Office of
the Mayor
Burlington,
Vermont

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FOR IMMEDIATE RELEASE

September 20, 2012
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Mayor Miro Weinberger Announces New Waterfront and Railyard Access Project Linking Pine and Battery Streets through New Urban Street Grid

Will Seek City Council Support to Begin Scoping New Project in October

Burlington, VT – Mayor Miro Weinberger, together with Vermont Agency of Transportation Secretary Brian Searles, today announced a new waterfront and railyard access project that will link Pine and Battery streets through a new urban street grid, creating a multi-modal network of rail, truck, car, transit, bike, and pedestrian connections to access Burlington's southern waterfront and railyard. Weinberger will seek City Council support to begin scoping the new project at an October 2012 City Council meeting.

"For decades, people have looked at maps of Burlington and asked 'why can't there be improved access to the waterfront from Pine Street?'" said Weinberger. "Today, I am pleased and thankful that we finally can envision a day when that connection will be made."

Steady progress was accomplished through a series of communications and meetings between Weinberger and Searles, including the exchange of letters (attached) between the two leaders that paved the way for today's announcement.

"We're excited to partner with Mayor Weinberger and the City of Burlington," said Searles. "This new project will be good for economic development, improve truck access to the railyard, and provide options to residents and visitors to access Burlington's waterfront."

Mayor Weinberger and Secretary Searles were joined at the press event by City Council President Joan Shannon, Councilor Rachel Siegel, Ernie Pomerleau, and other community leaders.

"I've long advocated for traffic relief options beyond the Champlain Parkway believing that an expansion of the grid was both possible and sensible," said Shannon. "Thank you Mayor Weinberger and Secretary Searles for listening to the many voices in this area including the Maple, King, and Pine Street residents, housing advocates, and historic preservationists, and moving forward to create a grid that will not only alleviate traffic, but connect the Pine Street businesses and neighborhoods to the lake."

"This is a moment worth noting, when members of Burlington's different political parties are in agreement, not only about the value of the southern waterfront project, but also about the vital importance of enhancing the lower King Street neighborhood," said Siegel. "Finding a solution that improves the neighborhood helped unify support for this initiative."

Please see the attached documents, including:

- *Mayor Weinberger's September 20, 2012 memorandum in response to June 18, 2012 City Council Resolution requesting Mayor's Office exploration of alternatives to proposed route of Champlain Parkway*
- *Railyard Enterprise Project Concept Diagram*
- *Mayor Weinberger's July 11, 2012 letter to Vermont Department of Transportation Secretary Searles*
- *Secretary Searles' August 9, 2012 response letter to Mayor Weinberger*

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MEMORANDUM

TO: Burlington City Council

FROM: Mayor Miro Weinberger

DATE: September 20, 2012

RE: Response to June 18, 2012 City Council Resolution requesting Mayor's Office exploration of alternatives to proposed route of Champlain Parkway

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Since taking office in April, a priority of my administration has been to pursue the construction of the Champlain Parkway project – an effort that is approaching its 50th year of planning – and to address the concerns that various individuals and groups have expressed related to the Parkway. Those efforts have intensified since the City Council's passage of a resolution on June 18, 2012 requesting my office to explore possible alternatives to the proposed route of the Champlain Parkway to reduce traffic impacts on the King Street neighborhood, and to report back to the Council on our findings by September 30.

I am pleased to report that after extensive consultation with state officials, property owners in the area, and neighborhood groups and individuals, we have made substantial progress in the form of the following concrete achievements:

1) **For the first time, we have secured a commitment from the Vermont Agency of Transportation (VTrans) and the Federal Highway Administration (FHWA) to support a new project that would link Pine Street to Battery Street through a new urban street grid south of Maple Street.** The attached graphic is a conceptual drawing of this grid that currently is being referred to as the "Railyard Enterprise Project." (Please understand that this graphic represents only an initial concept. Numerous alternatives will be considered in the upcoming scoping and planning processes and, based on the information gained in these processes, any final designs may be substantially different than the design shown in this graphic).

Although the graphic is only a concept, the key features of the new project include a proposed interconnected street grid creating new routes to connect Pine Street to Battery Street, truck access from the railyard directly to Pine Street, and potentially new sites for mixed-use economic development. This concept is based on an alternative laid out in the June 2010 Waterfront South Access Study by the Chittenden County Metropolitan Planning Organization (CCMPO) and the Burlington Department of Public Works (DPW).

2) **FHWA and VTrans have agreed – subject to state legislative approval that VTrans has committed to work to achieve – to pay for the roadway segments and other eligible project elements on an 80/10/10 basis (Federal/State/Local).**

3) **Property owners and lessees likely to be impacted by the new project are open to exploring the new project.** This new project would involve road construction on land currently owned by the City, the State, and some private parties. Some of the property likely involved in the project currently is controlled by Vermont Rail System, an important business in the City and the State. We have met extensively with Vermont Rail System, and the company is open to exploring this project with us.

4) **We have had numerous meetings with individuals and groups interested in the King Street neighborhood and there appears to be a preliminary consensus to support pursuing the new Railyard Enterprise Project.**

The attached letter of July 11, 2012 to Secretary Searles from me, and the response letter of August 9, 2012 from Secretary Searles, outline the City's and the State's positions on the status of the Champlain Parkway and the proposed new Railyard Enterprise Project. Secretary Searles' letter conveys the commitments summarized in points 1 and 2 above, and outlines several important parameters related to the design and implementation of the Railyard Enterprise Project:

- The existing Champlain Parkway project cannot be amended to include any new streets;

- The Railyard Enterprise Project must be a separate, stand-alone project with its own independent process; and

- If the current Champlain Parkway was not built due to decisions made by the City, the City would be responsible pursuant to FHWA regulations, Vermont law, and the Cooperative Agreement between the City and VTrans for a minimum payback of expended federal funds of $5 million.

Extensive consultations with other interested parties

In addition to securing these commitments from VTrans, the City has met with a range of individuals and groups that had expressed concerns about the potential impacts on the Maple and King Street neighborhood including:

- Board of the Champlain Housing Trust
- Matt Viens, Board President, Preservation Burlington
- Greg Marchildon, State Director, AARP Vermont
- Jack Donnelly, Executive Director, Community Health Centers of Burlington
- Vicky Smith, Executive Director, King Street Center
- Ted Wimpey, Chair, Vermont Affordable Housing Coalition
- Joe Reinert & Matt Mahoney, King Street Neighborhood Revitalization Corporation
- Andy Montroll, Burlington Representative to the Chittenden County Regional Planning Commission (CCRPC)
- Sandy Levine, Senior Attorney, Conservation Law Foundation
- Jack and Debbie DuBrul, Jackson Terrace Apartments, 500 Pine Street
- Tom Torti, President, Lake Champlain Regional Chamber of Commerce
- Kelly Devine, Executive Director, Burlington Business Association
- Chapin Spencer, Executive Director, Local Motion
- Neil Mickenberg, Citizen
- Ernie Pomerleau, Citizen
- Joan Shannon, City Council President
- Rachel Siegel, City Councilor & Burlington Progressive Coalition Steering Committee

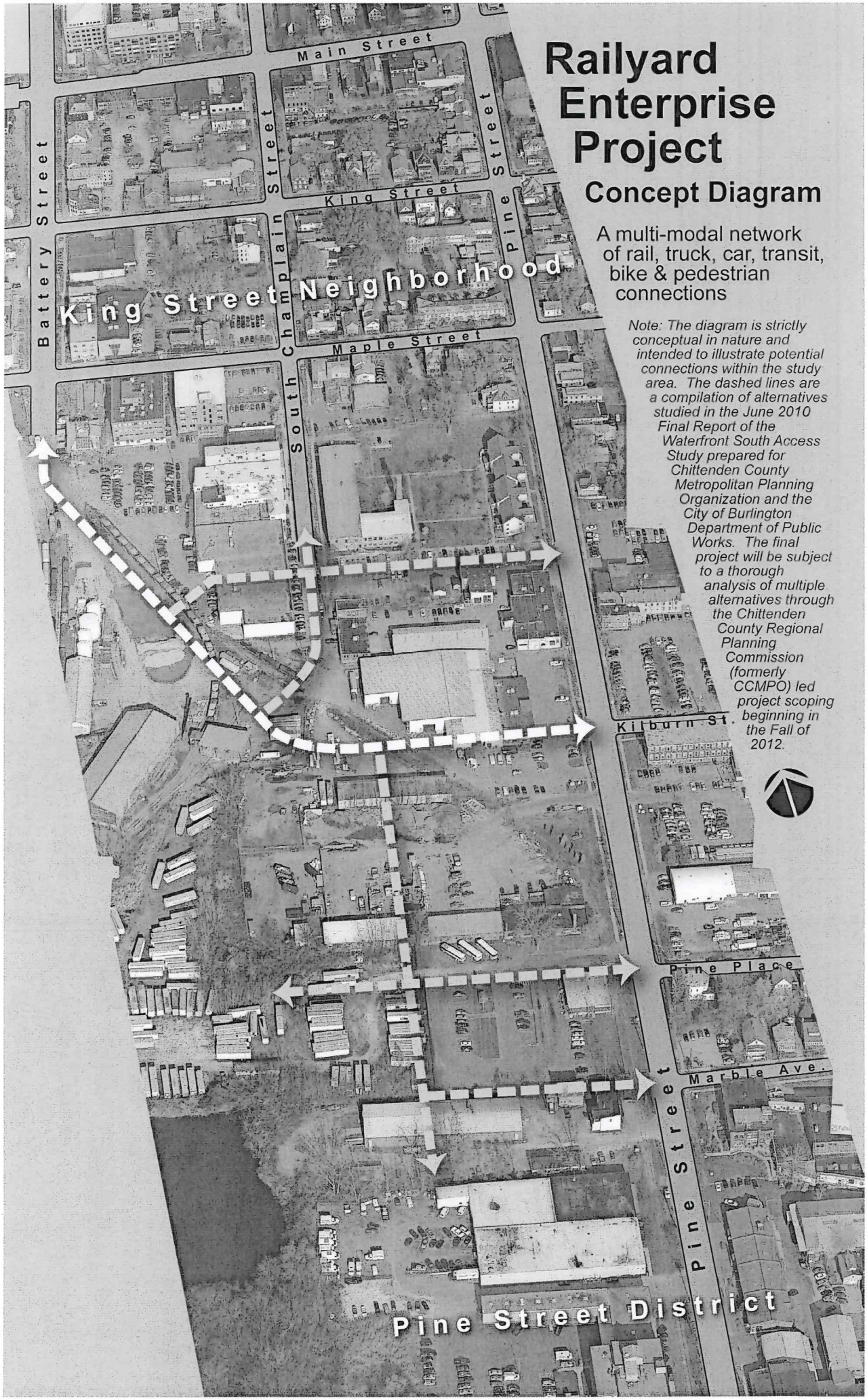
In general, the Railyard Enterprise Project was viewed as a positive development and all expressed an interest in continuing to work with City to move the project ahead. While valid questions regarding time, details and cost remain, the general consensus was to work together to advance the Railyard Enterprise Project in the state transportation planning and funding process.

The attached diagram shows a composite of potential street, bike, and walking corridors as explored in the June 2010 study. It is important to understand that the diagram contains generalized concepts. Analysis of specific alternatives and options will be developed through the project scoping under the NEPA process.

Finally, we have met on a number of occasions with all appellants (or their attorneys or agents) to the Act 250 appeal that is currently pending at the Superior Court, Environmental Division. These appellants include Allan Hunt, Vermont Rail System President David Wulfson and CFO Mary Anne Michaels, and representatives of GP Burlington South (a Gilbane company) and Fortieth Burlington. These conversations will continue with all of these parties.

Conclusion: Administration will seek support of City Council in October to move forward with Champlain Parkway and commence scoping of new project

Based on this work, we will be bringing back to the City Council in October a resolution that will authorize: 1) continuing with the work related to the current City - State Cooperative Agreement on the Champlain Parkway; and 2) requesting commencement of project scoping by the CCMPO for the Railyard Enterprise Project.



Railyard Enterprise Project

Concept Diagram

A multi-modal network of rail, truck, car, transit, bike & pedestrian connections

Note: The diagram is strictly conceptual in nature and intended to illustrate potential connections within the study area. The dashed lines are a compilation of alternatives studied in the June 2010 Final Report of the Waterfront South Access Study prepared for Chittenden County Metropolitan Planning Organization and the City of Burlington Department of Public Works. The final project will be subject to a thorough analysis of multiple alternatives through the Chittenden County Regional Planning Commission (formerly CCMPO) led project scoping beginning in the Fall of 2012.

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July 11, 2012

Brian Searles
Secretary of Transportation
VTrans
One National Life Drive
Montpelier, VT 05633-5001

Dear Brian,

Thank you for taking the time to meet with me on Wednesday, July 11th to discuss the status of the Champlain Parkway project. As you know, I am very interested in and eager to make progress on this important project for economic development in the South End of the City.

As we discussed, the Champlain Parkway has been modified in numerous significant ways that have a material impact on how it operates to redistribute traffic and its potential to stimulate private investment and encourage economic development. I understand that VTrans and the FHWA believe that the current project design is a reasonable multi-model compromise balancing well automobiles, pedestrians, bicyclists and rail. However, I have heard strong concerns expressed that the existing project does not sufficiently relieve traffic in the Maple/King Street neighborhood, provide satisfactory truck access to the rail yard, and would fail to fully realize an important economic development opportunity for the City of Burlington.

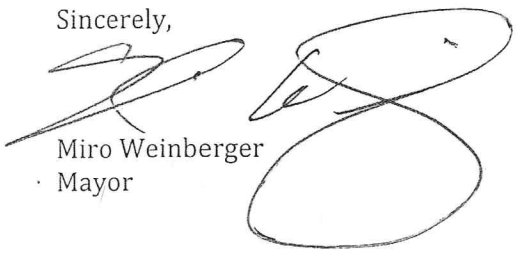
We also discussed VTrans' support of the City's interest to continue to explore an independent development effort that the MPO began to study in 2010, and we have begun to refer to as the Rail-Yard Enterprise District Project. The Rail-Yard Enterprise District Project should be crafted as an economic development project that would address access to the waterfront, access to the rail-yard, and will stimulate economic development through the creation of additional street frontage. It would also have the benefit of reducing traffic volumes in the Maple/King Street neighborhood. The streets we are exploring to create will take the form of a new grid bordered by Pine and Maple Streets, Battery Street Extension and the rail-yard. This new public street framework will provide frontage for commercial and housing development, and help to knit together the community neighborhood of the Battery Street and Pine Street areas.

We welcome VTrans' support, assistance, and cooperation to explore the options to make rapid progress in advancing the Rail-Yard Enterprise District Project. We look forward to working with VTrans to evaluate federal, state and local funding options for the design, planning, and construction of the project.

I shared with you the Burlington City Council's request that my Administration take a critical look at the current design of the Champlain Parkway. I am interested in understanding how VTrans and the FHWA would view the relationship in terms of sequencing, funding, and determinations between the Champlain Parkway and the Rail-Yard Enterprise District Project. Would you please clarify the payback requirements under FHWA rules and the Cooperative Agreement between the City and VTrans should the City of Burlington not go forward with the Champlain Parkway as planned? I would also ask you to provide me with an explanation of the consequences of revisiting the VTrans/FHWA Section 4(F) determination in the NEPA process of the railroad spur alternative of the Champlain Parkway.

Thank you in advance for your assistance as we chart our economic development and transportation course in Burlington.

Sincerely,



Miro Weinberger
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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.

VTrans Working to Get You There

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