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August 22, 2008

**CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ESTABLISHING A SPECIAL REVIEW PROCEDURE**

PROJECT NAME : Bayside Development
PROJECT MUNICIPALITY : Boston
PROJECT WATERSHED : Boston Harbor
EEA NUMBER : 14273
PROJECT PROPONENT : **Corcoran Jennison Companies**
DATE NOTICED IN MONITOR : July 9, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I) and Section 11.09 of the MEPA regulations (301 CMR 11.00), I hereby establish a Special Review Procedure to guide the MEPA review of the project.

Project Description

The Bayside Development project consists of the redevelopment of the Bayside Exposition Center site into a mixed-use development. The project will retain the existing office and hotel buildings on the 27.8-acre site and the existing Bayside Exposition Center will be demolished. The first phase of development will include: the redevelopment of the Bayside Office buildings to include ground floor retail, expansion (78 rooms) of the Double Tree Hotel, 300 dwelling units above ground floor retail, 250,000 gross square feet (gsf) of retail/restaurants, 105,000 gsf of office above ground floor retail, a total of 1,884 parking spaces and three new parking garages. The second phase of the project will include approximately 650 residential units in as many as six buildings. The project will include intersection improvements to accommodate vehicular and pedestrian traffic, as well as overall site landscaping and stormwater management improvements.

Anticipated environmental impacts outlined in the Expanded Environmental Notification Form (EENF) include a reduction to on-site impervious area by 3.6 acres, an increase of 8,380

vehicle trips per day to a site total of 11,575 vehicle trips per day, a reduction in total parking spaces by 411 to 1,884, an increase in water use by 174,850 gallons per day (GPD) for a total of 220,946 GPD, and an increase in wastewater generation by 158,955 GPD for a site total of 200,860. The project site contains approximately 10.8 acres of filled private tidelands subject to Chapter 91 (c.91) and its implementing regulations (310 CMR 9.00). The project site is adjacent to Department of Conservation and Recreation (DCR) beaches, parklands, and roadways.

While the Phase I portion of the project is relatively clear, and anticipated environmental impacts can be reasonably estimated to assist in the provision of commensurate mitigation measures, the Phase II portion of the project remains conceptual in nature. According to the proponent, at the time of the filing of the EENF, an accurate evaluation of potential environmental impacts of Phase II has been hindered by the project scale, development phasing, market uncertainty, ongoing zoning changes, and the incomplete nature of the Columbia Point Master Plan. The breadth and scope of the defined Phase I project does not meet the eligibility criteria for a Phase I Waiver in accordance with 301 CMR 11.11(4). Therefore, the Proponent has requested the establishment of a Special Review Procedure (SRP) to guide the MEPA review of the project.

SPECIAL REVIEW PROCEDURE

The proponent has requested that I establish of a Special Review Procedure (SRP) for the review of the project under MEPA. The MEPA regulations provide that a Special Review Procedure may be established to provide for review of a Project in phases. The SRP for the Bayside project includes:

1. The issuance of a Certificate on the EENF that outlines a Scope for the preparation of a Single EIR in accordance with 301 CMR 11.06(8). This Single EIR will address the potential environmental impacts associated with Phase I of the project and will follow the guidance provided in the Certificate on the EENF and be prepared in accordance with 301 CMR 11.07(5). I retain my authority to require further review in the form of a Supplemental Single Environmental Impact Report if issues are not adequately addressed in response to the issued Scope.
2. Prior to commencement of any portions of the Phase II development, the Proponent must file a Notice of Project Change (NPC) describing the potential cumulative environmental impacts of the Full Build phase of the Project (Phase I and Phase II combined). It is anticipated that the NPC will not be filed until the completion of the master planning process for the Columbia Point neighborhood (i.e. the Columbia Point Master Plan).
3. Following the NPC, I will issue a Certificate on the NPC that outlines a Scope for a Full Build Single EIR for the Full Build of the project. The Full Build Single EIR will address the potential cumulative environmental impacts associated with Phase I and Phase II of the project and will follow the guidance provided in the Certificate on the NPC and be prepared in accordance with 301 CMR 11.07(5). I

retain my authority to require further review in the form of a Supplemental Full Build Single EIR if issues are not adequately addressed in response to the issued Scope for the Full Build Single EIR.

4. The Proponent may file joint MEPA/Boston Redevelopment Authority (BRA) documents in accordance with the procedures outlined in this SRP and coordinated review procedures established by the BRA.

The proponent's signature below indicates consent to the establishment of a Special Review Procedure and the specific provisions outlined in this Certificate.

August 22, 2008


Date


for Ian A. Bowles

Secretary of Energy and Environmental Affairs

August 28, 2008

Date


Joseph Corcoran
Corcoran Jennison Companies

IAB/HSJ/hsj