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December 27, 2012

Ms. Gina Campoli, Environmental Policy Manager
Vermont Agency of Transportation
Policy, Planning, and Intermodal Development Division
One National Life Drive
Montpelier, VT 05633-5001

Dear Ms. Campoli,

I am writing on behalf of the 246 member cities and towns of VLCT to comment on the draft Vermont Agency of Natural Resources and Agency of Transportation Road and Bridge Standards.

The Vermont League of Cities and Towns spoke to municipal officials, including road commissioners who had reviewed the draft roads and bridge standards documents you provided. Road commissioners we spoke to agreed that they would support state and federal requirements for improving structures in order to withstand more powerful and damaging natural disaster events, if there is a funding mechanism(s) for local municipalities. As written, imposing such significantly more costly standards essentially imposes an unfunded mandate on municipalities.

Many local officials explicitly stated that these minimum standards are not applicable or even effective universally across all of the municipalities in the state, given Vermont's varied geography and topography. These requirements cannot serve as a "one size fits all" policy, as many Vermont towns have unique circumstances which require individualized solutions in their roadway work. There must be some allowance for unique fixes in exceptional circumstances.

Road commissioners and public works directors also mentioned to us that they do not wish to have the standards explicitly require the use of "geotextiles" even though many of them already utilize these materials in their work.

We support the sentence in the third paragraph, with modification so it would state, "the Selectboard reserves the right to modify the standards for a particular project, repair or maintenance activity, where because of unique physical circumstances or conditions, there is no possibility that the project or activity can be completed in strict conformance with these provisions *or these provisions will not achieve the objectives for which they are designed.*"

We have commented on several occasions in the past three years that the sentence. "Fiscal reasons are not a basis for modification of the standards", is unacceptable and should be deleted. The federal government is facing a significant fiscal crisis. The state is facing a structural deficit in the Transportation Fund. Local governments have far fewer resources than either the federal government or the state. There must be the capacity to address real fiscal issues with respect to road and bridge repairs, even though if there were funds, every town would put in place the most resilient infrastructure possible. You could simply take out this sentence and remain silent on the issue.

Sponsor of:

VLCT Health Trust, Inc.
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Intermunicipal Fund, Inc.
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Insurance Trust, Inc.

VLCT would welcome any further questions from state agencies regarding the issues municipal officials brought to our attention. Please do not hesitate to contact us if we can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan L. Williams". The signature is fluid and cursive, with a prominent flourish at the end.

Jonathan L. Williams
Associate, Public Policy and Advocacy