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February 10, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE NOTICE OF PROJECT CHANGE

PROJECT NAME	: Naval Air Station Redevelopment Project
PROJECT MUNICIPALITY	: Abington, Rockland and Weymouth
PROJECT WATERSHED	: Weymouth and Weir, North and South Rivers, and Taunton
EOEA NUMBER	: 11085R
PROJECT PROPONENT	: South Shore Tri-Town Development Corporation (SSTTDC) and LNR South Shore LLC
DATE NOTICED IN MONITOR	: December 15, 2005

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it requires the preparation of a revised Scope for an Environmental Impact Report (EIR). I also hereby determine that the NPC incorporates sufficient information to grant the requested Phase I waiver, pursuant to the Special Review Procedure, subject to conditions described below.

I applaud the proponent for presenting a revised project that that demonstrates a strong commitment to a transit-oriented, smart-growth redevelopment of the South Weymouth Naval Air Station. I would also like to commend the Citizens Advisory Committee (CAC) for their invaluable role in the progress reflected in the NPC. The NPC illustrates a project proposal that is responsive to the direction of previous MEPA Certificates, and it is clear that the proponent's extensive planning efforts and consultation and coordination with the towns of Abington, Rockland, and Weymouth, the CAC, regional interests, and state and federal agencies, have resulted in a project that has the potential to establish a new standard for environmentally responsible development. I will look forward to reviewing in the Draft EIR a detailed discussion of how the specific application of contemporary principles of planning and development – currently presented in the NPC largely in thematic terms – will characterize the individual elements and overall nature of the redevelopment.

I recognize that the potential benefits of the proposed redevelopment are significant to the Commonwealth's environmental, housing, and economic interests. I also recognize, however, the potential impacts the project could have to environmental resources and the quality of life in the host communities. In particular, potential impacts to local and regional roadways have been identified as a major concern by many of the public comment letters I have received, especially as they relate to the initial phase of development. Commentors have also expressed concern with the potential impacts associated with construction and occupation of both the initial and overall development to wildlife habitat, water quality, and other critical resources. I have carefully conditioned the Phase I waiver to ensure that impacts are appropriately minimized and mitigated, and I will expect the Draft EIR to provide, for the overall redevelopment program, a full analysis of alternatives and measures to avoid, minimize or mitigate impacts to the natural and human environment.

Project History

The proposed project, which involves the redevelopment of the South Weymouth Naval Air Station, was the subject of an Environmental Notification Form (ENF) filed with the MEPA Office in July 2000, a Phase I Report (May 2002) and a Phase I Status Update (June 2003). A Special Review Procedure was established for the project (October 11, 2000) which enabled the creation of a Citizen's Advisory Committee (CAC), allowed for a phased approach to the project and coordinated MEPA/National Environmental Policy Act (NEPA) review of transportation elements. The Secretary's Certificate on the Phase I Report granted a waiver allowing Phase I to proceed, under certain conditions, prior to completion of the EIR for the entire project. Since the filing of the Phase I Report, the proposed redevelopment, including the Phase I portion, has been redesigned. The proponent submitted a Notice of Project Change (December 15, 2005) that describes project changes and requests that the Phase I waiver granted in 2002 be continued.

Project Description and Proposed Changes

The proposed project, referred to as *The Village Center Plan* in the NPC, consists of up to 2,850 residential units, 2 million square feet (sf) of commercial/industrial space, 9-13 playing fields, an 18-hole golf course, and institutional space (including sites for a school and civic/community facilities). The project also involves associated infrastructure development including an on-site wastewater treatment facility, and water supply infrastructure, road construction and other transportation improvements, and a multi-modal transportation center based on expansion of the existing commuter rail station in South Weymouth. The project is proposed for implementation in 3-4¹ phases over a 12-year period.

The proposed project has been redesigned since the filing of the Phase I Report resulting in a new *Village Center Master Plan* for redevelopment of the base, which was approved through town vote in May-July 2005 by the Towns of Abington, Rockland and Weymouth. The NPC describes proposed changes in the master plan including a move

¹ The *Village Center Master Plan* identifies three phases. However, there may be four phases since the project proposed under the MEPA Phase I waiver request consists of a portion of the Master Plan's "Phase I".

towards a more compact, transit-oriented, mixed-use development that is more aligned with smart growth and sustainable design principles. Significant changes in the master plan include an increase in residential units proposed (from 700 to 2,855), as well as an increase in water use, wastewater generation and impervious area. Traffic impacts have been reduced and are now estimated at 20,000 vehicle trips per day (a decrease of approximately 30,000 from the previous plan), and commercial and other non-residential development has been reduced from 2.8 million square feet (sf) to 2 million sf. The proposed Route 3 Connector Road has been eliminated and a new East-West Parkway is proposed with local road connections to Route 3. The NPC also proposes a temporary access road prior to the second phase of the *Village Center Master Plan*².

Based on the new master plan proposed in the NPC, the project will result in an increase in potable water use from 525,000 gallons per day (gpd) to 1.4 million gallons per day (mgd), and an increase in irrigation water from 522,000 gpd to 650,000 gpd. Wastewater generation will increase from 420,000 gpd to 1.3 mgd. Site uses in the previous plan included 2.5 million square feet (sf) of Office/Research and Development (R&D) and 300,000 sf of retail space. The new master plan includes 1.5 million sf of office/R&D/Light industrial space and up to 500,000 sf of retail, hotel, civic and other uses.

The overall project site acreage has decreased by 64 acres (from 1450 to 1,386) due to deducting some U.S. Coast Guard land that will not be transferred from the Navy. Land alteration is estimated at 675 acres (a decrease of 30 acres from the previous proposal). The total amount of impervious area for the project will increase by 120 acres (from 230 to 350 acres³). Wetlands impacts, which were not determined in the 2002 Phase I Report, are estimated at approximately 37,000 sf (on-site) and 30,000 sf (off-site). The project includes approximately 4 miles of sewer mains and 6 miles of water mains on-site and 6-8 miles of water mains construction off-site.

Jurisdiction

The proposed project exceeds a number of thresholds for a mandatory EIR review, including thresholds pertaining to land alteration, creation of impervious area, vehicle trip generation and parking spaces, water supply, and wetlands. The project is also undergoing MEPA review because of potential impacts to rare species, and historical and archaeological resources, and because of impacts associated with wastewater generation.

The project is undergoing MEPA review and requires the preparation of a mandatory EIR pursuant to: Sections 11.03(1)(a)(1) of the MEPA regulations because it will result in alteration of 50 or more acres of land; 11.03(1)(a)(2) because it involves creation of 10 acres or more of impervious area; 11.03(3)(a)(2) because involves an alteration requiring a variance in accordance with the Wetlands Protection Act; 11.03(4)(a)(3) because it involves construction of new water mains ten or more miles in length; 11.03(4)(a)(2) because it

² This temporary access road is not covered under the MEPA Phase I waiver and cannot be commenced until the EIR process for the entire project is complete.

³ The "previously reviewed" impervious area was incorrectly stated in the NPC, which indicated a decrease of 257 acres (from 607 to 350 acres).

involves a new interbasin transfer of water of 1,000,000 or more gpd; 11.03(4)(a)(3) because it involves construction of 10 or more miles of new water mains; 11.03(6)(6) because it involves generation of 3,000 or more new vehicle trips per day on roadways providing access to a single location; 11.03(6)(6) because it involves construction of 1,000 or more parking spaces. The project is also undergoing review pursuant to 11.03(2)(b)(2) because it will involve a "taking" of an endangered or threatened species or species of special concern; 11.03(5)(b)(1) because it involves construction of a new wastewater treatment facility with a capacity of 100,000 or more gpd, and 11.03(5)(b)(3)(c) because it involves ½ mile or more of new sewer mains; and 11.03(3)(b)(1)(d) because it involves alteration of 5,000 square feet or more of bordering vegetated wetlands (BVW) (the project may involve alteration of one or more acres of BVW, a mandatory EIR threshold pursuant to 11.03(3)(a)(1)(a)).

The project requires a wide range of state, federal and local permits including a MassHighway Access Permit, Interbasin Transfer Act (ITA) Permit, Water Management Act (WMA) Permit, Sewer Extension Permit, Conservation and Management Permit, 401 Water Quality Certification, Chapter 91 License, Orders of Conditions, and a Wetlands Protection Act Variance. The project involves funding from the Commonwealth of Massachusetts. Therefore, MEPA jurisdiction is broad and extends to all aspects of the project with the potential to cause Damage to the Environment as defined in the MEPA regulations.

PHASE I WAIVER REQUEST

On December 15 2005, the proponent requested that I grant a waiver to allow Phase I of the project to proceed in advance of completion of the EIR. The waiver request was submitted with the NPC and it was discussed at the consultation/scoping session that was held on January 12, 2006. The Certificate on the Phase I Report (August 9, 2002) allowed a limited portion of the project (Phase I) to proceed, under certain conditions, prior to completion of the full EIR for the project. The proponent has requested that I allow the waiver to be continued and applied to the currently proposed Phase I of the project⁴. As proposed in the NPC, Phase I consists of the construction of 500 residential units and 150,000 sf of commercial development as well as associated infrastructure improvements. The previous Phase I proposed in the 2002 Phase I Report consisted of 300 residential units, 300,000 sf of commercial development and 12 recreational fields. According to the NPC, vehicle trip generation, water supply needs and wastewater generation associated with the currently proposed Phase I will be less than that proposed in the 2002 Phase I Report. Land alteration impacts are reduced due to the removal of recreation fields from the Phase I plan. However, the amount of impervious area will increase and the proposed Phase I includes development of approximately 30 acres of grassland, which will have an adverse impact on state-listed grassland birds.

Impacts associated with Phase I of the project include alteration of approximately 57 acres of land, creation of 32 acres of new impervious area, and generation of 4,344 vehicle trips per day. Phase I involves work in the wetlands buffer zone but will not result in alteration of wetlands resource areas. Water supply needs are estimated at 117,908 gpd for

⁴ Phase I, as referred to in this Certificate, and as proposed in the NPC, is a smaller scale development compared with the proponent's "Phase I" that is described in the *Village Center Master Plan*

potable water and up to 37,000 gpd for irrigation. Wastewater flows are estimated at an average of 87,850 gpd.

Criteria for a Phase I Waiver

Section 11.11 of the MEPA Regulations provides that the Secretary may waive any provision or requirement of 301 CMR 11.00 not specifically required by MEPA, and may impose appropriate and relevant conditions or restrictions, provided that the Secretary finds that strict compliance with the provision or requirement would: a) result in undue hardship to the proponent, unless based on delay in compliance by the proponent; and b) not serve to minimize or avoid damage to the environment.

In the case of a partial waiver of a mandatory EIR review threshold that would allow the proponent to proceed to Phase I of the project prior to preparing an EIR, the finding required under Section 11.11(1)(b) shall be based on a determination that: 1) the potential environmental impacts of Phase I are insignificant; 2) ample and unconstrained infrastructure and services exist to support Phase I; 3) the project is severable, such that Phase I does not require the implementation of any other future phase or restrict the means by which potential environmental impacts from any other phase of the project may be avoided, minimized or mitigated; and 4) the agency action on Phase I will contain terms, such as a condition or restriction in a permit to ensure due compliance with MEPA and 301 CMR 11.00 prior to commencement of any other phase of the project. I expect the proponent to consult with the CAC in the review of Phase I materials developed pursuant to the conditions of this waiver.

Based upon the information submitted by the proponent and comments received, and after consultation with relevant state agencies, I find that:

1. The proponent provided a detailed evaluation of project impacts as well as a description of baseline conditions and proposed mitigation measures in the 2002 Phase I Report, which informed the Secretary's decision to grant a conditional Phase I waiver. The proposed Phase I project involves some changes from the "Stage 1" project proposed in the 2002 Phase I Report. Although the NPC (December 2005) is not based on a comparable level of detail for some of the project changes, substantial information was provided in the 2002 Report that is relevant to MEPA review of the proposed Phase I and has been valuable in my consideration of the proponent's request for a Phase I waiver. The proponent has also provided additional information in the NPC and during the review process, including commitments to mitigation of project impacts. Commitments include mitigation for impacts associated with rare species habitat, stormwater, traffic, and construction. The Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP), Executive Office of Transportation (EOT), and the Department of Environmental Protection (DEP) have determined that the NPC provides sufficient information to grant the Phase I waiver, subject to conditions as further detailed below and in agency comment letters.

The potential impacts of Phase I, although not insubstantial, can be adequately avoided or minimized and mitigated. This Phase I waiver is conditional upon the proponent's compliance with the conditions specified below.

As conditions of this waiver:

Rare Species

- The proponent must obtain a Conservation and Management Permit from NHESP prior to implementation of Phase I;
- The proponent should continue consultations with NHESP, and provide NHESP with project plans, a permit application, information on open space boundaries and wetlands crossing structures, and other information as further detailed in the NHESP comment letter;
- The proponent must develop a Grassland Management Plan to be approved by NHESP as part of the permit process for Phase I;
- The proponent must make a significant commitment to on-site and off-site grassland mitigation as required by NHESP and as described in its comment letter;
- The proponent must ensure that NHESP-approved legal mechanisms are in place to protect open space habitat areas in perpetuity.

Transportation

- The proposed improvements to five Route 18 intersections (intersections of Route 18 with Route 139, West Street/Middle Street, Park Avenue, Columbian Street, and Pond Street/Pleasant Street) must be completed before Phase I occupancy or an NPC that describes an adequate Interim Traffic Mitigation Plan must be filed (two of the above intersections, Route 18/139 and Route 18/Pond/Pleasant Street, have been substantially completed);
- Building permits for vertical construction must not be issued until MHD has issued contracts for construction of improvements to the remaining three intersections on Route 18;
- The proponent must develop and implement a Transportation Demand Management (TDM) program for Phase I as proposed in the NPC (December 15, 2005) and the Phase I Report (May 2002). The proponent must consult with the MassHighway Department (MHD) to finalize details of the TDM program;
- The proposed shuttle bus service to the South Weymouth commuter rail station must be made available to residents as well as the commercial component of the Phase I development. To the maximum extent feasible, measures to improve interim access to the commuter rail station must be in place before Phase I occupancy begins;
- The proponent must implement a traffic monitoring study during Phase I to inform the design of a traffic impact analysis for the full build-out and consult with EOT and MHD regarding the study results. The proponent must obtain EOT and MHD approval of the Phase I traffic monitoring study protocol.
- The proponent must develop and implement a Phase I Construction Management Plan (CMP), including a construction traffic plan, to be developed in consultation with the towns of Weymouth, Abington and Rockland, and MHD, prior to construction of Phase I.

Stormwater

- The stormwater management system must be designed to meet or exceed DEP Stormwater Management Policy standards, and incorporate Low Impact Development (LID) techniques to the maximum extent feasible;
- If an Order of Conditions for Phase I is appealed and a Superseding Order is required from DEP, the proponent must submit a Notice of Project Change, which should include a detailed stormwater management plan for Phase I.

Water Supply

- The proponent must conduct an evaluation of the existing water supply infrastructure that will be used for Phase I and submit the evaluation report to DEP. The proponent must provide DEP with documentation and analysis that demonstrates the adequacy of existing infrastructure to provide safe drinking water for the Phase I development.
- The proponent must consult with DEP, EPA and the Navy regarding the proposed location and use of irrigation wells for Phase I in order to identify and address any potential conflicts or incompatibilities between proposed wells and contaminated sites or remediation activities.

2. Ample and unconstrained infrastructure facilities and services exist to support Phase I of the project. The Town of Weymouth has committed to provide up to 150,000 gpd of water for Phase I and to accept up to 120,000 gpd of wastewater for treatment through the town's system to the MWRA system. DEP has supported the proponent's request for a Phase I waiver and has concurred that there is adequate capacity in the Weymouth municipal system to meet the Phase I water supply and wastewater needs. EOT has determined that the proponent has provided an adequate traffic impact analysis for Phase I and that traffic impacts associated with Phase I will be adequately mitigated by completion of the proposed Route 18 intersection improvements and TDM program, as conditioned above.

3. The project is severable, such that Phase I does not require the implementation of any future phase of the project. Municipal water and sewer services are available and the Phase I development will use existing infrastructure. Phase I is not dependent on infrastructure development or proposed mitigation associated with any future phase. Phase I does not restrict the means by which potential environmental impacts from any other phase of the project may be avoided and minimized or mitigated. Phase I will result in alteration of approximately 57 acres of land in the northwest quadrant of the 1,386-acre site. Therefore, flexibility will be retained during the master planning process to consider a range of site planning approaches for the remainder of the project site. The EIR for the entire project will consider alternative levels of development and site configurations, open space and habitat conservation plans, and project design elements that may serve to avoid and minimize, or mitigate environmental impacts from any other phase of the project.

4. State agency actions on Phase I will contain conditions that ensure due compliance with MEPA prior to commencement of any other phase of the project. The Phase I portion of the project requires a Sewer Extension/Connection Permit from DEP, a Conservation and Management Permit from NHESP, and a State Highway Access Permit from MHD. Phase I also requires an Order of Conditions from the South Shore Tri-Town Development Corporation (SSTTDC) Conservation Commission/Agent (to be established) for work in the buffer zone associated with construction of the new access road. If the Order of Conditions is appealed, a Superseding Order will be required from DEP.

The proponent has committed to integrate sustainable design principles as part of the Phase I development and to develop a set of sustainable design guidelines for the entire project. I commend the proponent for its commitment to sustainable design and the measures proposed for Phase I, which include water conservation, promoting pedestrian and bicycle access, recycling and reuse of construction and demolition debris, and Low Impact Development (LID) techniques. I expect the proponent will continue to evaluate and implement measures to minimize impervious area and other environmental impacts as Phase I project design proceeds. I strongly encourage the proponent to consider Leadership in Energy and Environmental Design (LEED) certification for the Phase I development. I expect the Draft EIR to contain a more fully developed set of Sustainable Design Guidelines for the entire project, which will in turn be made applicable to all project elements within Phase I.

Providing the conditions of this waiver are met, I am satisfied that Phase I of this project will be implemented in a manner that avoids, minimizes and mitigates impacts to the maximum extent feasible. I am also satisfied that remaining issues can be adequately addressed during the state and local permit and review process. Based on these findings, I determine that the waiver request has merit and hereby grant the Phase I waiver requested for this project. State agencies should forward a copy of Section 61 Findings for Phase I permits to the MEPA Office for the project files.

SCOPE

The proponent should prepare a Draft EIR (DEIR) in accordance with the general guidance for outline and content found in Section 11.07 of the MEPA regulations as modified by this Scope. I received many thoughtful and comprehensive comments on this project, and appreciate the effort of the CAC, residents, community groups, environmental organizations, elected officials and public agencies to assist me in developing a revised Scope for the EIR. The comment letters should assist the proponent also in refining project design and furthering the project goals of smart growth and sustainable development.

The DEIR should include a copy of this Certificate as well as previous Certificates issued for the project. A Project Summary in clear non-technical language should be included in the DEIR. This section of the document should summarize all phases of the project, alternatives analyzed, the type and extent of potential impacts, and mitigation measures that

the proponent is committed to. It should also include a list of permits required and a timetable and cost estimate for the project.

The DEIR should include a description of all aspects of the project and a schedule for construction and other development activities. The DEIR should include maps and plans at a reasonable scale that clearly locate and delineate project elements, surface water and wetlands resource areas, open space (including active and passive recreation and permanently protected habitat areas), adjacent land uses, and Zone IIs and other water protection districts on or adjacent to the project site. All maps and site plans should be clearly labeled and include a scale and legend to facilitate review and comment.

The DEIR should identify any permits or approvals required and provide an update on the permitting process. Any changes to the proposed project since the NPC filing should be summarized in the DEIR.

ALTERNATIVES/PROJECT PHASING

Infrastructure Impacts Alternatives

The DEIR should include alternatives analyses for transportation, water supply, wastewater and stormwater infrastructure as further detailed below and in the relevant section of this Certificate. The DEIR should provide a rationale for the selection of preferred infrastructure alternatives and the elimination of others from future consideration. In evaluating different levels of development as part of the alternatives analysis, the DEIR should describe the corresponding infrastructure needs to support such development and present timelines for implementation.

Transportation alternatives in the DEIR should include the following:

- The no-build alternative, for baseline purposes;
- The Route 18 improvements alternative, which should define the level of development supportable by the proposed improvements, including widening of Route 18 and completion of the five intersection improvements;
- The transit improvements alternatives, which should identify the level of development supportable by proposed improvements to rail access, regional bus services, and shuttle bus services within the site and from other regional locations.
- The East-West Parkway alternatives. The Parkway alternatives analyses should identify the level of development supportable by the proposed Parkway and associated local roadway improvements. The DEIR should also include an analysis of alternative access routes to the proposed Parkway as further detailed in the transportation section below.

Site Planning Alternatives

The purpose of the site planning alternative is to ensure that the wetlands, aquifers, wildlife habitat and other critical resources are protected, and to explore the opportunities for compact mixed-use development planning that maximizes sustainable development practices. By reducing the footprint of buildings and paved areas, the proponent can reduce impacts to vegetation, surface and groundwater, and can encourage pedestrian and transit access that will serve as a state-wide model. The project as proposed includes 350 acres of impervious area, an increase of 120 acres compared with existing conditions on the base. The alternatives analysis should address measures to minimize impervious areas. The alternatives analysis should also evaluate how different programmatic elements can be arranged on the site to maximize the potential for pedestrian-friendly, transit-oriented development.

The DEIR should present at least one reduced scale Master Plan alternative. The purpose of the reduced scale alternative is to identify opportunities to avoid and minimize environmental impacts, and to provide examples of different levels of development and different site configurations that can guide future planning and development of the site. In developing a reduced-build alternative, the proponent may consider alternatives that eliminate certain project components and reduce the overall level of development. The proponent may also consider alternative layouts and other design changes that reduce the overall footprint of various project components. I refer the proponent to the sustainable design section of this Certificate for additional recommendations on measures to reduce environmental impacts. As further detailed in the rare species section below, the proponent will need to redesign components of the master plan in order for a Conservation and Management Permit to be considered.

TRANSPORTATION

The project as proposed in the NPC is expected to generate 20,000 vehicle trips per day on an average weekday. The DEIR should include a transportation study prepared in conformance with the EOEA/EOT Guidelines for EIR/EIS Traffic Impact Assessments and should identify appropriate mitigation for intersections where the project will have an impact on traffic operations. Trip generation rates and transportation analysis should be updated from the original studies to reflect the current development plan. The DEIR should provide a detailed analysis of impacts, for each phase of the project, on the transportation system on and off the site. The DEIR should clearly describe how phases of the redevelopment project will be coordinated to ensure there is adequate infrastructure capacity on and off-site.

Figure 3 of the NPC identifies intersection locations proposed by the proponent and by the CAC for inclusion in the traffic study area. MHD has determined that this study area is adequate. However, as further detailed in its comment letter, MHD is conducting travel modeling in the study area and may require that additional locations are included in the traffic study. The proponent should consult with MHD regarding the outcome of modeling studies and to identify any additional locations that may be required.

In addition to consultations with state agencies, and in order to define an appropriate study area for the project, the proponent should consult with town engineers, public works directors, town planners, and other local experts to determine the expected distribution of trips to and from the site and identify intersections to be evaluated in the DEIR. Mayor Madden of the Town of Weymouth has specifically requested that eight Weymouth intersections are included in the traffic study. I refer the proponent to the comment letter from the Town of Weymouth, MAPC and other commenters for recommendations on intersections to be included in the traffic study. The proponent should consult with EOT and MHD to finalize details of the traffic study and identify the complete list of intersections to be studied. The DEIR should provide an update on consultations at the state and local levels, and clarify any changes in the study area as compared to that proposed in the NPC.

The proponent should coordinate with EOT and MHD regarding the agency's Route 3 improvements project. The DEIR should provide an update on the timeline for the Route 3 improvements in the context for the proposed project and its various phases. The DEIR should identify any dependencies the project may have on the Route 3 improvements to provide adequate capacity for the increased traffic that will be generated by the redevelopment of the site.

The DEIR should include clear commitments to traffic mitigation and provide a timeline for implementation of mitigation measures based on the phasing of the project. The DEIR traffic study should present capacity analyses and a summary of average and 95th percentile vehicle queues for each intersection within the study area. The DEIR should include weave, merge, diverge, ramp and road segment analyses where applicable. Any proposed traffic signal must include a traffic signal warrant analysis according to the Manual of Uniform Traffic Control Devices (MUTCD).

Proposed Improvements

The NPC describes site access and roadway improvements proposed to address the traffic impacts associated with redevelopment of the site. These improvements include Route 18 widening and intersection improvements, an East-West Parkway, and a temporary access road, and opening Trotter Road to provide access between the project site and Route 18 and the commuter rail station. These improvements will require significant investments and are likely to be phased in over time to accommodate various stages of development. The DEIR should include conceptual plans for improvements as further detailed in the EOT comment letter. The DEIR should identify all land takings and permits to implement proposed improvements and identify the party responsible for funding.

The DEIR should include an analysis of alternatives to the East-West Parkway and access to Route 18. The alternatives analysis should evaluate access schemes that will accommodate different levels of development, and evaluate alternatives with respect to permits, design requirements, access connections, and funding sources. The alternatives analysis should evaluate impacts associated with specific infrastructure elements as well cumulative impacts of each access scheme. As noted in its comment letter, EOT and MHD

will continue to work with the proponent to evaluate alternatives for Route 18 and the Parkway to maximize access and improve traffic operations and safety conditions in the vicinity of the project.

The proponent should work closely with the appropriate state and federal agencies on permitting issues. The DEIR should provide an update on the state and federal permit process and include a list of all permits required. As further detailed in the EOT letter, MHD may not be the proponent for the Route 18 widening and East-West Parkway. The proponent should work closely with the EOT and MHD to ensure the project meets the criteria for federal funding and to identify the best way to fund, program, permit and expedite proposed transportation improvements.

The proposed East-West Parkway alignment involves a crossing that may adversely impact the Old Swamp River (an Outstanding Resource Water (ORW)) and is located in an area that includes endangered species habitat and a capped Rubble Disposal Area. The DEIR should discuss how the proposed crossing in this area will comply with the new US Army Corps of Engineers Stream Crossing Guidelines and the wildlife accommodation guidelines in MHD's Project Design and Development Guidebook. The DEIR should evaluate wetlands impacts associated with infrastructure improvements as further detailed in the EOT comment letter. The DEIR should discuss potential impacts and regulatory requirements with regard to the Rubble Disposal Area and proposed Parkway, and discuss future maintenance responsibilities. The DEIR should address future ownership of the Parkway upon termination of the SSTTDC.

The DEIR should provide a detailed description and analysis of impacts for the temporary access road referred to in the NPC. The proposed alignment of the temporary access road should be identified on site plans. The DEIR should evaluate impacts associated with the temporary access road, including potential impacts to wetlands and vernal pools and rare species habitat. The DEIR should describe proposed measures to avoid and minimize, or mitigate impacts. The DEIR should discuss the proposed timeframe and uses for the temporary access road, and identify any permits required. The alternatives analysis for the East-West Parkway and the proposed temporary access road should compare the relative wetland and rare species habitat impacts of each potential route, the no-build and other transportation alternatives.

The DEIR should provide information on funding sources and timeline for transportation improvements. The DEIR should describe how the various improvements (including those identified in the MAPC letter) will be coordinated to ensure a functioning multi-modal transit system for all phases of the project. The DEIR should discuss the National Environmental Policy Act (NEPA) process for the proposed Parkway, Route 18 widening, and other transportation improvements related to the proposed project.

Parking

The availability of parking is an important factor in influencing travel behavior. The DEIR should include a parking needs assessment. The DEIR should quantify the number of

employee, residential, institutional, commercial, visitor spaces as well as parking associated with recreational facilities and the on-site multi-modal transit center. The DEIR should include the number of surface and structured parking for each type of user. The DEIR should address strategies to mitigate traffic impacts through parking supply and constraints, transit subsidies and other measures. The DEIR should also address the use of pervious surfaces and other Low Impact Development (LID) techniques to offset potential increases in impervious area typically associated with parking facilities.

Transportation Demand Management (TDM)

The proponent has committed, in the Phase I Report and the NPC, to a number of TDM measures including establishing a Transportation Management Association and a TDM program, use of a clean fuel transit system, upgrades to the South Weymouth commuter rail station and an on-site multi-modal transit system.

The DEIR should provide a detailed TDM program and implementation plan with a focus on making transit an integral part of site planning and make the project more consistent with smart growth principles. The DEIR should evaluate projected ridership and describe incentives proposed to encourage transit use as further detailed in the EOT letter. The DEIR should set a specific target for reducing auto trips to and from the site (MAPC has recommended 50 percent for the project including the construction period) and commit to a flexible mitigation program to achieve this target. The DEIR should include a monitoring and evaluation plan for the TDM program that identifies specific qualitative and quantitative measures for each element of the program as well as overall goals that will be used to measure the program's success as part of an annual monitoring plan. I encourage the proponent to work jointly with the Office of Transportation Planning, MHD and the CAC to establish the goals of the TDM program. The TDM program should include proposed measures to comply with the anti-idling provisions of the Massachusetts Air Quality Control regulations at 310 CMR 7.11 as recommended by DEP in its comment letter.

To promote alternatives to auto travel, the EIR should describe the full range of measures that are proposed to enhance pedestrian and bicycle access, both within the site and to connect to adjacent areas. The DEIR should demonstrate appropriate sizing and location of sidewalks and other pedestrian and bicycle facilities to accommodate the project needs. I refer the proponent to the state's Pedestrian Transportation Plan and Bicycle Transportation Plan for ideas and resources that should be reflected in project design.

On-Site Multi-modal Transit Center

The DEIR should describe in detail the proposed multi-modal transit center and how it will be integrated with the existing commuter rail station. The DEIR should include a well-developed schematic design for the proposed transit center area. The proponent should work closely with MBTA to identify upgrades needed at the existing station and to ensure connectivity with the proposed transit center. The proponent should coordinate closely with the MBTA in order to ensure that adequate transit capacity will be made available to fully realize the benefits of what is being designed as a transit-oriented development. I encourage

the proponent to coordinate with the MBTA as early as possible in preparation of the DEIR. The DEIR should include an update on consultations with MBTA. The DEIR should clarify if the proposed site for the transit center is zoned open space and if any zoning change and/or approval pursuant to the EOE Article 97 Land Disposition Policy is required. The DEIR should describe and quantify impacts associated with the transit center, including potential wildlife habitat impacts.

The DEIR should include an analysis of existing ridership for the South Weymouth commuter rail station and evaluate the capacity of the Old Colony rail line. The DEIR should also include an estimate of projected ridership and demonstrate how any impacts to the existing transit system will be mitigated.

The DEIR should evaluate potential mitigation measures to enhance project integration within the regional transportation system, including:

- Intermodal connections to the Greenbush and Middleboro lines;
- Expansion of MBTA bus services to the site and other bus transit options to points off the site in the surrounding communities;
- Off-site bike routes to allow safe passage for cyclists to access trails on the site.

The DEIR should identify and analyze the full range of alternative measures that could be incorporated into the project to maximize use of transit. Existing and future transit facilities that will serve the project, including shuttle buses within the project site boundaries and to other locations, should be described, including their capacity, frequency of service and destinations.

The DEIR and any future filings for the proposed development should include an update on the local permitting process with respect to state highway issues. I encourage the proponent to consult with MHD before state highway issues are discussed in local meetings or hearings. I also encourage the proponent to continue working with the Office Transportation Planning, MHD District 4 and 5 Offices, and the Environmental, Highway Design, Planning and Traffic Operations divisions during preparation of the DEIR and any future filings.

RARE SPECIES AND WILDLIFE HABITAT

Rare Species

The project site has been documented to provide habitat for five state-listed rare species; the Grasshopper Sparrow, Upland Sandpiper, Eastern Box Turtle, Spotted Turtle, and Mocha Emerald dragonfly. The Northern Harrier is also reported to occur on-site, although it does not appear to breed here. These species are protected pursuant to the Massachusetts Endangered Species Act (MESA) and the Wetlands Protection Act. The project, as proposed in the NPC, will adversely affect habitat of the Eastern Box Turtle, Spotted Turtle, Grasshopper Sparrow, and Upland Sandpiper and should be modified in order to meet the standards for a Conservation and Management Permit. Rare species impacts are

