legislative revisions to the program. During the 2006 Session, and again during the 2008 Session, the General Assembly expanded the program by increasing the maximum traffic count on eligible roads from the initial 500 vehicles per day (VPD) to the current 1,500 VPD. In addition, during its 2008 Session, the General Assembly established that the maximum speed limit for a road designated as a Rural Rustic Road, on or after July, 1 2008, is 35 MPH. The Commissioner of Highways is authorized under § 46.2-878 of the Code of Virginia to increase, or decrease, this speed limit based on an engineering study.

The 2011 General Assembly Session amended the legislation to provide additional flexibility regarding Virginia Stormwater Management Program regulations for Rural Rustic Road projects that meet certain criteria. This legislation provided that Rural Rustic Road projects placing a hard surface along the same basic alignment as the prior gravel impervious area with accompanying shoulder and drainage work are treated as routine maintenance activities for the purpose of VSMP regulations. In 2013, the Commissioner of Highways signed [VDOT Department Memorandum DM 13-2](#) for the Administration of the Unpaved Road Program. This revision of the Rural Rustic Road Program Manual incorporates changes and provides additional clarifications associated with the new Unpaved Road Program DM.

Rural Rustic Road Concept

Fundamentally, the Rural Rustic Road concept is the paving of an existing unpaved road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders, and usually the new hard-surfaced road is on the same horizontal and vertical alignment as the prior gravel impervious area. Furthermore, a focal point of the program is on leaving trees, vegetation, side slopes, and open drainage abutting the roadway, undisturbed to the maximum extent possible.

Improvements along a Rural Rustic Road project may be less than minimum design standards. AASHTO's *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)* may be used as a guide for roads with current traffic volumes up to 400 VPD. For roads with traffic volumes between 400 and 1,500 VPD, an 18-foot paved surface with 2-foot shoulders is

desirable, but not required. The District Location and Design Engineer will be consulted for the higher volume roads (over 400 VPD).

The ideal Rural Rustic Road project usually involves reshaping of the roadbed, cleaning ditches and applying a hard surface within existing right of way. In most cases, it is assumed there are no actual construction plans and therefore, few occasions when a Rural Rustic Road project would require an engineered solution. The Rural Rustic Road concept may still be used to address more significant needed improvements if deemed appropriate. However, improvements beyond those required to address specific safety issues should be weighed against their probable cost. In lieu of more costly improvements, consideration should be given to the use of appropriate warning signs as needed recognizing the program goals of minimal disturbance and providing hard surfacing at the lowest possible cost. Typical examples of when engineered solutions may be required on rural rustic roads are when alignment improvements are needed to address identified safety issues, or improvements are needed to address severe drainage and/or erosion issues. Engineered solutions should be noted on the Scoping Report (Appendix II) and will usually trigger additional requirements typical of traditional construction projects such as the requirement to have plans signed and sealed by a Professional Engineer in accordance with the Department's IIM-LD-243, as well as those requirements further detailed under the Environmental and Hydraulic Requirements. The L&D Engineer will sign the scoping report when an engineered solution is required.

Program Eligibility Criteria

The following criteria are those by which a candidate road is evaluated to determine its eligibility for hard-surfacing under the Rural Rustic Road Program. The road:

- Must be an unpaved road already within the State Secondary System.
- Must carry no more than 1,500 VPD.
- Must be a priority (line item) in the locality's approved Secondary Six-Year Plan (SSYP) if the funding source is from secondary system allocations. If secondary system allocations are not used, the project is not required to be in the SSYP. However, the applicable provisions for public involvement must be met.
- Must be used predominately for local traffic. The local nature of the road means that most motorists using the road have traveled it before and are familiar with its features.
- Must have minimal anticipated traffic growth. The County Board of Supervisors will endeavor to limit growth on roads improved under the Rural Rustic Road Program, and cooperate with VDOT through its comprehensive planning process to develop adjacent lands consistent with rural rustic road concepts.

In addition, the Board of Supervisors, by resolution, must designate the road as a Rural Rustic Road.

Planning and Approval Process

- The Residency Administrator, as described herein, is the Department's local liaison responsible for dealing with a County's Board of Supervisors regarding Rural Rustic Roads. The District Administrator may designate another local contact to serve as the coordinator with the local government.
- A candidate project is initiated when the Board of Supervisors requests the Residency Administrator to evaluate a section of road for the Rural Rustic Road Program or when the Residency Administrator reviews a new proposed unpaved road project in the locality's approved SSYP for eligibility as a Rural Rustic Road project. The comparison of unpaved road improvement options is Appendix VI of this manual.
- The Residency Administrator will consult with other technical experts as deemed appropriate to evaluate the roadway.
- Following evaluation, the Residency Administrator advises the Board of Supervisors whether the unpaved road can be hard-surfaced through the Rural Rustic Road Program. If the road is not eligible, the Board of Supervisors may appeal the decision through the Residency Administrator to the District Administrator, and ultimately the Chief Engineer for consideration by the Commissioner of Highways.
- The Board of Supervisors, by resolution, designates the road as a Rural Rustic Road. A sample resolution is Appendix III of this manual.
- The Residency Administrator notifies the District Administrator and the Regional Operations Director, that the road has been designated as a Rural Rustic Road. The Regional Operations Director, at the request of the Residency Administrator, may conduct a traffic engineering study to evaluate the road for a posted speed limit, or post the road at the 35 MPH maximum established in § 46.2-873.2 of the Code of Virginia.
- The Residency Administrator conducts a scoping meeting, as appropriate, and completes the Rural Rustic Road Program Project Scoping Report (Appendix II). An exemption has been provided for this program to utilize this scoping report instead of the traditional scoping report (PM-100).

Environmental and Hydraulic Requirements

Due to the nature of the projects developed under the Rural Rustic Road Program, they may be exempt from many environmental and stormwater related requirements and/or permits associated with typical construction projects. The Residency Environmental Specialist or District

Environmental staff (Items 1 – 6) and the District Hydraulics Section (Items 7 – 9) will be required to evaluate each project and, using the checklist in Appendix I, document whether or not the project qualifies for an exemption from each requirement category. The completed checklist, along with any supporting documentation, will become a part of the project’s file. For planning purposes, a timeframe for accomplishing each activity is indicated. Up to 150 days may be necessary in order to accomplish all of these activities.

1. Environmental Review Process (ERP) (Averages 10 days)

2. Water Quality Permits (Requires 1-135 days)

- Are not required if there are:
 - i. No streams, and
 - ii. No water bodies, and
 - iii. No wetlands.

3. Cultural Resources (Requires 7-30 days)

- Consideration of cultural resources is not required if:
 - i. No water quality or other federal permits are involved; and
 - ii. Project is not located within a Rural Historic District listed in the Virginia Landmarks Register and/or the National Register of Historic Places, or within one of the Civil War Battlefields identified in the *Update to the Civil War Sites Advisory Commission’s Report on the Nation’s Civil War Battlefields* (National Park Service, American Battlefield Protection Program, 2009), the *Study of Civil War Sites in the Shenandoah Valley of Virginia* (National Park Service, 1992), or any formal updates from the American Battlefield Protection Program to that documentation. As of June, 2011, there are 25 such Rural Historic Districts (in Albemarle, Bedford, Clarke, Fauquier, Franklin, Giles, Grayson, Hanover, King George, Loudoun, Louisa, Montgomery, Orange, Southampton, Tazewell and Warren Counties, and the City of Chesapeake) and 122 such Civil War Battlefields in Virginia. The locations of these rural historic districts and battlefields are included in VDOT’s Environmental GIS system.

4. Threatened and Endangered Species (Requires 30-135 days)

- A database search on the Department of Game and Inland Fisheries and the Department of Conservation and Recreation Natural Heritage websites must be conducted by Environmental staff for all projects.
- No further coordination is required if there are:
 - i. No water quality permits, and
 - ii. No threatened and endangered species identified in collections on the databases.

5. Agricultural and Forestal Districts (Requires 90-150 days)

- No coordination is required if there will be:
 - i. No purchase of right-of-way, and
 - ii. No exchange of right-of-way for work performed by VDOT. Straight donation of right-of-way is acceptable.

6. **Hazardous Materials** (Requires variable amount of time)
 - No coordination is required if there is no obvious signs of contamination within the project vicinity.

7. **Virginia Stormwater Management Program (VSMP) Construction Permit Coverage** (Requires 60-90 days)
 - Is not required if:
 - i. There is grading or excavating (earthwork or manipulation of roadway surface or shoulders) that results in a total land disturbance of less than one acre (2,500 square feet in a designated Chesapeake Bay Preservation Area), or
 - ii. The work meets the criteria to be classified as routine maintenance as described in § 10.1-603.8 of the Code of Virginia and this manual. Rural Rustic Road projects that involve the paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders are deemed routine maintenance by the Code of Virginia and are therefore exempt from the requirements of the VSMP Regulations and coverage under the VSMP Construction Permit. Projects will be considered meeting the “routine maintenance” definition when all of the following conditions are met:
 1. The proposed paved area will approximate the existing compacted gravel area, and
 2. There will be no changes to the existing horizontal or vertical alignment, and
 3. Roadside ditch work will only be performed as necessary to reestablish existing line, grade or hydraulic capacity, provide positive drainage or address safety concerns, and
 4. Drainage pipe work will only be performed as necessary to extend existing structures, replace structurally deficient structures or address safety concerns.
 - Rural Rustic Road projects that cannot be classified as “routine maintenance” and disturb one acre (2,500 square feet in a designated CBPA) or greater must obtain coverage under the VSMP General Permit For Discharges Of Stormwater From Construction Activities (the Construction Permit). The latest version of IIM-LD-242 provides information on the process for applying for coverage under the VSMP Construction Permit.

8. **Erosion and Sedimentation Control (ESC) Plan and Stormwater Pollution Prevention Plan (SWPPP), including Minimum Standard 19** (Requires variable amount of time)
 - Is not required if there is land disturbance of less than 10,000 square feet (2,500 square feet in the area defined as Tidewater Virginia in the Chesapeake Bay Preservation Act).
 - Rural Rustic Road projects that disturb 10,000 square feet (2,500 square feet in localities defined as Tidewater, Virginia in the Chesapeake Bay Act) or greater must have a project specific ESC Plan and SWPPP and must comply with VDOT’s Approved ESC and SWM Standards and Specifications. The ESC Plan must also be designed, reviewed, implemented and inspected by DCR certified personnel. The latest version of IIM-LD-

11 and 246 provides information on the requirements for an ESC Plan, a SWPPP and certification requirements.

- **Minimum Standard (MS) 19**

Onsite drainage facilities on Rural Rustic Road projects are only improved as necessary to reestablish existing line, grade or hydraulic capacity, provide positive drainage or address safety concerns. As a result, the Rural Rustic Road projects will be considered meeting MS19 provided all of the following criteria are met:

- The proposed paved area will approximate the existing compacted gravel area.
- There will be no changes to the existing horizontal or vertical alignment.
- Roadside ditch work will only be performed as necessary to reestablish existing line, grade or hydraulic capacity, provide positive drainage or address safety concerns.
- Drainage pipe work will only be performed as necessary to extend existing structures, replace structurally deficient structures or address safety concerns.
- Post development characteristics of the stormwater run-off (i.e., peak rates of flow, volume and velocity) leaving the project site will, as nearly as practicable, mimic or improve pre-development characteristics.
- There will be no increase in the number of concentrated flow discharge points and the existing drainage patterns between the concentrated flow discharge points will remain unchanged.

Projects not meeting the above criteria must address MS19 for onsite drainage facilities by:

1. Providing adequate (10 year design capacity), or
2. Requesting a project specific variance from DCR.

Instructions for requesting a project specific variance can be found in the latest version of IIM-LD-11.

Off site receiving channels must be verified to be adequate for the post development stormwater run-off in accordance with MS19. The latest version of IIM-LD-195 provides additional information on the documentation requirements to verify receiving channel adequacy.

9. Stormwater Management (SWM) Plan (Post Construction) (Requires variable amount of time)

- Is not required if:
 - i. There is total land disturbance of less than one acre (2,500 square feet in a designated Chesapeake Bay Preservation Area), or
 - ii. The work meets the criteria to be classified as routine maintenance as described in this manual.
- Rural Rustic Road projects that cannot be classified as “routine maintenance” and disturb one acre (2,500 square feet in a designated CBPA) or greater must comply with the requirements of the VSMP Regulations and must have a project specific post development SWM Plan that addresses both water quality and quantity requirements, as applicable. The latest version of IIM-LD-195 provides additional information on determining water quantity and quality requirements and the development of a post development SWM Plan.

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Appendix I

Environmental and Hydraulics Requirements Checklist

Virginia Department of Transportation
Rural Rustic Road Program
Environmental and Hydraulic Review Requirements Checklist

UPC	Route	County	
State Project Number	Exempt? (Y/N)	If Not Exempt, Date Completed	Initials
1. Environmental Review Process (ERP)			
2. Water Quality Permits			
3. Cultural Resources			
4. Threatened and Endangered Species			
5. Agricultural and Forestal Districts			
6. Hazardous Materials			
7. Virginia Stormwater Management Program (VSMP) Construction Permit			
8. Erosion and Sedimentation Control (ESC) Plan and Stormwater Pollution Prevention Plan (SWPPP), including Minimum Standard 19			
9. Stormwater Management Plan (Post Construction)			

Date Completed: _____

Upon completion, this checklist is to be placed in project file.

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Appendix II
Rural Rustic Road Program Project Scoping Report

Virginia Department of Transportation Rural Rustic Road Program Project Scoping Report

Project Information			
Date			
UPC	District	Residency	County
Route	Street Name		FHWA 534#
State Project Number			In SSYP? (Y/N)
Termini From: To:			
Project Length (miles)		Traffic Count (VPD) and Year	
Existing Right-Of-Way Width (feet)		Fee Simple or Prescriptive Right-of-Way	
Existing Geometrics			
Roadway Width (feet)	Shoulder Width (feet)	Ditch Width (feet)	
Proposed Geometrics			
Roadway Width (feet)	Shoulder Width (feet)	Ditch Width (feet)	
Project Purpose and Need			
Project Narrative (Include summary information on whether exemptions from Environmental and Hydraulic Requirements are anticipated, and whether alignment and/or hydraulic changes are proposed that require an engineered solution.)			
County's Rural Rustic Road Resolution Approval Date			Engineering Solution Required?
<input type="checkbox"/> If ADT is over 400 vpd, District Location & Design Engineer has been consulted			
Estimate, Funding and Schedule			
PE	RW	CN	TOTAL
Funding Source		Planned Advertisement Date	
Scope Recommendation			
Residency Administrator (or Designee)			Date
District Location & Design Engineer (if Engineering Solution Required)			Date
Scope Approval			
District Administrator (or Designee)			Date

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Appendix III

Sample Board of Supervisors Resolution

The Board of Supervisors of _____, in regular meeting on the _____ day of _____, 20_____, adopted the following:

RESOLUTION

WHEREAS, Section 33.2-332 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of _____, Virginia (“Board”) desires to consider whether (*show State Route number and street name*) Route _____, From: _____ To: _____ should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

A Copy Teste:

Moved By:

Seconded By:

Yeas:

Nays:

Signed

Printed Name

Title

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Appendix IV

Rural Rustic Road Program Legislation

§ 33.2-332. Requesting Department of Transportation to hard-surface secondary highways; paving of certain secondary highways within existing rights-of-way; designation as Rural Rustic Road.

A. Whenever the governing body of any county, after consultation with personnel of the Department, adopts a resolution requesting the Department to hard-surface any secondary highway in such county that carries 50 or more vehicles per day with a hard surface of width and strength adequate for such traffic volume, the Department shall give consideration to such resolution in establishing priority in expending the funds allocated to such county. The Department shall consider the paving of highways with a right-of-way width of less than 40 feet under this subsection when land is, has been, or can be acquired by gift for the purpose of constructing a hard-surface highway.

B. Notwithstanding the provisions of subsection A, any unpaved secondary highway that carries at least 50 but no more than 750 vehicles per day may be paved or improved and paved within its existing right-of-way or within a wider right-of-way that is less than 40 feet wide if the following conditions are met:

1. The governing body of the county in which the highway is located has requested paving of such highway as part of the six-year plan for the county under § 33.2-331 and transmitted that request to the Commissioner of Highways; and
2. The Commissioner of Highways, after having considered only (i) the safety of such highway in its current condition and in its paved or improved condition, including the desirability of reduced speed limits and installation of other warning signs or devices; (ii) the views of the residents and owners of property adjacent to or served by such highway; (iii) the views of the local governing body making the request; (iv) the historical and aesthetic significance of such highway and its surroundings; (v) the availability of any additional land that has been or may be acquired by gift or other means for the purpose of paving such highway within its existing right-of-way or within a wider right-of-way that is less than 40 feet wide; and (vi) environmental considerations, shall grant or deny the request for the paving of such highway under this subsection.

C. Notwithstanding the provisions of subsections A and B, the governing body of any county, in consultation with the Department, may designate a highway or highway segment as a Rural Rustic Road, provided such highway or highway segment is located in a low-density development area and has an average daily traffic volume of no more than 1,500 vehicles per day. For a highway or highway segment so designated, improvements shall utilize a paved surface width based on reduced and flexible standards that leave trees, vegetation, side slopes, and open drainage abutting the highway undisturbed to the maximum extent possible without compromising public safety. Any highway designated as a Rural Rustic Road shall be subject to § 62.1-44.15:34. The Department, in consultation with the affected local governing body, shall first consider the paving of a highway or highway segment meeting the criteria for a Rural Rustic Road in accordance with this subsection before making a decision to pave it to another standard as set forth in this section.

D. The Commonwealth and its agencies, instrumentalities, departments, officers, and employees acting within the scope of their duties and authority shall be immune for damages by reason of actions taken in conformity with the provisions of this section. Immunity for the local governing body of any political subdivision requesting paving under this section and the officers and employees of any such political subdivision shall be limited to that immunity provided pursuant to § 15.2-1405.

(1973, c. 360, § 33.1-70.1; 1977, c. 578; 1985, c. 440; 1997, cc. 715, 729; 1999, cc. 306, 320; 2001, cc. 355, 366; 2002, c. 414; 2003, c. 599; 2006, c. 546; 2008, c. 195; 2011, c. 400; 2013, cc. 756, 793; 2014, c. 805.)

§ 46.2-873.2. Maximum speed limit on rural rustic roads.

The maximum speed limit on any highway designated a rural rustic road pursuant to § 33.2-332 shall be 35 miles per hour; however, all speed limits on rural rustic roads in effect on July 1, 2008, shall remain in effect unless and until changed subsequent to a traffic engineering study.

(2008, c. 165)

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Appendix V

Comparison of Unpaved Road Improvement Options

Comparison of Unpaved Road Improvement Options

	Traditional Unpaved Road	Pave-In-Place	Rural Rustic Road
Roadway Status	The road must be a state-maintained road in the secondary system of state highways. These programs do not apply to the addition and improvement of roads that are privately maintained.		
Traffic Volume Vehicles Per Day (VPD)	50 VPD minimum for unpaved road funds, otherwise no minimum for normal secondary construction funding.	Less than 750 VPD.	Less than 1,500 VPD.
County Government Action and Funding	Project must be in County's Secondary Six-Year Plan (SSYP) of improvements.	Project must be in County's Secondary Six-Year Plan (SSYP) of improvements.	Project must be in County's Secondary Six-Year Plan (SSYP) of improvements, if secondary construction allocations are used. Board must also request Rural Rustic Road Program be used by passing a resolution declaring road a "Rural Rustic Road."
Land Use Growth Factor	No restrictions.	No restrictions.	The County Board indicates growth and traffic generated by the land are not expected to increase significantly.
Safety	Safety factors are addressed as part of project.	Safety factors are addressed as part of project.	Safety issues are addressed as part of the project, if economically practical. However, if the safety issue can be addressed through traffic control devices, then these measures may be taken into account in the scope of improvement.
Alignment	Reconstruct as necessary to improve alignment and grade.	Minor changes in alignment may be necessary to address issues.	Ideally, a candidate road can be paved without alignment improvements. For higher traffic volume roads (>400 VPD), 18 foot pavement is desirable and some typical section improvements may be necessary.
Drainage	Roadway drainage will be improved, if needed.	Roadway drainage will be improved, if needed.	Existing drainage provisions should be sufficient with minimal improvement.
Right-of-Way	Abutting property owners will need to provide additional right-of-way, normally 50 feet in width.	Paving may be done within the existing right-of-way, but abutting property owners are normally expected to donate additional right-of-way for spot widening, if necessary for safety.	Paving may be done within the existing right-of-way, which may be a minimum of 30 feet prescriptive.