

EXECUTIVE SUMMARY

Summary of Changes from the 2006 DSEIS

This 2009 Final Supplemental Environmental Impact Statement (FSEIS) incorporates the comments received during the comment period that followed the publication of the 2006 Draft Supplemental Environmental Impact Statement (DSEIS). Changes by Chapter are outlined below:

Chapter 1 Project Purpose and Need

- Updated project information since publication of the 2006 DSEIS.

Chapter 2 Alternatives

- No substantive changes.

Chapter 3 Affected Environment

- Provided an additional sub-section regarding land-use restrictions along Section C-6 under Section 3.3 Land Use and Socio-Economics
- Updated Historic Resource Studies conducted as part of the Pine Street Barge Canal Superfund Site remedial activities.
- Updated information regarding the existing hazardous waste sources in the project study area.

Chapter 4 Environmental Consequences

- Updated rail yard mitigation for impacted rail operations implemented subsequent to the 2006 DSEIS.
- Provided clarification regarding statements that wetland impacts resulting from the Southern Connector/Champlain Parkway have been mitigated by the construction of the Northern Connector.
- Provided additional noise analysis for receptors at the intersection of Pine Street at King Street and at Arthur Court to determine the potential for noise impacts in these areas.

Chapter 5 Section 4(f) Impacts and Mitigation

- No substantive changes.

Chapter 6 Scoping, Agency Coordination and Public Participation

- Updated listing of agency correspondences.

Chapter 7 Preparers

- No substantive changes.

Chapter 8 Distribution List for the 2009 FSEIS

- No substantive changes.

Chapter 9 Acronyms

- No substantive changes.

Appendix 1 Correspondence

- Updated with additional correspondence regarding the development of the FSEIS.

Appendix 2 Environmental Data Resources

- Updated environmental data search.

Appendix 3 Traffic Analyses

- No substantive changes.

Appendix 4 State of Vermont 303(D) List

- Provided current Vermont 303(D) List.

Appendix 5 Historical/Archaeological

- No substantive changes.

Appendix 6 2000 U.S. Census Data

- Provided additional information from the 2005-2007 American Community Survey.

Appendix 7 VTrans Noise Analysis and Abatement Policy

- No substantive changes.

Appendix 8 2006 DSEIS Public Hearing Transcripts

- Included November 30, 2006 Transcripts from the Public Hearing for the 2006 DSEIS.

Appendix 9 Responses to Comments on the 2006 DSEIS

- All public and agency comments received on the 2006 DSEIS with corresponding responses.

Appendix 10 Superfund Site Boundary Maps

- Included figures identifying the limits of the Pine Street Barge Canal Superfund Site and the adjacent properties with land use restrictions.

Project Overview

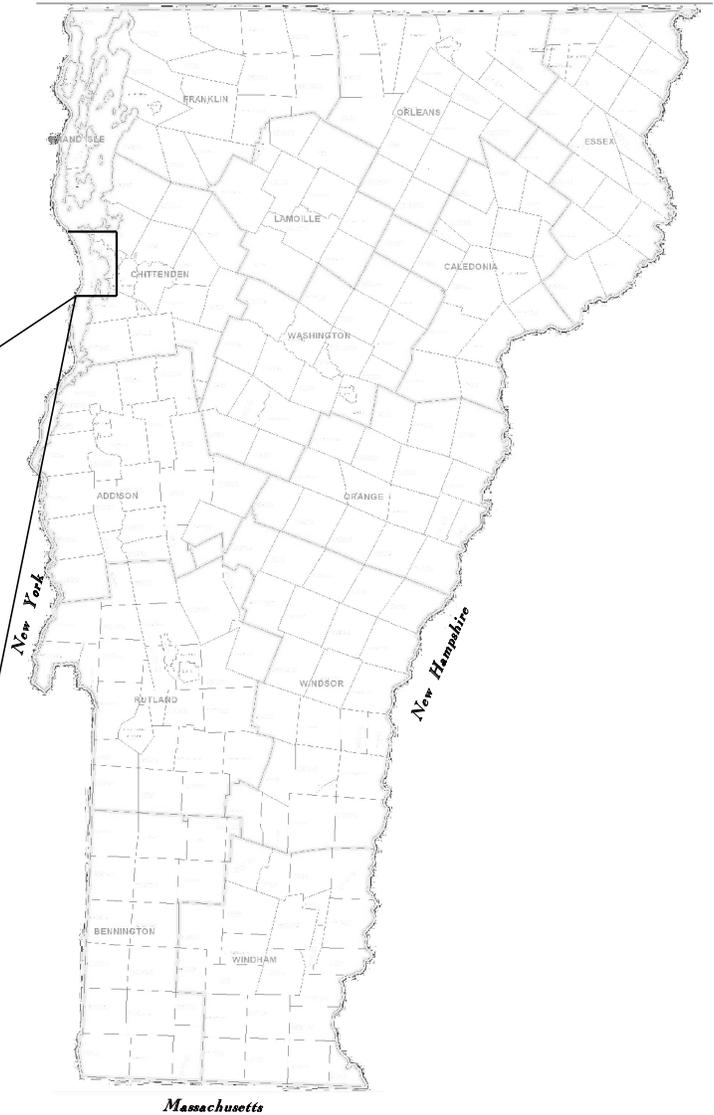
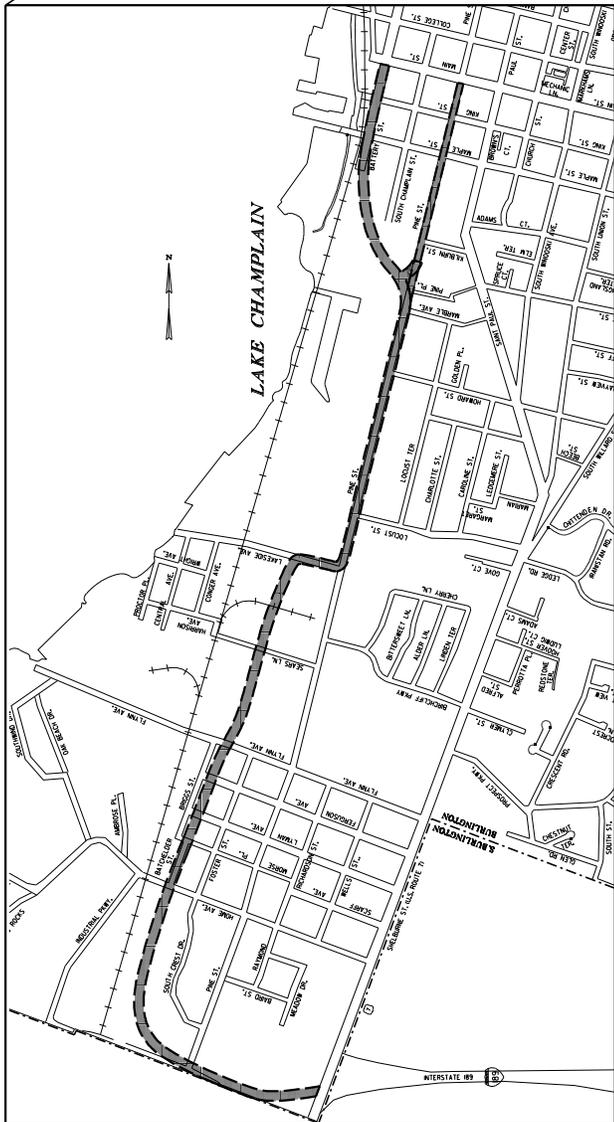
The Southern Connector/Champlain Parkway project is a proposed transportation link located in the southwestern quadrant of the City of Burlington, Chittenden County, Vermont providing access between I-189, Shelburne Street and the City Center District (CCD), formerly known as the Central Business District (CBD). A project location map showing the area is provided in Figure ES-1. Planning for this new highway construction project began in 1965. A summary of the subsequent project development history is provided in Section 1.2.

In 1979, a Final Environmental Impact Statement (FEIS) was approved and a Selected Alternative chosen for the approximately 2.3-mile Southern Connector/Champlain Parkway. That project consisted of a new, four-lane limited access facility, extending from the I-189 interchange with Shelburne Street (U.S. Route 7), north and west to the intersection of Battery and Main Streets, in the CCD. It was comprised of three Sections (C-1 Section, C-2 Section and C-8 Section) and it consisted of a highway on new alignment from I-189 to Battery Street. At that time, the Federal Highway Administration's (FHWA) National Environmental Policy Act (NEPA) regulations did not require a Record of Decision (ROD). This document refers to the 1979 approved alternative as the Selected Alternative.

One section of the project approved in the 1979 FEIS, the C-1 Section, has been constructed, but never opened to traffic. A new bicycle path adjacent to the C-1 Section has also not been completed. The C-2 Section (approximately 0.7 miles) was previously designed to a four-lane typical cross-section and right-of-way was previously acquired. The C-8 Section (approximately 1.0 mile) traverses a hazardous waste Superfund Site which was identified subsequent to the 1979 FEIS. This is known as the Pine Street Barge Canal Site. The Pine Street Barge Canal Site was designated a Superfund Site by the US Environmental Protection Agency (EPA) after the Southern Connector/Champlain Parkway project Selected Alternative had been approved. The project experienced extensive delays as a result of issues related to remediation at the Superfund Site. After numerous studies of the Superfund Site were conducted, it became apparent that the delays could extend for a number of years.

As a result of these delays, the Vermont Agency of Transportation (VTrans) determined that the project should proceed in order to provide facilities that are needed to relieve severe traffic congestion in the southern part of the City of Burlington. In 1997, a Final Supplemental Environmental Impact Statement (FSEIS) and corresponding Record of Decision were prepared for what was anticipated to be an interim routing of traffic around the Superfund Site utilizing Section C-1, Section C-2 and Section C-6. Section C-8 would be constructed pending resolution of the Superfund Site. At that time, Section C-6 consisted of two, 14-foot wide shared lanes with a two-way opposing left turn lane from

FILE NAME: F:\A\8659\BPTS\FSEIS\NDR\sp\map\FIG ES-1.dgn
 DATE/TIME: 7/29/2009
 USER: 1933



Southern Connector/Champlain Parkway

Legend

 Southern Connector/Champlain Parkway Corridors

Scale: 1"=2000'

Southern Connector/ Champlain Parkway MEGC-M5000(1)

Drawing Copyright © 2009



111 Wynners Circle, PO Box 6269 • Albany, NY 12205-0269
 Mair: (518) 468-4600 • www.chacompanies.com

FIGURE ES-1
PROJECT LOCATION MAP

the Pine Street and Lakeside Avenue intersection to the Pine Street intersection with Pine Place.

Also, included in C-6 Section was a portion of highway constructed on a new alignment called the Battery Street Extension which provided a connection from Pine Street near its intersection with Pine Place to the Battery Street intersection with Maple Street.

The City of Burlington received a substantial number of requests from the public to find a solution that was better suited to the surrounding neighborhoods. In March, 2002, the City of Burlington formalized their efforts to modify the 1979 Selected Alternative and the 1997 Selected Interim Alternative as a result of public comments and the City of Burlington's preferences to blend the roadway design into the surrounding neighborhoods. Specifically, the roadway typical section would be reduced from a four-lane roadway to a two-lane roadway. The City of Burlington and VTrans also agreed to formally abandon the C-8 Section through the Pine Street Barge Canal Superfund Site, and designate the C-1 Section, C-2 Section and C-6 Section as the permanent alignment for the Southern Connector/Champlain Parkway.

In August, 2003, the City of Burlington, VTrans and FHWA initiated the development of a new Supplemental Environmental Impact Statement to facilitate and accomplish the modifications to the project.

In October, 2005, VTrans recommended that the City of Burlington consider an alternative that would consist of the C-1 Section and C-2 Section only, with improvements on Lakeside Avenue to Pine Street. This alternative would consider minor operational improvements within the existing right-of-way of Pine Street from Lakeside Avenue to Main Street (See Appendix 1).

In November, 2005, the Burlington City Council passed a resolution supporting the evaluation of VTrans' recommended alternative as shown in the 2006 DSEIS (See Appendix 1).

On November 1, 2006, the City of Burlington, VTrans and FHWA circulated the 2006 DSEIS for public and agency comment. The 2006 DSEIS identified Build Alternative 2 as the preferred alternative. A Public Hearing was held on November 30, 2006 at the Champlain Elementary School in Burlington, Vermont. Subsequent to the Public Hearing, the City of Burlington continued to evaluate potential alternatives to provide access between Pine Street and Battery Street, similar to Build Alternative 1, as described in the 2006 DSEIS. After substantial investigation and coordination with Federal, State and local agencies, it was determined that any alternative similar to Build Alternative 1 would result in greater environmental impacts when compared to Build Alternative 2. Therefore, FHWA, VTrans and the City of Burlington are continuing to identify Build Alternative 2 as the Preferred Alternative. The responses to public and agency comments are contained in this 2009 FSEIS.

The purpose of this 2009 FSEIS is to document the impacts and mitigation associated with the Preferred Alternative along the C-1, C-2 and C-6 Sections; as well as impacts and mitigation for Build Alternative 1 which was carried forward for purposes of comparison. Unlike the alternatives discussed in the 1997 FSEIS and corresponding Record of Decision, the Preferred Alternative included in this 2009 FSEIS is considered a permanent solution and any other modifications to Pine Street, the Superfund Site or the CCD would be subject to a separate environmental study under NEPA.

Project Description

The Southern Connector/Champlain Parkway project has been divided into several construction contracts, representing sections or portions of the entire project. It is not an uncommon practice to divide the construction of large transportation projects into multiple contracts. The three primary sections of the previously approved Southern Connector/Champlain Parkway project are referred to as the C-1 Section, the C-2 Section, and the C-8 Section. These were presented in the 1979 FEIS.

Within the limits of the C-8 Section, a two-lane roadway on an alternative alignment was introduced in the 1995 DSEIS as an interim corridor to avoid the Pine Street Barge Canal Superfund Site until the C-8 Section could be constructed. This alternative alignment was referred to as the C-6 Section.

The sections of the project are illustrated on Figure ES-2, and described below:

- The C-1 Section consisted of reconstruction of the I-189/Shelburne Street (U.S. Route 7) interchange, and construction of the Southern Connector/Champlain Parkway to approximately Home Avenue for a length of approximately 0.6 mile. This portion of the project has been constructed as a four-lane facility, but never opened to traffic.
- The C-2 Section would commence at the northern terminus of the C-1 Section, near Home Avenue, and extend northerly for a length of approximately 0.7 mile, as far as Lakeside Avenue. A four-lane concept for this portion of the project was previously designed, and the right-of-way corresponding to that design has been acquired.
- The C-8 Section is the 1979 approved alignment through what was later identified as the Pine Street Barge Canal Superfund Site. Under separate actions the EPA has implemented a remediation plan at this designated Superfund Site.

In addition to the 1979 Selected Alternative, an interim Selected Alternative was approved in the 1997 FSEIS. This is illustrated on Figure ES-3, and described below:

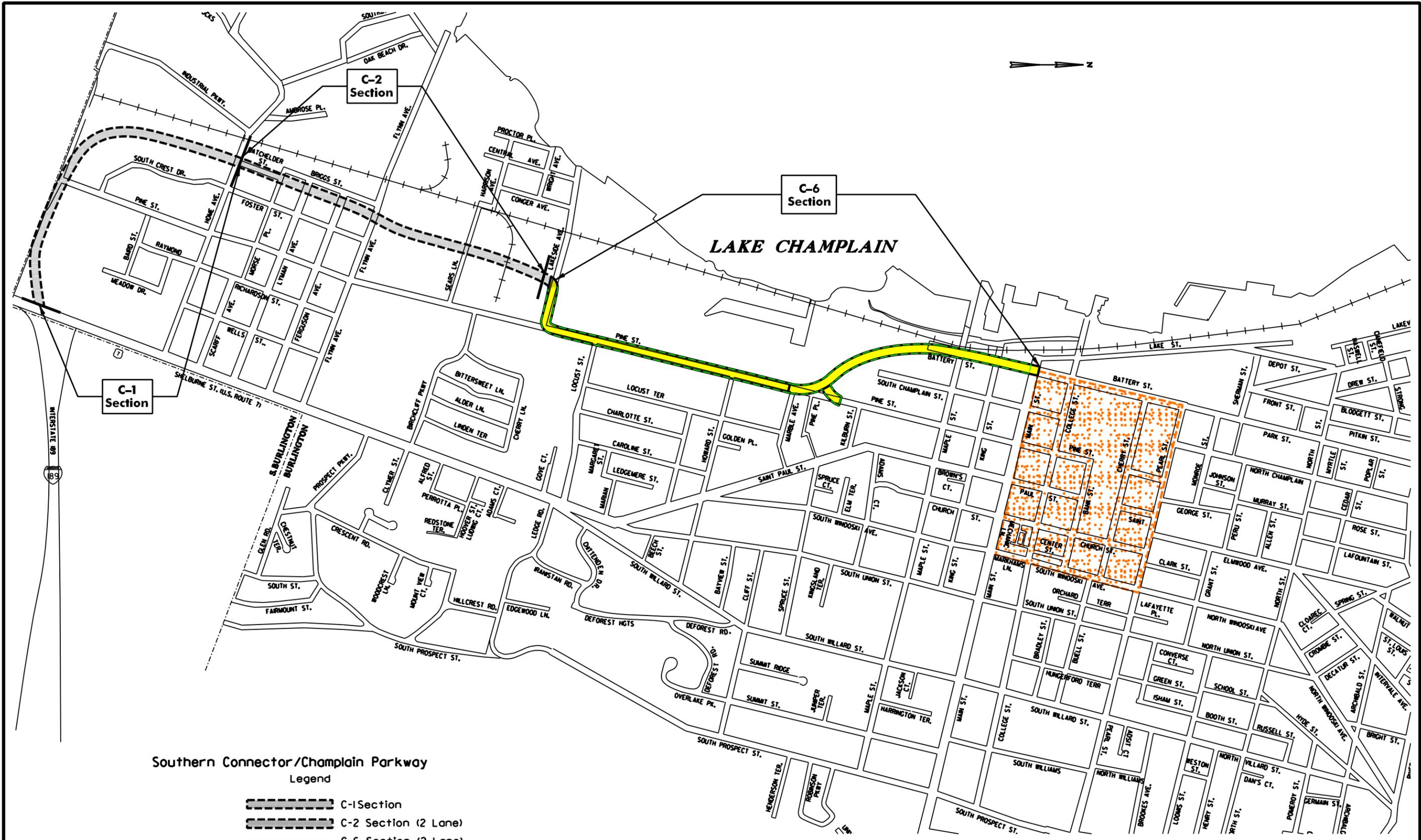
- The C-6 Section was the proposal to temporarily route traffic around the Pine Street Barge Canal Superfund Site utilizing the existing city-street network and the proposed connection between Pine Street and Battery Street known as the Battery Street Extension. The interim C-6 Section commences at the terminus of the C-2 Section at Lakeside Avenue, and proceeds easterly along Lakeside Avenue to Pine Street. It then follows Pine Street to Pine Place, departs Pine Street near the former Burlington Street Department property, and continues northwesterly to the intersection of Battery Street and Maple Street. From this intersection, the C-6 Section continues on Battery Street, northerly to Main Street. It should be noted that this is the same terminus of the C-8 Section.

It should also be noted that there is no C-3 Section, C-4 Section, C-5 Section or C-7 Section.

Project Alternatives Considered

Since the 1997 determination of a Selected Interim Alternative, there have been several additional alternatives considered and evaluated. These include the following:

1. No-Build Alternative
2. Transportation Systems Management/Transportation Demand Management
3. C-1 Section, C-2 Section and C-8 Section (four-lane) - Null Alternative
4. C-1 Section, C-2 Section and C-8 Section (two-lane)
5. C-1 Section, C-2 Section and C-6 Section – Battery Street Extension (four-lane)
6. C-1 Section, C-2 Section and C-6 Section – Battery Street Extension (two-lane)
7. C-1 Section, C-2 Section and C-6 Section – Pine Street (four-lane)
8. C-1 Section, C-2 Section and C-6 Section – Pine Street (two-lane)
9. C-1 Section and C-2 Section Only (two-lane)
10. C-1 Section, C-2 Section and geometric improvements along Pine Street (two-lane)
11. C-1 Section, C-2 Section and C-6 Section with one-way street patterns.



Southern Connector/Champlain Parkway

Legend

-  C-1 Section
-  C-2 Section (2 Lane)
-  C-6 Section (2 Lane)
(Battery Street Extension)
-  Burlington City Center District (CCD)

Scale: 1"=1000'

Southern Connector/Champlain Parkway MEGC-M5000(1)



FIGURE ES-3
1997 FSEIS SELECTED INTERIM ALTERNATIVE

FILE NAME: \\c:\aberr\p\15\FSEIS\Display\fig ES-3.dgn
DATE/TIME: 10/19/2006 10:59
USER: [unreadable]

Project Alternatives Evaluated

Many of the alternatives considered were eliminated from detailed study during the development of the 2006 DSEIS because they did not meet the project's purpose and need or resulted in substantial environmental or socio-economic impacts.

The following alternatives have been evaluated in this 2009 Final Supplemental Environmental Impact Statement:

1. No-Build Alternative
2. Build Alternative 1; C-1 Section, C-2 Section and C-6 Section – Battery Street Extension (two-lane)
3. Build Alternative 2; C-1 Section, C-2 Section and C-6 Section – Pine Street (two-lane)

The No-Build Alternative would consist of the existing street network in its present configuration. No further construction related to the Southern Connector/Champlain Parkway would be implemented. The previously constructed C-1 Section would remain closed to traffic. Other planned transportation projects in the study area would be expected to be constructed.

The Build Alternatives evaluated in this 2009 FSEIS are intended to satisfy the purpose and need of the project, while avoiding or minimizing, to the maximum extent feasible, impacts to environmentally and historically sensitive areas such as, the Pine Street Barge Canal Superfund Site and other areas contaminated with hazardous materials, natural resources, Section 4(f) resources and historic properties, and business and community interests.

Build Alternative 1 would consist of a roadway alignment similar to the 1997 Selected Interim Alternative. The C-1 Section, C-2 Section and C-6 Section would be constructed as a two-lane roadway with turn-lanes, as needed. This alternative would connect I-189/U.S. Route 7 (Shelburne Street) to Battery Street. Build Alternative 1 would also include a major reconfiguration of the Burlington rail yard.

Build Alternative 2 would consist of the C-1 Section, C-2 Section and C-6 Section. This alternative would be constructed as a two-lane roadway with turn-lanes, as needed. Build Alternative 2 would connect I-189/U.S. Route 7 (Shelburne Street) to the CCD. Build Alternative 2 would reconstruct a portion of Lakeside Avenue, from the terminus of the C-2 Section to its intersection with Pine Street. Build Alternative 2 would proceed north along Pine Street for approximately 0.6 mile, from Lakeside Avenue to approximately Pine Place. Build Alternative 2 would continue north along Pine Street to its intersection with Main Street.

Build Alternative 2 would provide direct access to Burlington's CCD (refer to Figure ES-4).

Both of the Build Alternatives consist of the C-1 Section, C-2 Section and C-6 Section. Build Alternative 2 is identified as the Preferred Alternative in this 2009 FSEIS. A comparison of the impacts resulting from the No-Build Alternative and Build Alternatives is presented in Table ES-1.

Permits/Actions Required

- Section 404 of the Clean Water Act - The United States Army Corps of Engineers (ACOE) issues permits under Section 404 of the Federal Clean Water Act for work within vegetated wetland and open water areas. Wetland impacts are similar for both alternatives and fall within the thresholds of the Vermont General Permit under the United States Army Corps of Engineers Section 404 Procedures.
- Section 402(P) of the Clean Water Act -The EPA, under the authority of the Federal Clean Water Act, administers the National Pollution Discharge Elimination System (NPDES) permitting program for point source wastewater discharges into navigable waters or their tributaries. The types of discharges that are reviewed under the NPDES program relative to roadway construction projects are those associated with stormwater discharge at a construction site. The State of Vermont is a delegated state in terms of NPDES and procedurally handles NPDES permitting. The City of Burlington would need to submit a Construction General Permit 3-9020 (2006) for Stormwater Runoff from Construction Sites as amended February 2008 to the Vermont Agency of Natural Resources (ANR).
- Section 401 of the Clean Water Act -This water quality certification is handled by the State of Vermont in which 401 certifications are issued through ANR. These 401 certifications are consistent with state water quality standards.
- Clean Air Act - The Clean Air Act requires performance with State Implementation Plans (SIP) and Transportation Control Measures (TCM) in non-attainment areas. The State of Vermont is not presently a non-attainment area and is in conformance.
- Act 250 - The State of Vermont has enacted a comprehensive land use regulation under 10 V.S.A. Chapter 151, referred to as Act 250. The Burlington Northern and Southern Connector Projects have been reviewed under the Act 250 provisions for potential impacts to air and water quality, impacts from waste disposal, soil erosion, impacts to streams, wetlands, floodways, traffic,

Table ES-1: Summary of Impacts – Alternatives

	ALTERNATIVES		
	No-Build	Build Alt. 1	Build Alt. 2
Meet Project Purpose and Need	No	Yes	Yes
C-6 Section Acquisitions Only			
Displacements / Relocations	0	4	0
		VTR Operations	
		Former Burlington Street Dept. Building	
		City of Burlington/Havey Parcel	
		Curtis Lumber (formerly Gregory Supply) Lumbershed	
* C-1 and C-2 Section Acquisitions/Relocations were previously accomplished by the 1979 Approved FEIS.			
**Small strip takings and temporary easements are not included in this table.			
Construction Cost Estimates	\$0	\$37,000,000	\$20,000,000
Number of New Railroad Crossings	0	1	1
Air Quality (Violations of Standards)	0	0	0
Farmland Impacts (acres impacted)	0	0	0
Wetland Impacts (acres impacted)	0	0.78	0.69
Floodplain Impacts (acres impacted)	0	0	0
Urban Vegetation/Wildlife Impacts (acres impacted)	0	0	0
Threatened/Endangered Species Impacted	0	0	0
Section 4(f) Recreation Sites Used	0	0	0
Section 4(f) Historic Resources Used			
Former Burlington Street Department Property	N/A	Yes	No
HISTORIC DISTRICTS			
Battery Street Historic District	N/A	NAE	NAE
Pine Street Historic District	N/A	AE	NAE
Queen City Cotton Mill Historic District	N/A	NAE	NAE
Lakeside Historic District	N/A	NAE	NAE
Additional Archaeological Resource Work Required	N/A	Yes	No
Visual Impacts	N/A	Yes	Yes
Rivers/Streams (number crossed)	N/A	1	1
Superfund Site Involvement/Issues	N/A	Yes	No

N/A - Not applicable
NAE - No Adverse Effect
AE - Adverse Effect

aesthetics, historic sites and other natural areas. Construction of the Southern Connector/Champlain Parkway project has been authorized by the State of Vermont District #4 Commission through the issuance of a Findings of Fact allowing issuance of a Land Use Permit (#4 C0438-N&S) and numerous land use amendments thereto. These findings and amendments remain in effect for different periods.

- A revised application for an ACT 250 permit would need to be filed to reflect the revisions incorporated in this 2009 FSEIS.
- Vermont Stream Alteration Permit -The construction of a culvert for Englesby Brook crossing was approved in 1991.
- Vermont Water Quality Certification - The City of Burlington would need to prepare and submit a Water Quality Certification Documentation Summary for the Englesby Brook crossings.
- Vermont Stormwater Discharge Permit - A Stormwater Discharge Permit for the C-1 Section and C-2 Section has been reviewed by ANR and approved. A permit to discharge stormwater for the C-6 Section of the Preferred Alternative must be obtained.
- Vermont Air Pollution Control Permit - The original Indirect Source Permit (ISP) for the project was issued by ANR, Department of Environmental Conservation, Air Pollution Control Division in December, 1982. Based on present day review, ANR has determined that the proposed Southern Connector/Champlain Parkway is consistent with the Vermont State Implementation Plan for attainment of the National Ambient Air Quality Standards (NAAQS). The Federal Highway Administration has indicated that the CO review presented in the 1979 FEIS fulfilled the indirect source analysis required by 23 CFR 770. Vermont is in attainment for air quality purposes for ozone and carbon monoxide (CO).

Uses of Section 4(f) Resources

Section 4(f) of the United States Department of Transportation Act of 1966 states, as national policy, that "special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites". The Act states that the Secretary of Transportation may approve a taking of such lands of national, state or local significance only when:

1. There is no prudent and feasible alternative to using the land, and

2. The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife refuge, or historic site resulting from the use.

A use of a Section 4(f) resource occurs when right-of-way is acquired from the Section 4(f) resource to be incorporated into a transportation facility.

Section 4(f) Resources

Build Alternative 2 is presented as the Preferred Alternative in this 2009 FSEIS. Although Build Alternative 2 would use a small amount of land from the Battery Street Historic District, a No Adverse Effect determination has been made with concurrence from SHPO. Therefore, Build Alternative 2 results in a finding of *de minimis* impact on lands protected by Section 4(f) per Section 6009(a) of SAFETEA-LU (dated August 10, 2005).

Process/Public Participation

Following the availability of the 2006 DSEIS, a public hearing was held during the review period. This 2009 FSEIS addresses the comments received during the 2006 DSEIS review period. A Record of Decision (ROD) will be issued no sooner than 30-days after publication of this 2009 FSEIS.