



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

To: Burlington City Council
Fr: Chapin Spencer, Director
Re: Briefing on Champlain Parkway Project
Date: November 13, 2014

At the request of Council President Shannon, I will be providing a briefing on the Champlain Parkway at the November 17th City Council meeting.

The Champlain Parkway project is a proposed transportation link located in the southwestern quadrant of the City of Burlington, Vermont providing access between I-189, U.S Route 7 (Shelburne Street) and downtown Burlington. Since 1998, the City of Burlington has led the development of the Champlain Parkway project in cooperation with the Federal Highway Administration and the Vermont Agency of Transportation (VTrans). The Champlain Parkway will improve traffic circulation, improve safety on local streets, and provide more of a street grid in the southwestern quadrant of the City.

The project was originally conceived in the mid-1960's as a four lane highway traversing the Pine Street Barge Canal. The project's design today is far different. Community and partner input, environmental constraints, and evolving urban design standards have shaped the project along the way. Today the corridor is designed as a two-lane roadway with extensive multimodal accommodations – and is routed away from the Barge Canal.

Due to a funding split developed with Federal Highway and VTrans many decades ago, the costs for this project are split -- 95% Federal, 3% State and 2% City. Project development costs have amounted to \$7.3M thus far. These costs include the relocation of DPW facilities from 339 Pine Street to 645 Pine Street in 2001. Construction costs will continue to be refined as the project's design and engineering advances, and unforeseen issues may still arise, but we are currently estimating future construction costs of roughly \$30M. The City's portion of these estimated construction costs would be \$600,000. The City is appreciative our federal and state partners' commitment to continue this funding arrangement. It is fair to say that for this continued commitment, our partners expect this project to advance quickly and finally be constructed.

A project history has been attached to this packet for additional background. In addition, the project's website is a good resource (www.champlainparkway.org).

DESIGN FEATURES

An overview map of the project corridor is attached along with a couple renderings to show the current alignment and design of the facility. Here are some of the design highlights:

MOTOR VEHICLES

- 2 lanes of traffic, with turning lanes at some intersections
- Lanes minimum of 11' wide to conform to state and federal standards for arterial roadway
- Installation of traffic signals at Parkway-Home, Parkway-Flynn, Parkway-Sears, Parkway-Lakeside, Lakeside-Pine, Pine-Maple, Pine-King, and Pine-Main intersections.
- Installation of traffic signals at Pine-Maple and Pine-King intersections for more efficient traffic movement (significant reduction in Vehicle Hours of Delay at these intersections)
- Curb radii designed to accommodate truck turning movements along the Parkway and discourage truck use on residential side roads.

BICYCLES

- New shared-use path from Shelburne Street to Pine Street cul-de-sac
- Connection of existing bicycle path to Queen City Park Road and Home Avenue
- New shared-use path from Home Avenue to Pine Street at approximately Kilburn Street
- Pavement markings and signage indicating shared roadway on Pine Street
- Bicycle lane at Pine-Lakeside intersection for on-street cyclists continuing south on Pine Street

PEDESTRIANS

- Continuous sidewalk and/or shared-use path along entire alignment
- Continuous sidewalk and/or shared-use path along western side of Pine Street from Main Street to Lakeside Avenue
- Pedestrian-activated signals throughout alignment
- Access from shared-use path to streets at Home Avenue, Lyman Avenue, Ferguson Avenue, Flynn Avenue, Sears Lane, Morse Place/Batchelder Street
- Pocket parks and landscaping throughout new roadway and shared-use path from Interchange to Lakeside Avenue

STORMWATER

- New collection, conveyance, treatment systems from Interchange to Pine Street
- Net reduction in stormwater pollutants loading to streams and Lake Champlain compared to existing conditions

PERMITS/APPROVALS OBTAINED FOR PROJECT

- Final Supplemental EIS (FSEIS) and Record of Decision (ROD)
- Operational Stormwater Discharge Permit
- Individual Construction Stormwater Permit
- Vermont General Permit (Army Corps Wetlands)
- Conditional Use Determination (State Wetlands)
- Wastewater System & Potable Water Supply Permit
- Public Water Supply Permit to Construct
- Act 250 Land Use Permit

CURRENT ACTIVITIES AND NEXT STEPS

- Review preliminary plans for Section C-6 (from Lakeside & Parkway intersection north to Pine & Main intersection).
- Review, approval, refinement of project engineering plans to finalize areas necessary for permanent and temporary right-of-way
- Acquisition of any additional areas needed for right-of-way
- FSEIS re-evaluation
- Refinement of project plans to construction level of detail
- Permit extensions/amendments
- Bid project
- Project construction (currently estimated duration is 2 construction seasons; currently estimated start of construction is 2017)

STATUS AND TIMING OF ACT 250 APPEAL

- Written briefing expected to be complete by early 2015
- Oral argument expected to be scheduled by Spring 2015
- Vermont Supreme Court decision expected to be issued 6-12 months after oral argument
- Unless Fortieth Burlington obtains a stay on the permit pending this appeal, there is no legal reason that construction could not commence while the appeal is pending

FUTURE PROJECT UPDATES

We have received requests for additional project updates from community members and other stakeholders. Now that the project has received its Act 250 permit, albeit currently under appeal, there is a public understanding that the Champlain Parkway has achieved a major milestone and is proceeding towards construction. To ensure that the community is well informed as this project progresses, we are working to identify resources to increase our communications through the project website, NPA meetings and other forums.

Since the City Council's October 2012 resolution "approv[ing] the City's continuing work to advance the Champlain Parkway," the City has redoubled efforts to get this project built. Consistent with the resolution, we have also been advancing the Railyard Enterprise Project – a related but distinct project seeking to develop a network of multi-modal transportation infrastructure in the Pine Street and Battery Street area to enhance livability, spur economic development, improve access to the railyard, and strengthen multimodal connectivity. I would be happy to provide a more detailed update on this project at a future meeting. In addition, we are also advancing a traffic calming and neighborhood enhancement process for the King and Maple neighborhoods as required by a settlement of an Act 250 appeal. The first neighborhood kick-off meeting will take place by the end of the year.

Don't hesitate to contact me should you request additional information. Thank you for the opportunity to offer this briefing at the upcoming Council meeting.

CHAMPLAIN PARKWAY PROJECT HISTORY

1960s-70s – Initial City planning for roadway; project becomes a federally-funded highway project with State holding primary responsibility

1979 – First Environmental Impact Statement (EIS) completed for a four-lane highway between I-189 and Battery Street, on newly constructed roadway, traversing the Pine Street Barge Canal

1981 – First Act 250 permit for project chosen in the 1979 EIS

1980s – Construction of roadway from I-189 to Home Avenue, planning for construction from Home Avenue to Lakeside Avenue, and related amendments to Act 250 permit; classification of Barge Canal as a Superfund site; roadway construction put on hold

1990s – Alternative interim routes evaluated to avoid Superfund site; Supplemental EIS completed for an interim route around the Barge Canal, planned to be interim until Barge Canal remediation completed

1998 – State and City enter Cooperative Agreement to transfer primary responsibilities for the project to the City

2002-2006 - City formalized efforts to modify the 1979 selected alternative and the 1997 selected interim alternative in response to public comments seeking to blend the Project with the existing communities, and based on studies indicating that the remediation efforts for the Barge Canal would delay the Project several more years. Development of the Draft Supplemental Environmental Impact Statement (DSEIS) identifying the City's preferred alternative.

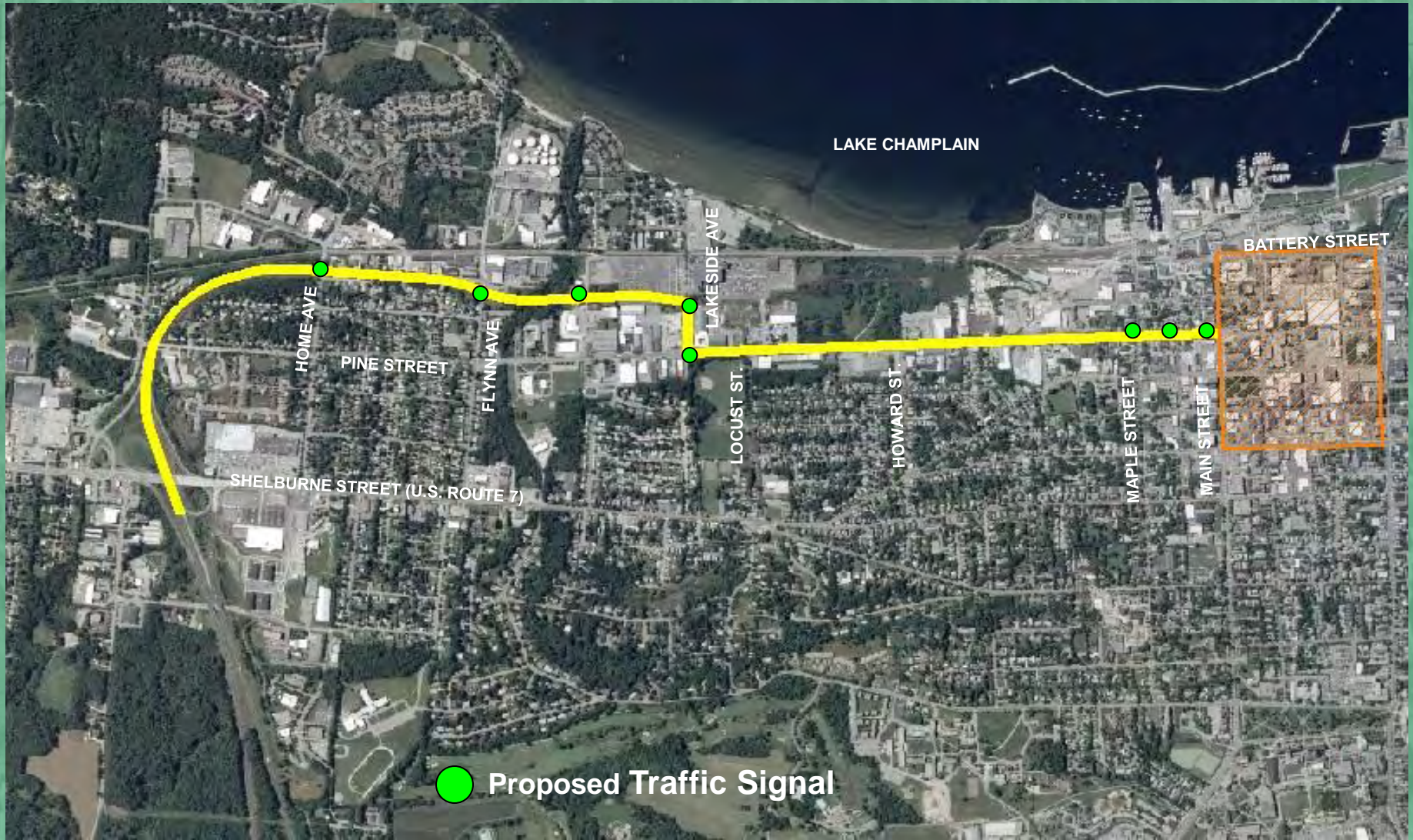
2007-10 – Preparation of Final Supplemental EIS (FSEIS) for a new design, which reduced the roadway from four to two lanes and abandoned the section that would have cut through the Barge Canal; new design adopts previously-built section from I-189 to Home Avenue, continues on new roadway in previously-acquired right-of-way to Lakeside Avenue, follows Lakeside Avenue and Pine Street to Main Street; modified route renamed the Champlain Parkway; approved in a Federal Highway Administration (FHWA) Record of Decision (ROD); concurrent applications for permits and governmental approvals under various other environmental laws

2011-2012 – Application, hearings, and approval of comprehensive amendment to Act 250 permit for entire alignment

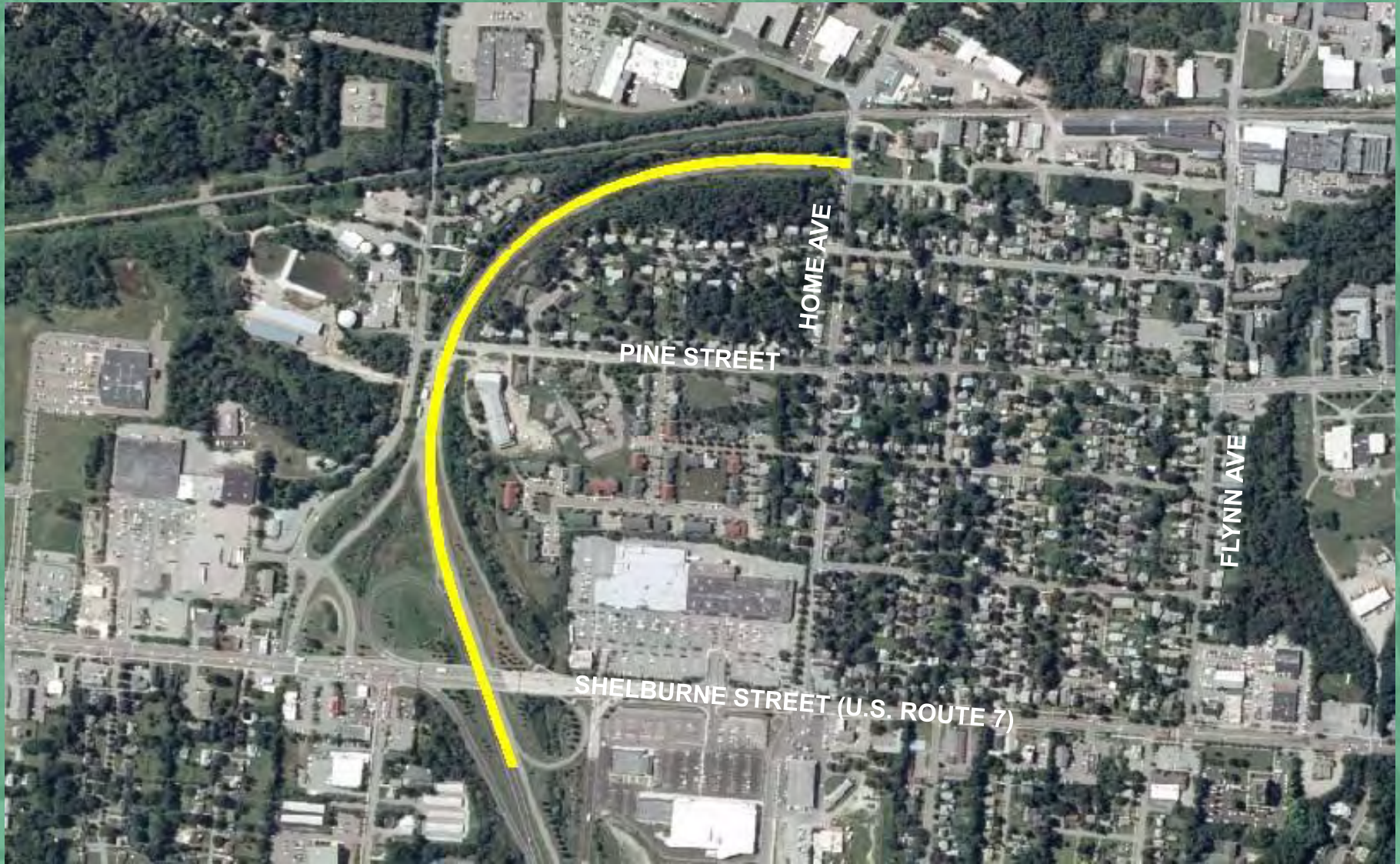
2012-2013 – Appeals by several parties of Act 250 approval; settlement achieved with all but one party, Fortieth Burlington, LLC (owner of Innovation Center on Lakeside Avenue)

2014 – de novo trial on Fortieth Burlington's appeal at Environmental Court; Environmental Court decision in favor of Project; issuance of final Act 250 permit amendment; Fortieth Burlington appeal of Environmental Court's decision to Vermont Supreme Court; application and permit issued for construction-phase stormwater permit

Champlain Parkway



Route 7 Interchange to Home Avenue



Route 7 Interchange to Home Avenue with the Champlain Parkway



Home Avenue to Lakeside Avenue



SHELBURNE STREET (U.S. ROUTE 7)

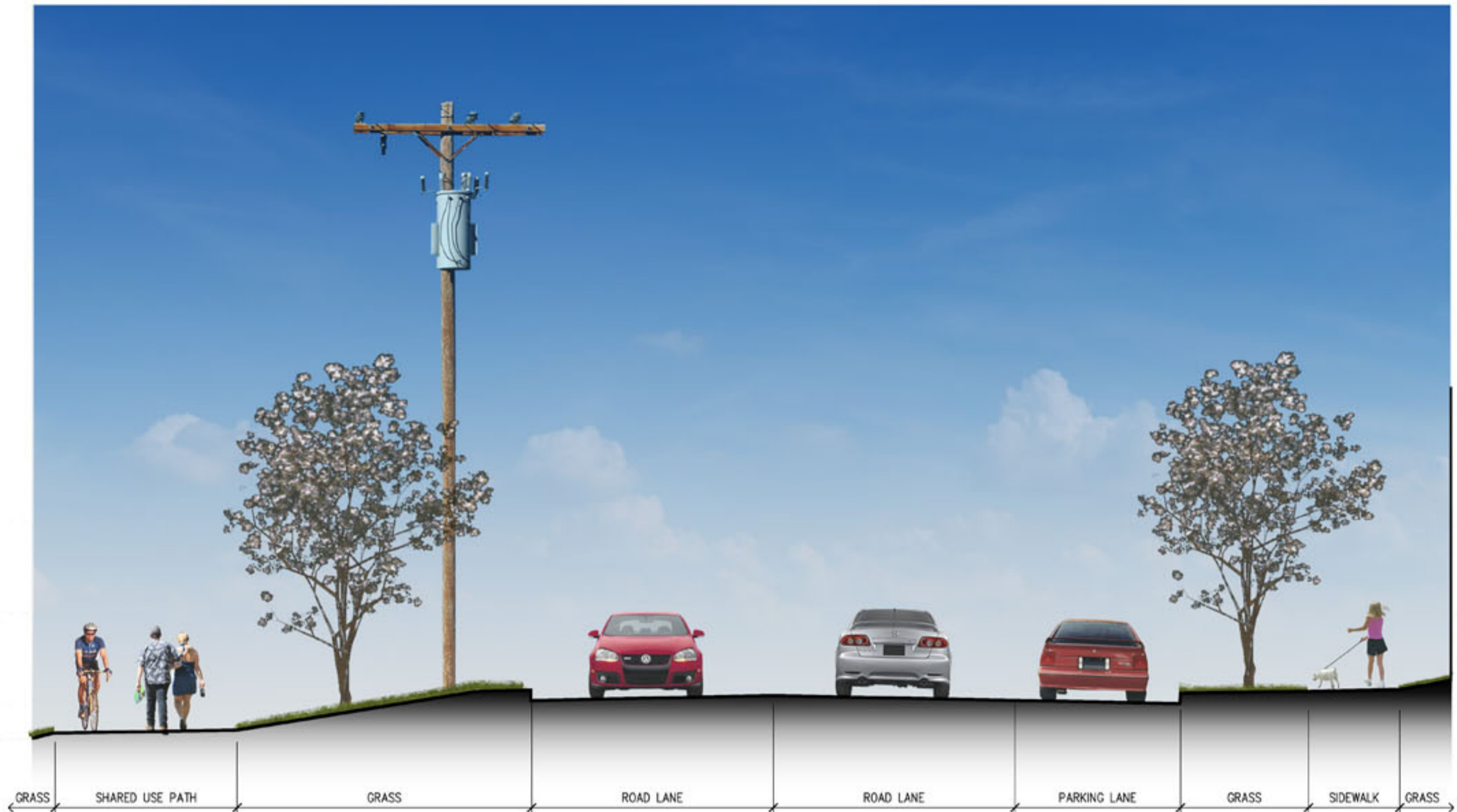
Champlain Parkway View Looking North from Home Avenue Intersection



Lakeside Avenue to Main Street



Champlain Parkway Pine Street



PINE STREET
BURLINGTON, VT

STATION 37.00
LOOKING NORTH

Champlain Parkway Pine Street



State of Vermont
Office of the Secretary
One National Life Drive
Montpelier, VT 05633-5001
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[ttd] 802-253-0191

Agency of Transportation

August 9, 2012

The Honorable Miro Weinberger, Mayor
City of Burlington
149 Church Street
Burlington, VT 05401

Dear Mayor Weinberger:

Thank you for your letter of July 11, 2012 requesting information on various aspects of the Champlain Parkway and the new Rail-Yard Enterprise District project that the City has initiated through the Chittenden County Regional Planning Commission (CCRPC).

For purposes of review, the legal status of the Champlain Parkway is that it has received conditional approval of the Act 250 Commission and is awaiting storm water permits. The National Environmental Protection Act (NEPA) process is complete and a Record of Decision approval from the Federal Highway Administration (FHWA) has been issued. Under the NEPA process, once the project has cleared NEPA and received a Record of Decision from the FHWA, the project cannot be amended to include other significant elements such as new streets that were not included in the original design. Thus, the Champlain Parkway as currently conceived must either be built as designed or not built at all.

If the City desired to add the Rail-Yard Enterprise District project into the current designed Champlain Parkway, the entire federal process would start over again, including Act 250, and it is doubtful whether the FHWA would participate financially. Moreover, to not move forward on the project as currently permitted would result in forgoing the funding ratio that currently exists at 95/3/2, federal/state/local.

The best way for the City to achieve construction of the Champlain Parkway and the Rail-Yard Enterprise District project would be to pursue them as separate projects. The FHWA has agreed that the Rail-Yard Enterprise District project would be eligible for federal participation on an 80/20 basis which the State agrees could be an 80/10/10, federal/state/local split.

If the City of Burlington were to choose not to build the Champlain Parkway at this stage in the process, there would be payback requirements under FHWA regulations. The FHWA has informed me that the minimum payback for the Champlain Parkway would be approximately \$5 million and the cooperative agreement that the City has with the State would require the City to be responsible for such payments.


You had asked about the consequences if the City wished to revisit the 4f determination in the NEPA process regarding the rail spur alternative of the Champlain Parkway. In discussions with FHWA, there doesn't seem to be an opportunity to revisit the 4f decision concerning the route through the rail yard which has been designated by the City as an historic district. As you may be aware, land which has a 4f designation cannot be utilized for transportation infrastructure projects if there is an alternative route which satisfies the purpose and need of the project. Even if the City were to change the designation of the historic district, the 4f issues would remain with this project.

The Rail-Yard Enterprise District appears to be a project that this Administration would support as it promotes economic development and has the potential to improve access to the rail yard for the movement of freight in and out of Burlington. The State would have a significant interest in seeing that rail operations along the State-owned rail line are not severely impacted by this project.

As you are aware, local transportation projects must be supported first locally and then regionally through the Chittenden County Regional Planning Commission – Metropolitan Planning Organization (MPO) process through inclusion in their Transportation Improvement Program (TIP). Once that has occurred, the project must also receive approval at the Vermont General Assembly by inclusion in the State Transportation Capital program. I can offer VTrans support through this process to better define the project, identify impacts that may need to be mitigated and include the project in our recommended program to the Legislature.

Should you require any additional information regarding the City's options as they relate to the Champlain parkway, please do not hesitate to call.

Sincerely,



Brian R. Searles
Secretary of Transportation

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3 **Resolution Relating to**
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RESOLUTION 8.

Sponsor(s): Councilors Paul, Blais, Mason, Shannon, Aubin, Harnett, Bushor

Introduced: 10/15/12

Referred to: _____

Action: adopted

Date: 10/15/12

Signed by Mayor: 10/23/12

7 ACCEPTING REPORT ON EXPLORATION OF ROUTES
8 BETWEEN THE CHAMPLAIN PARKWAY AND KING STREET
9 NEIGHBORHOOD AND AUTHORIZING SCOPING ON
10 RAILYARD ENTERPRISE PROJECT

11
12 **CITY OF BURLINGTON**
13

14 In the year Two Thousand Twelve.....

15 Resolved by the City Council of the City of Burlington, as follows:

16 That WHEREAS, in response to a June 18 Resolution by the Council on this matter, the Mayor and
17 CEDO staff have met with Vermont Secretary of Transportation Brian Searles and his staff to explore
18 alternatives to the proposed route of the Champlain Parkway as it affects the King Street neighborhood;
19 and
20

21 WHEREAS, the Secretary reported back in a letter dated August 9, 2012, that the Champlain
22 Parkway project “cannot be amended to include other significant elements such as new streets that were
23 not included in the original design;” and

24 WHEREAS, the Secretary also reported that the federally-required historic resources
25 evaluation, known as the 4(f) determination, which prevented the Champlain Parkway from running
26 through the Burlington Railyard, cannot be revisited for the Champlain Parkway; and

27 WHEREAS, the Secretary also reported that if the Champlain Parkway were not built at this stage
28 based on a City decision, the City would be responsible for a minimum payback of \$5 million to the
29 Federal Highway Administration pursuant to the City’s Cooperative Agreement with the Agency of
30 Transportation (VTrans), state law, and federal law; and

31 WHEREAS, the Mayor and his staff have identified an independent project to be known as the
32 Railyard Enterprise Project that had its basis in the Final Report of the Waterfront South Access Project in
33 June, 2010; and

34 WHEREAS, the Secretary also reported that the best way for the City to achieve construction of
35 the Champlain Parkway and the Railyard Enterprise Project is to pursue them as separate projects; and

36 WHEREAS, the Secretary also reported that the Federal Highway Administration has agreed that
37 the Railyard Enterprise Project “would be eligible for federal participation on an 80/20 basis which the
38 State agrees could be an 80/10/10 federal/state/local split;” and

39 WHEREAS, the Secretary has reported that the Railyard Enterprise Project “appears to be a
40 project that this Administration would support as it promotes economic development,” although the State

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ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

RESOLUTION RELATING TO

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Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Vol. Page

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Resolution Relating to

ACCEPTING REPORT ON EXPLORATION OF ROUTES
BETWEEN THE CHAMPLAIN PARKWAY AND KING
STREET NEIGHBORHOOD AND AUTHORIZING
SCOPING ON RAILYARD ENTERPRISE PROJECT

would have significant interest in ensuring that rail operations were not severely impacted by the project;
and

WHEREAS, the next step of the process would be for the project to be supported by the
Metropolitan Planning Organization (MPO) of the Chittenden County Regional Planning Commission
through inclusion in its Transportation Improvement Program (TIP); and

WHEREAS, the project would then have to be included in the State Transportation Capital
program and be approved by the Vermont General Assembly; and

WHEREAS, the Mayor and CEDO staff met with members of the community, including
representatives of Champlain Housing Trust, Preservation Burlington, Vermont-AARP, Community
Health Center of Burlington, King Street Youth Center, Vermont Affordable Housing Coalition,
Conservation Law Foundation, and King Street Neighborhood Revitalization Board, and with Neil
Mickenberg; and

WHEREAS, the Mayor and CEDO staff had several meetings with Vermont Railway; and

WHEREAS, the Mayor and CEDO staff met with the other appellants in the Act 250 appeal,
including Allan Hunt and representatives from GP Burlington South, LLC and Fortieth Burlington, LLC;
and

WHEREAS, those individuals and organizations generally reported they were favorably
encouraged by the potential of the Railyard Enterprise Project to address the widespread concerns about
effects of the Champlain Parkway on the King Street neighborhood; and

WHEREAS, the Mayor has now reported back to the Council on these events;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby accepts the Mayor's
report on these events and approves the City's continuing work to advance the Champlain Parkway; and

BE IT FURTHER RESOLVED that the Council expresses its full support for the new Railyard
Enterprise Project and authorizes the Mayor and CEDO staff to commence work with the MPO on
scoping for the project; and

BE IT FURTHER RESOLVED that the Council requests quarterly communications from the
Administration on the progress that is being made along with a timeline that is updated quarterly so the
Council and the community know where this project stands.

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on Mayor's Office

RESOLUTION RELATING TO

Accepting Report on Exploration of Routes Between The Champaign Parkway and King Street Neighborhood and Authorizing Scoping on Railway Enterprise Project

Adopted by the City Council
 October 15, 2012
 Clerk

Approved October 23, 2012
 Mayor

Vol. Page

Attest:
 Lori Olberg
 Licensing, Voting and Records Coordinator

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