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November 14, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Ambulatory Care Center/Medical Offices
PROJECT LOCATION : 620 Washington Street - Winchester
PROJECT WATERSHED : Boston Harbor
EOEA NUMBER : 14264
PROJECT PROPONENT : Winchester Hospital
DATE NOTICED IN MONITOR : **October 8, 2008**

As Secretary of Energy and Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (DEIR) submitted on the above project **adequately and properly** complies with the Massachusetts Environmental Policy Act (G. L., c. 30, s. 61-62I) and with its implementing regulations (301 CMR 11.00). The Proponent's request that I allow the DEIR to be reviewed as a Final Environmental Impact Report (FEIR) accordance with 301 CMR 11.08(8)(b)(2), is denied because there are outstanding issues which will need to be addressed in the FEIR. The Scope for the FEIR below will identify those remaining issues.

As described in the DEIR, the proposed project consists of the construction of a 239,000-square foot (sf) outpatient ambulatory care center and medical offices with approximately 956 parking spaces. The project would be constructed in three phases. The 2005 Phase included the partial demolition and renovation of the existing Winn Watch building (65,650 sf) for use as a 44,241-sf oncology treatment facility and the construction of a 2,200-sf linear accelerator vault. The oncology treatment facility and the linear accelerator vault have been completed and are operating. The portion of the 2005 Phase remaining includes the demolition of portions of the

Winn Watch building and the rehabilitation of three Massachusetts Water Resources Authority (MWRA) sewer lines which traverse the property. This was the subject of the proponent's Phase I Waiver request, which was approved in a Final Record of Decision (FROD) on August 8, 2008. The 2010 Phase includes the construction of an approximately 95,000-sf new ambulatory care center, medical offices, and 4,000-sf of ancillary retail space with a 538-space parking garage. The proponent will retain 19 surface parking spaces. The 2015 Phase includes the construction of approximately 99,500-sf of additional ambulatory care and medical office space with an additional 399 new structured parking spaces. The project site contains approximately 11.05 acres.

Access to the proposed site is from two existing driveways connecting to Washington Street. Eventually these two driveways will be consolidated into one signalized driveway at Washington Street. The proponent has estimated that the project will generate approximately 4,310 new trips to the site, which is based on data from the Institute of Traffic Engineers Land Use Code 610.

The proposed project will be connected to existing municipal water and sewer service. It will consume approximately 20,078 gallons per day (gpd) of water and will generate 18,254 gpd of wastewater flow.

Jurisdiction and Permitting

The project is subject to the requirement for a mandatory EIR pursuant to Section 11.03(6)(a)(6) of the MEPA regulations because it will generate 3,000 or more new vehicle trips. It may require a Construction Dewatering Permit, a Compliance Certification for a sewer extension, a Superseding Order of Conditions, a Fossil Fuel Emission Permit, and an Air Quality Permit for an emergency generator from the Department of Environmental Protection (MassDEP). The project requires an 8(m) Permit and a Direct Master (Direct Connection) Permit from the Massachusetts Water Resources Authority (MWRA). On August 5, 2008, the Massachusetts Historical Commission (MHC) has determined that the existing building does not meet the criteria for listing in the National Register and is therefore not an historic property for the purposes of review under MGL Chapter 9, Section 26-27C, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71). The project will require a Determination of Need and Construction Approval from the Massachusetts Department of Public Health. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. It will require Orders of Conditions from the Winchester Conservation Commission for work associated with each of the phases. Because the proponent is seeking financial assistance from the Commonwealth for the project from the Massachusetts Health and Educational Facilities Authority (MHEFA), MEPA jurisdiction is broad and extends to all aspects of the project that may cause Damage to the Environment as defined in the MEPA regulations.

Review of the DEIR

The DEIR included a description of the project. It described some of the state permits and agency actions required. The DEIR discussed the consistency of the project with local and regional growth management and open space plans, Executive Order 385 (Planning for Growth), and the Master Plan for Winchester.

In addition to the No-Build Alternative (Alternative A) and the Preferred Alternative (Alternative F), the DEIR reviewed four other alternatives (Alternatives B, C, D, and E). The proponent developed two alternatives that were designed to eliminate the large stormwater storage tank under the garage. The DEIR evaluated the proposed site layout. This analysis provided a comparison of the differences between the environmental impacts associated with each of the alternative building designs and site layouts.

The DEIR includes a traffic study that generally conforms to the EEA/Executive Office of Transportation and Public Works Guidelines for Traffic Impact Assessment. The DEIR expanded the traffic study area to include the intersections of Montvale Avenue and the I-93 ramps. The proponent has revised the project's trip generation based on Land Use Code (LUC) 610. The DEIR discussed the suitability of proposed changes to traffic signals. Plans by MassHighway and Winchester and Woburn for the reconstruction of roadways in the vicinity of the project were discussed in the DEIR. The DEIR updated the traffic accident analysis for the enlarged study area. It provided the details of the proponent's proposed traffic monitoring program for each phase of the project.

Parking at the site will include approximately 936 parking spaces in a parking structure and 19 surface parking spaces. The DEIR discussed how the proponent estimated parking demand for the project. It identified the number of parking spaces required by zoning. The DEIR described that the proponent would use valet parking at the project site. The proponent has no plans for off-site parking. Winchester Hospital utilizes the Holton Street and Swanton Street site for off-site parking for hospital employees.

The DEIR provided a map showing existing and proposed pedestrian/sidewalk facilities, which are proposed for the project. It identified the proposed bicycle facility improvements included with this project. The DEIR identified that there are no MBTA bus routes or stops in the neighborhood of the project site.

According to the information provided in the DEIR, the project will replicate approximately 123,457 cubic feet of Bordering Land Subject to Flooding (BLSF). The proponent is proposing to disturb 63,421 sf of Riverfront Area (RA), and it will restore approximately 44,673 sf of RA. The proponent is proposing to provide 38,311 cubic feet of filling in the floodplain. The DEIR identified the wetland resource area impacts for each alternative within the study area. The resource area boundaries, riverfront areas, applicable buffer zones, and the 100-year flood elevations were provided on the project plans. Each wetland resource area and

riverfront area was characterized according to 310 CMR 10.00. The Winchester Conservation Commission has accepted the resource area boundaries. For each of the alternatives, the DEIR identified the amount of direct wetland resource area alterations proposed. The DEIR demonstrated that the impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00). Floodplain filling was replaced equally, at each one-foot increment of elevation. The DEIR identified the proponent's plans for wetland restoration within the project area. It provided sufficient information to demonstrate that this project would be consistent with the Town of Winchester Flood Control Project (EEA # 13046), that flooding will not be exacerbated, and that flood storage capacity would be maximized to support the Town's project to the greatest extent feasible.

The DEIR evaluated the potential drainage impacts from the project. The proponent has proposed a redesign of the drainage system in the DEIR that would provide two storage tanks, one under the garage and one east of the MWRA sewer easement, and two infiltration tanks. The DEIR included a detailed description of the site's existing drainage system design in the construction area and identified the proposed changes, including a discussion of the alternatives considered along with their impacts. It presented drainage calculations for stormwater runoff for the 2, 10, 25, 50, and 100-year storm events. The DEIR identified the quantity and quality of flows. The proposed activities, including construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into wetland resources, were evaluated. The analysis addressed current and expected post-construction water quality of the predicted final receiving water bodies. The drainage analysis insured that on-site and off-site wetland resource areas are not impacted by changes in stormwater runoff patterns. The DEIR addressed the performance standards of MassDEP's Stormwater Management Policy. It demonstrated that the project is consistent with this policy. A maintenance program for the drainage system was developed by the proponent. The maintenance program outlined the actual maintenance operations, sweeping schedule, responsible parties, and back-up systems.

The DEIR identified the impacts from the project on the drinking water supply and distribution system. It explained how the proponent estimated the 20,078 gpd of water consumption. The DEIR proposed mitigation as necessary. It identified how the proponent determined that the wastewater flow would be 18,253 gpd. The DEIR outlined the proponent's efforts to reduce water consumption and thereby reduce wastewater generation. The proponent did not identify any capacity deficiencies within the wastewater system to handle the project's additional wastewater flows. The proponent has proposed an Infiltration/Inflow (I/I) reduction of 61,204 gpd.

The DEIR included a construction management plan that described the project's phasing, erosion and sedimentation controls, monitoring, and contingencies. The truck routes to the proposed construction site were identified in the DEIR. The DEIR specified the construction hours and the impacts expected during peak travel hours on local roadways. It presented a summary of the results of hazardous waste studies and remediation efforts undertaken at the

project site by the proponent to comply with the Massachusetts Contingency Plan, 310 CMR 40.0000. The DEIR addressed MHC's concerns regarding historical and archaeological issues.

The DEIR quantified GHG emissions associated with the full-build out for each phase. It identified measures to reduce GHG emissions associated with the project and support the project's certification by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED). These include: optimization of natural day lighting, passive solar gain, and natural cooling including use of double low-E windows, fritted glass and sunscreens; use of high efficiency heating, cooling, and lighting systems to exceed ASHRAE 90.1 2004 Energy Standards by a minimum of 14% including an energy efficient HVAC system (with an EER of 10.5), automated energy systems and variable frequency drives for pumps and compressors; use of high-albedo roofing material; enhanced third party building commissioning; reduction in construction and demolition debris by at least 75%; inclusion of easily accessible and user-friendly recycling system infrastructure into building design; use of building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy; reduction in water use from flow and flush fixtures by 40% compared to building code; roadway improvements; and a comprehensive Transportation Demand Management (TDM) program.

The GHG analysis presented modeling data inputs, the results of calculations used to quantify the Existing Condition, the Build Condition, and the impact of proposed emissions-reduction mitigation. The DEIR indicated that the Build with Improvements alternative for the full build-out in 2017 is estimated to achieve reductions in carbon dioxide emissions of 7.7 percent for direct and indirect stationary sources and 19 percent for transportation related sources. The combined total carbon dioxide reduction is estimated at 12.5 percent.

SCOPE

This FEIR should resolve the remaining issues outlined below, as required by this Certificate. It should follow the MEPA regulations at 301 CMR 11.07 for outline and content, as modified by this Certificate.

Project Description

The FEIR should provide a detailed project description with a summary/history of the project. It should include existing and proposed site plans. The FEIR should identify the project phasing. It should summarize each state agency action required for the project, including the need to obtain a Determination of Need and Construction Approval from the Massachusetts Department of Public Health (DPH).

Traffic

The FEIR should summarize the results of the traffic study (LOS analysis) for all the intersections included in the study area in the Expanded ENF and the DEIR for existing, 2012, and 2017 for no-build, build, and build with mitigation conditions. The FEIR should describe the details of the valet parking program.

Wetlands

The FEIR should revise the assessment of Riverfront Area impacts for consistency with the wetlands regulations as requested by MassDEP, and I hereby expressly incorporate the section of MassDEP's comment letter concerning wetlands into the Scope for the FEIR. As further indicated in MassDEP's comments, the FEIR should also identify the reasons that additional flood storage volume is proposed. A plan should identify the areas where floodplains will be filled and compensated.

Stormwater and Drainage

The FEIR should discuss the consistency of the project with the provisions of the National Pollutant Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. It should include a discussion of best management practices employed to meet the NPDES requirements, and it should include a draft Pollution Prevention Plan. The FEIR should address the stormwater management performance standards as requested by MassDEP, and I hereby expressly incorporate the section of MassDEP's comment letter concerning stormwater into the Scope for the FEIR.

Wastewater

The FEIR should identify how the proponent will achieve its I/I reduction level of 61,204 gallons per day. The FEIR should also clarify the perceived inconsistencies in the estimates of wastewater flow from the project as noted by MassDEP in its comments.

Construction Issues

The FEIR should identify the amount of fill material required to bring the site above the 100-year flood level and estimate the number of truck trips per day to complete the filling.

Air Quality/Greenhouse Gas (GHG) Policy

I commend the proponent for the commendable goals it has established for reducing the project's GHG emissions, including seeking LEED Certification and exceeding ASHRAE 90.1 standards by at least 14%. Although the DEIR evaluates the GHG emissions associated with the project and the identified mitigation measures, the analysis is not entirely consistent with the MEPA GHG Emissions Policy and Protocol. It does not model project alternatives with greater GHG emissions-related mitigation than the Preferred Alternative, it does not include measures to reduce GHG emissions from all project elements and it is missing data and analysis required by the Policy and identified in comment letters on the ENF. Comments from MassDEP and the Division of Energy Resources (DOER) acknowledge the benefits of measures the proponent has included as mitigation, but note that the DEIR did not respond to several of its previous comments and identify measures that warrant further evaluation. The Final EIR should evaluate all of the measures identified in comments from MassDEP and DOER and, based on this evaluation, include modeling and analysis of a project alternative with greater GHG emissions reductions than the Preferred Alternative. It should clarify that the base case scenario with typical construction materials is equivalent to a Massachusetts State Building Code compliant building and clearly identify how the mitigation alternatives improve upon building code (e.g. specify type of lighting, R-value of roof insulation, etc). The proponent should consult with EEA regarding the GHG analysis to be included in the Final EIR prior to its submission for review.

The DEIR does not include an adequate analysis of a solar photovoltaic (PV) system. The DEIR includes a solar PV analysis for a project that would be owned and operated by the proponent. This analysis appears to have been adopted without modification from the Westinghouse Redevelopment project (EEA #14205) and is not tailored to the specific design, operational parameters or needs of this project proponent. In addition, the DEIR does not provide the supporting data for the analysis that is included. Comments from MassDEP and DOER previously indicated, and their comments on the DEIR have reiterated, that the proponent should also evaluate incorporation of a solar PV system using a third party who would construct, own and operate the system and enter into a long-term power purchase agreement with the proponent. The FEIR should include a life-cycle cost analysis of solar PV under both scenarios which considers the feasibility of solar in light of the likely continued rise in electricity prices, the continued reduction in the cost of PV, the recent extension of federal tax credits for solar PV systems and other opportunities available under the recently passed Green Communities Act (Chapter 169 of the Acts of 2008). It should identify the expected payback for a rooftop PV system that takes into account the support of subsidies through the Commonwealth Solar and Massachusetts Renewable Portfolio Standard (RPS) programs and future incentives provided under the Green Communities Act. In addition, the FEIR should evaluate the feasibility of utilizing solar thermal to meet the hot water load for the building. The FEIR should include the results of the analysis as well as associated background material and data so that the assumptions and values included in the analysis can be assessed.

Mitigation

The FEIR should include a separate chapter on mitigation measures. This chapter on mitigation should include draft Section 61 Findings for MassDEP, the MWRA, and the Massachusetts Department of Public Health. The draft Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and identify the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included. The FEIR should list the mitigation measures proposed for each phase of the project.

In the DEIR, the proponent has committed to provide the following mitigation measures:

- Provide a financial contribution to the City of Woburn for interim improvements at the Washington Street/Montvale Avenue intersection; approximately \$200,000.
- Install offsite transportation improvements including: turning lanes and signalization at the driveway entrance/Washington Street; turning lane and signal upgrades at Washington /Forest Streets; between \$750,000 and \$900,000.
- Implement a stormwater management system that combines Best Management Practices and Low Impact Design (LID) measures; between \$5.5 and \$6 million.
- Exceed ASHRAE 90.1 2004 Energy Standards by a minimum of 14 percent by the use of high efficiency heating and cooling equipment, high-efficiency lighting, occupancy sensors, reduced lighting density, variable air volume air handling systems, and direct digital control building automation; between \$300,000 and \$450,000.
- Install sunscreens, fritted glass, and other building façade elements to reduce solar gain; approximately \$350,000.
- Provide third party commissioning of building systems and peer review; approximately \$250,000.
- Install high albedo roofing material to reduce heat absorption; approximately \$60,000.
- Eliminate the use of municipal water supply for irrigation, revive existing well, and install new irrigation pump system and controls, approximately \$25,000.
- Install low flow plumbing fixtures and automatic shut-off valves; approximately \$40,000.
- Install cast in place pipe liner in sections of the MWRA sewer lines and providing I/I reduction; between \$600,000 and \$1.1 million.
- Place the 2.74-acre southern parcel under a Conservation Restriction;
- Allow access to and construct a new section of the proposed Tri-Community Bikeway on the project site for public use; approximately \$200,000.
- Provide traffic calming measures for the Sunset Road, the Cross/Holton/East Streets, and the Brookside Avenue neighborhoods; between \$30,000 and \$125,000.
- Develop a Transportation Demand Management (TDM) Program; between \$15,000 and \$30,000.
- Provide a mitigation payment to the Town of Winchester for potential flood and traffic impacts, approximately \$500,000.
- Divert a minimum of 75 percent of construction debris and waste from landfills;

- approximately \$50,000.
- Provide improved sidewalks along Washington Street.
 - Provide long-term traffic monitoring of vehicle trip generation and traffic calming measures; between \$30,000 and \$50,000.
 - Install bike racks and shower facilities; approximately \$25,000.
 - Remove contaminated soil and clean up site; between \$700,000 and \$1.1 million.
 - Remove asbestos containing building materials and properly dispose the hazardous materials, approximately \$65,000.
 - Stabilize and rehabilitate the older portions of the Winn Watch Hand Factory, approximately \$600,000.
 - Reduce the degraded RA by 13,459 sf from its existing 81,824 to 68,365 sf.
 - Create 72,000 cubic feet of additional flood storage capacity on site, approximately \$250,000.

The proponent is providing the following Transportation Demand Management (TDM) measures at the Winchester Hospital (WH), and it is proposing to provide these TDM measures at 620 Washington Street:

- On-site Transportation Coordinator;
- Ridesharing Program;
- Preferred parking for ridesharing;
- Guaranteed Ride Home Program;
- Contact the MBTA regarding the potential provision of transit service;
- A secure bicycle rack with showers and lockers for employees;
- Flextime to employees;
- Vanpool assistance and subsidy program;
- Transit information at the Winchester Hospital lobby;
- Shuttle Bus service with connections to Winchester Hospital and off-site parking;
- Monitoring Program for TDM Program; and
- Information on transportation options to new employees at their orientation.

The FEIR should provide more information on the potential shuttle bus service to the project site from the Hospital and from other Hospital parking sites. It should explore the Winchester Planning Board's recommendation to investigate bus service linking the Hospital and 620 Washington Street with the MBTA's proposed Green Line Terminal on the Mystic Valley Parkway with Winchester center (commuter rail) and the Anderson Transportation Center in Woburn.


Response to Comments

In order to ensure that the issues raised by commenters are addressed, the FEIR should include a response to comments. This directive is not intended to, and shall not be construed to enlarge the scope of the FEIR beyond what has been expressly identified in this certificate.

Circulation

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Winchester and Woburn officials. A copy of the FEIR should be made available for public review at the Winchester and Woburn Public Libraries.

November 14, 2008
DATE



Ian A. Bowles

Comments received :

- MWRA, 11/6/08
- Winchester Planning Board, 11/7/08
- MassDEP/NERO, 11/7/08
- EOT, 11/12/08

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