



**City of Burlington**  
Department of Public Works

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# Memo

*Date:* May 16, 2019

*To:* Board of Finance/City Council

*From:* Chapin Spencer, Director

*CC:* Norman Baldwin, P.E., Assistant Director/City Engineer  
Susan Molzon, P.E., Senior Public Works Engineer

*Subject:* Champlain Parkway Project Update

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## BACKGROUND

The Champlain Parkway will be a two-lane, 25 MPH road serving as a vital 2.8-mile multi-modal transportation link between I-189 and our downtown. This Federally, State and Locally funded project will improve traffic circulation, decrease the volume of truck traffic on overburdened residential streets, and includes environmental upgrades and increases bicycle and pedestrian safety in the project area.

The Champlain Parkway design has become – through years of successful effort – a greatly improved project. Its two-lane multi-modal city street includes significant stormwater, bike/pedestrian, and traffic calming components so that the project will complement and foster the growing vitality of the South End well into the future. More background on the project, and my past memos that describe design refinements, can be found at [www.champlainparkway.com](http://www.champlainparkway.com).

We are providing this latest update on the Champlain Parkway as we engage the Board of Finance and City Council in authorization for Cooperative Agreement Amendment No. 7 between the State of Vermont and the City of Burlington. This Amendment will secure funds for the final design, bidding and construction phases of the project.

We continue to manage a shrinking number of ongoing issues that have the potential to set this project back, but we are still projecting a schedule to start construction in late 2019.

## DESIGN PHASE MILESTONES

In our last update to the Council dated April 12, 2018, DPW was authorized to initiate proceedings for the necessity site visit and hearing. Since that time, we have successfully held both necessity and compensation hearings to secure temporary and permanent rights for the construction of the

Champlain Parkway. Legal appeals of the necessity hearing have been dismissed by the Vermont Superior Court.

Earlier this month, the Federal Highway Administration (FHWA) and State of Vermont reviewed the re-evaluation of the 2009 Final Supplemental Environmental Statement, considered the potential environmental consequences in accordance with the National Environmental Policy Act (NEPA), and concurred that the 2010 Record of Decision remains valid. FHWA signed the amendment document on May 6, 2019.

Due to the industrial history of the South End, construction of this project will result in disturbance of soils that are impacted by typical urban contaminants. To address this subsurface contamination, a Corrective Action Plan (CAP) was developed. The goal of the CAP is to isolate contaminated soils from human exposure to ensure the safety of the construction workers and the public both during and after construction. The State of Vermont Department of Environmental Conservation (DEC) approved the Corrective Action Plan in March 2019.

## **LEGAL CHALLENGES**

An appeal to the Vermont Superior Court, Environmental Division for the Operational Stormwater Permit for this project is currently pending. The Agency of Natural Resources' denial of a request to require the City to obtain an individual wetlands permit for two alleged impacted wetlands in the vicinity of the project has also been appealed to the Environmental Court.

We are actively managing these challenges and will provide future updates as these matters proceed.

## **PROJECT FUNDING**

This project is funded primarily through the Economic Growth Center (EGC) Funding Program. The project participation percentages are: 95% Federal; 3% State; and 2% Local. The Local Share for this project is budgeted and paid for through the Department of Public Works Street Capital and Sustainable Infrastructure Bond Revenues.

In addition to the project eligible expenses which will be participating at the percentages identified above, there are a number of costs associated with this project which are not eligible for reimbursement from Federal and State funds. These ineligible expenses include the disposal of contaminated soil from the Pine Street corridor, differential costs for street lighting along the new section of roadway, differential costs for undergrounding Burlington Electric Department utilities, additional landscaping, amenities for pocket parks, and cobblestone paving, bricking and stamping for pedestrian crossing treatments. These ineligible costs account for approximately \$2.5M in construction costs which will be the sole responsibility of the City. This will be budgeted and paid for through the DPW Street Capital and Sustainable Infrastructure Bond Revenues.

After approval of the proposed Cooperative Agreement Amendment No. 7, the City's total share of costs, including both the 2% local match and the ineligible costs described above, for the complete design and construction of the project will be approximately \$3.2M. Additional information regarding the overall project budget will be presented in greater detail for the June 3<sup>rd</sup> City Council meeting when we seek the Council's approval of the Cooperative Agreement Amendment No. 7. The final local obligation amount is pending final review of supplemental soil analysis and receipt of construction bids. Additional updates will be provided when this additional information is available.

## **ONGOING EFFORTS**

We continue to renew all necessary permits required for the construction of this project. The project team is working to secure agreements with all impacted utility companies, as well as the railroad.

We continue to work collaboratively with our partners at the State of Vermont Agency of Transportation to progress through the final design and permitting phases. We anticipate advertising for construction bids this summer and beginning construction late 2019.

## **PUBLIC OUTREACH**

Additional background on this project and future project updates are also available on the project website at [www.champlainparkway.com](http://www.champlainparkway.com)

Various stakeholders have requested briefings and information on the Project, which we have or will be providing. As this project's timeline advances, we will plan to conduct additional outreach to stakeholders and the public.

Feel free to contact us to discuss any of this in further detail.