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January 16, 2008

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

PROJECT NAME : Cordage Seaside
PROJECT MUNICIPALITY : Plymouth
PROJECT WATERSHED : Plymouth Harbor
EOEA NUMBER : 12513
PROJECT PROPONENT : Cordage Development, LLC
DATE NOTICED IN MONITOR : December 10, 2007

As Secretary of Energy and Environmental Affairs, I hereby determine that the Draft Environmental Impact Report (Draft EIR, which will be referred to as: Draft Landside EIR/Site Master Plan) submitted on the above project **adequately and properly complies** with the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

Project Description

The project as described in the Draft Landside EIR/Site Master Plan is a redevelopment and reuse of the former Plymouth Cordage Company site that includes a mix of residential, office, commercial, and marine uses. The project involves the development of 675 housing units, 33,500 square feet (sf) of retail use, a 6,960 sf/180 seat restaurant, a 4,000sf club house, 21,000sf of office space, and a 300-slip marina on a 36-acre site. This project is being proposed through the creation of a 40R Smart Growth District approved by the Town of Plymouth and the State Department of Housing and Community Development.

Special Review Procedure

The ENF described two project phases, a Landside component and a Marina component.

The ENF required the development of a Draft and Final EIR for the marina and landside components of the project. A Special Review Procedure (SRP) was developed in a separate Certificate issued that requires:

1. Draft Landside EIR/Site Master Plan, with a request from the proponent to allow the redevelopment of Building 16
2. Final Landside EIR/Site Master Plan and Draft Marina EIR
3. Final Marina EIR

I have received a number of comments that underscore the benefits of allowing the review of the Landside component to proceed expeditiously. This proposed redevelopment, as a 40R Smart Growth District, served by public transportation, has the potential to exemplify the policy goals of Executive Order 385 (planning for Growth), EEA's Community Preservation Initiative, and the Southeastern Massachusetts' Vision 2020 Project. At the same time, state resource agencies have requested specific additional information regarding the Marina component of the project. I expect that that the MEPA process will afford the necessary opportunities to address the concerns of agencies and citizens. To facilitate development of the Final Landside EIR/Site Master Plan and Draft Marina EIR that adequately avoids, minimizes and mitigates impacts to marine resources, I expect the proponent to consult with the state agencies that have provided detailed comments on the Draft Landside EIR/Site master Plan.

MEPA History Since the Submittal of the Environmental Notification Form (ENF)

On September 24, 2004, the proponent submitted a Chapter 91 Application to the Department of Environmental Protection (MassDEP) for after-the-fact licensing of a 54-slip marina and a boat ramp. MassDEP negotiated an Administrative Consent Order (ACO) with the proponent. In December, 2005 the proponent submitted an after-the-fact Notice of Project Change (NPC) environmental review to the MEPA office. In the December, 2005 NPC, the proponent described the already constructed project change as temporary in nature because it was intended to support boating activity only until the project originally submitted to MEPA for the entire site was permitted and constructed. A Section 404 Permit will be required from the US Army Corps of Engineers for this project, therefore, a 401 Water Quality Certification will also be required from MassDEP.

In April, 2007, the proponent submitted a second NPC. The project changes involved the redevelopment and reuse proposal for the former Plymouth Cordage Company that included a mix of residential, office, commercial, and marine uses originally described in an Environmental Notification Form (ENF) dated June 22, 2001. The project modifications as proposed in the NPC were the result of the inclusion of additional parcels and the creation of a 40R Smart Growth District approved by the Town of Plymouth and the Massachusetts Department of Housing and Community Development. Specific project modifications include: increasing the number of housing units from 160 to 675; eliminating the 275 room hotel; providing 70,620 square feet (sf) of retail and restaurant space; adding a 4,000sf club house; reducing restaurant use from 850 to 401 seats; reducing the office space from 270,000sf to 21,000sf; and, an overall increase in project area from 21.6 acres to approximately 36 acres. As originally described in the

ENF, the overall project site contained 11.3 acres of formerly filled tidelands, containing nine structures. An NPC Certificate was issued on May 25, 2007 that reiterated that the Scope issued for the 2001 Cordage Seaside ENF including the Special Review Procedures continued to provide appropriate guidance for preparation of the Draft Landside EIR/Site Master Plan. The EIR was also required to include a full discussion of the project changes stated in both NPCs, as well a discussion of the already developed temporary 54-slip marina and responses to the comments on the original ENF and both NPCs.

MEPA Jurisdiction and Permitting Requirements

The project is undergoing review and requires the preparation of a mandatory EIR pursuant to Section 11.03 (6)(a)(6) of the MEPA regulations, because it will generate more than 3,000 new average daily trips on roadways providing access to a single location. The project requires a Chapter 91 License, 410 Water Quality Certification, and a Sewer Extension/Connection Permit from the Department of Environmental Protection (MassDEP). It requires approval of grade crossing modifications by the Massachusetts Bay Transportation Authority (MBTA). The project may require federal consistency review by the Massachusetts Office of Coastal Zone Management (CZM). Also, the project requires an Order of Conditions from the Plymouth Conservation Commission. Because the proponent is not seeking Commonwealth financial assistance to construct the project, MEPA jurisdiction is limited to those aspects of the project within the subject matter (wetlands, stormwater, waterways, water quality and transportation) of required or potentially required permits.

Review of the Draft Landside EIR/Site Master Plan and Scope for the Final Landside EIR/Site Master Plan and Draft Marina EIR

General

The Draft Landside EIR/Site Master Plan is well organized and generally thorough in its response to the Scope relative to the Landside component of the project. It includes a project summary, an analysis of impacts and alternatives, mitigation commitments, and detailed technical information and data to support the discussions and conclusions presented in the main text. Additional information and analysis for the Landside component relative to transportation, air analysis, TDM and stormwater should be provided in the Final Landside EIR/Site Master Plan and Draft Marina EIR as further detailed in the Scope below. The majority of the following Scope addresses the Marina component of the project.

The alternatives analysis for the Landside component in the Draft Landside EIR/Site Master Plan has adequately addressed the issues raised in the Scope. The Draft Landside EIR/Site Master Plan provides the preferred alternative with two additions, Option A & Option B. The Draft Landside EIR/Site Master Plan describes that market conditions will dictate the final development of Option A or B. I encourage the proponent to work closely with the Town of Plymouth and other stakeholders to identify the final version of the option and present this option in the Landside EIR/Site Master Plan and Draft Marina EIR. The alternatives required for the Marina component of the project are discussed below in the Scope.

Wetlands/Stormwater

This project is considered to be a redevelopment per 310 CMR 10.05 (6)(k)7 and therefore must meet the MassDEP Stormwater Management Standards to the maximum extent practicable, and must be designed to improve existing conditions with no net increase in impervious surfaces. 310 CMR 10.05(6)(o) clarifies “to the maximum extent practicable” by stating that the proponent shall demonstrate that: 1) they have made all reasonable efforts to meet each of the Standards; 2) they have made a complete evaluation of possible stormwater management measures including environmentally sensitive site design and low impact development techniques that minimize land disturbance and impervious surfaces, structural stormwater best management practices (BMPs), pollution prevention, erosion and sedimentation control and proper operation and maintenance of stormwater BMPs; and 3) if full compliance with the Standards cannot be achieved, they are implementing the highest practicable level of stormwater management.

The Draft Landside EIR indicates that the project will mitigate for stormwater pollution through a combination of reduction in impervious area (approximately 12%) and through a combination of street sweeping, deep sump catch basins with hoods, hydrodynamic water quality inlets, and sediment forebays or water quality swales where feasible in order to achieve the Massachusetts Stormwater Management Standards’ required 80% removal efficiency for Total Suspended Solids.

I note that the project site is located adjacent and proximate to a number of critical areas, including mapped shellfish habitat, mapped shellfish growing areas, and the town of Kingston’s Grey’s Beach (the town’s primary recreational beach). Plymouth Harbor is also a Class SA waterbody and has been identified as an impaired water body for pathogen pollution under the state’s integrated list of waters. Under the Massachusetts Stormwater Management Standards, as promulgated on January 2, 2008, discharges to sensitive or critical receiving waters will require the use of specific source control and pollution prevention measures and the implementation of specific structural stormwater best management practices (BMPs) determined to be suitable for managing discharges. The Final Landside EIR should provide an evaluation of these BMPs and design for a water quality volume equal to 1.0 inch of runoff times the total impervious surface of the post-development project site. In making this evaluation it should also be noted that landscaped areas, unless they are green spaces with native vegetation, should not be considered open space, since landscaped installations can act as impervious surfaces. Therefore, the proponent should provide an evaluation of appropriate stormwater mitigation options in the FEIR that will meet the Massachusetts Stormwater Management Standards based on site specific characteristics.

The proponent should evaluate Low Impact Development (LID) options as required by the Stormwater Management Standards. A broad range of LID design techniques and stormwater BMPs, such as shared parking spaces, permeable pavers/porous surfaces, and bioretention can be used to reduce the level of impervious cover and improve the quantity and quality of stormwater drainage. Other LID design techniques include green roofs, rain gardens, grassed swales,

vegetated filter strips, stormwater planters, and alternative landscaping. Through these techniques, natural drainage pathways are conserved, restored, or improved and pollution reduced, open space/parkland is preserved or enhanced, and the overall environmental impact from and economic cost of development is significantly reduced.

The proponent should also consider participating in the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.

I note that to accurately assess potential impacts to wetlands, the proponent should confirm the jurisdictional boundaries of all wetland resource areas on the project site. MassDEP recommends that the proponent file an Abbreviated Notice of Resource Area Delineation with the Plymouth Conservation Commission to confirm the type and extent of all wetland resource area boundaries prior to the filing of the Notice of Intent. In addition, on the USGS Quadrangle Map a perennial stream flows near the easterly boundary of the project site. The Final Landside EIR/Site Master Plan and Draft Marina EIR should indicate whether any portions of the project site are located within the 200' Riverfront Area as defined in 310 CMR 10.58.

Tidelands and Public Waterfront

The proposed Landside development involves both non- water-dependent and water-dependent uses. The proposed residential, office, retail and restaurant uses are considered nonwater-dependent uses. The public waterfront access, transient docking, access to navigable waters are water-dependent uses. Since the proposed project includes a mix of water-dependent and nonwater-dependent uses on geographic areas subject to MGL c. 91 jurisdiction, the proposed project will be reviewed as a nonwater-dependent project pursuant to 310 CMR 9.12(1).

The proponent is required to make a determination of the limits of Chapter 91 jurisdiction on the project site, including a depiction of the historical low water mark, along with all wetland resource areas and buffer zones, for the latter on a reasonably scaled plan. Based on the information provided in the Draft Landside EIR/Site Master Plan, there appears to be significant variation in the depiction of the mean low water (MLW) line in various figures and licenses provided in the Draft Landside EIR. This has bearing on both the Chapter 91 jurisdictional areas and wetland resource areas such as Coastal Beaches and Land Under the Ocean. Additionally, NOAA navigational charts and public domain aerial photography depict a greater amount of intertidal area, or tidal flats, in the marina project area than is identified in the Draft Landside EIR materials. A detailed topographic/bathometric survey should be performed and presented in the Draft Marina EIR. This information should be provided to the MassDEP Wetlands and Waterways for a Determination of Applicability for resource area and jurisdictional delineation.

The proponent should provide sufficient information to document the project's

compliance regarding the proposed marina with the requirements of the Chapter 91 Waterways Regulations at 310 CMR 9.00 governing public access to recreational boating facilities (RBFs). For this purpose, the proponent should first present the information necessary to establish whether the facility in question is a public RBF or a private RBF, in accordance with the respective definitions thereof set forth in 310 CMR 9.02, and then provide further information with respect to the applicable access-related provisions.

In order to mitigate for the loss of Water Dependent Use Zone (WDUZ) (Figure 5-8) area as described in the Draft Landside EIR, the proponent should evaluate the feasibility of a cantilevered or pile supported public walkway on the southeast edge of the wharf thereby creating an uninterrupted walkway along the seaward edge of the property. Additionally, it was noted in CZM's comment letter that an existing boat ramp was in a state of disrepair and may need refurbishment or reorientation. CZM recommends that the proponent evaluate the incorporation of public access into the boat ramp through public car-top boat launch/recovery use. The proponent should incorporate these considerations into the Landside FEIR and Section 61 Findings. The preferred alternative development plan (Figure 2-1) includes vehicle parking in the WDUZ. I strongly recommend that the vehicle parking be removed from the WDUZ in future landside design plans because parking in the WDUZ is not a permissible use in a non-water dependent project. Also, in the calculation of the WDUZ, CZM recommends that the proponent utilize the more landward Court Street lot line boundary for the WDUZ delineation.

In regard to buildings within 100 feet of the project shoreline, the Final Landside EIR/Site Master Plan and Draft Marina EIR should not propose any new or expanded buildings for nonwater-dependent uses that exceed 55 feet in height over the water or within 100 feet landward of the current high water mark. Also, the Final EIR should clarify that no nonwater-dependent Facilities of Private Tenancy (FPT) are proposed on the ground level of any filled tidelands within 100 feet of the project shoreline, pursuant to 310 CMR 9.51(3)(b). The MassDEP notes that private exterior space, including vehicular ways or parking facilities not open to the general public, can also be considered a FPT pursuant to 310 CMR 9.02, and therefore, not allowed within 100 feet of the project shoreline. The Final Landside EIR/Site Master Plan and Draft Marina EIR should detail the programming of all areas with appropriately scaled and labeled plan and profile views to confirm how this requirement will be met. The Final Landside EIR/Site Master Plan and Draft Marina EIR should contain a single plan showing Chapter 91 jurisdiction and development setbacks (such as the 100-foot line from the project shoreline (Figure 5-4) and the recalculated WDUZ) overlain on the preferred alternative development plan (Figure 2-1), as well as the profile views. In addition, the Final EIR should include plans that fully detail all the proposed uses and structures to be programmed on filled tidelines within 100 feet of the project shoreline as well as within the WDUZ and how these interior and exterior spaces within these areas will comply with 310 CMR 9.51(3) and 9.52(1). MassDEP has detailed specific comments in their comment letter that must be addressed in the Final Landside EIR/Site Master Plan and Draft Marina EIR.

The ENF Certificate of June 22, 2001 required an alternative analysis, which includes scenarios for maintaining the existing 54-slip marina, as well as a conceptual 150-slip marina. MassDEP recommends, and I concur, that the Final Landside EIR/Site Master Plan and Draft

Marina EIR include such an analysis or explain why a marina at a smaller size is infeasible for this site. The environmental impacts associated with constructing and operating a marina is largely influenced by the size of the marina including but not limited to boat-traffic/navigation, shoreline stabilization and construction of coastal appurtenances such as a pump-out facility, a boat ramp, and a salt water intake structure. The Final Landside EIR/Site Master Plan and Draft Marina EIR must address each of these components as detailed in MassDEP's comment letter.

Coastal Shoreline and Floodplain Management

The Final Landside EIR/Site Master Plan and Draft Marina EIR should analyze the layout of the site relative to flood zones and/or storm surges. The EIR should identify how much of the site lies within the 100-year floodplain, and how much of the site lies within velocity zone(s). The EIR should contain a reasonably scaled map of flood zones superimposed on a site plan, with each project element clearly identifies.

Specifically, the Final Landside EIR/Site Master Plan and Draft Marina EIR should include a depiction of the revised FIRM/FEMA flood zones on the project site. The proponent should also provide a description, including maps of structure elevations (plan view and cross-section), as to how the redevelopment of this structure will conform to applicable building codes and National Flood Insurance Program requirement for structures in the appropriate flood zone areas.

The proposed marina appears to be located in a Coastal Barrier Resources Act (CBRA) Unit as designated on the current flood maps. The Act restricts the use of federal funds such as flood insurance and disaster assistance for new construction and substantially improved structures in designated CBRA units. The proponent should discuss the implications of these restrictions as part of the marina alternatives analysis.

The Final Landside EIR/Site Master Plan and Draft Marina EIR should also analyze the impacts of the proposed marina on wave action and flood zones on the site, and should describe any predicted changes in wave behavior as a result of the project. The Final Landside EIR/Site Master Plan and Draft Marina EIR should specifically describe the potential for wave reflection off the marina.

Dredging

The Final Landside EIR/Site Master Plan and Draft Marina EIR should indicate the amount of dredging proposed, the nature of the materials proposed for removal (including whether the materials contain any contaminants), methods proposed for dredging, and the disposal location (s).

The proponent should provide information regarding the required dredging associated with each Marina alternative presented. This information should include maps with both plan and profile views and data on associated volumes, design and equilibrium side-slopes, time-of-year closures to minimize fisheries impacts, and an evaluation of dredge material disposal

options, including beneficial reuse for beach nourishment.

The Final Landside EIR/Site Master Plan and Draft Marina EIR also should address how the project has utilized best available measures to minimize adverse effects pursuant to the Wetland Regulations at 310 CMR 10.25(Land Under the Ocean), 310 CMR 10.26 (Designated Port Area), 310 CMR 10.27 (Coastal Beach) , 310 CMR 10.30(Coastal Bank) and 310 CMR 10.34 (Land Containing Shellfish). In addition, according to Figure 5.2 Coastal Wetland Resource Areas, a portion of the dredge footprint of the proposed marina will most likely impact two areas containing soft shell clams and quahogs. The Marina DEIR should include a detailed discussion describing the proposed impact and measures to be taken to minimize the adverse effect.

I note that the Waterways Regulations at 310 CMR 9.40, Standards for Dredging and Dredged Material Disposal, require that the design and timing of dredging and dredged material disposal activity minimize adverse impacts on shellfish beds, fishery resource areas and submerged aquatic vegetation. The narrative of the Conceptual Marina Master Plan states that the proposed dredging is expected to improve water circulation in this portion of Plymouth Harbor. If water quality benefits are proposed by the proponent as a specific benefit, or as mitigation, the proponent should provide hydrodynamic data to quantify. If the dredge volume exceeds 100 cubic yards, a 401 Water Quality Certification for the dredging activity will be required in accordance with Proponent 314 CMR 9.00, particularly the provisions of 314 CMR 9.07 (Criteria for Evaluation of Applications for Dredging and Dredged Material Management).

Marine Resource Characterization

The Draft Landside EIR indicates that the issues raised in the comment letters pertaining to Resource Characterization and the marina, which were not addressed in the Draft Landside EIR, will be addressed in the Final Landside EIR/Draft Marina EIR. The Final Landside EIR/Draft Marina EIR should include existing contemporary information, including (but not limited to) the Division of Marine Fisheries (DMF) Shellfish Habitat Suitability Maps, the DMF Designated Shellfish Growing Area Maps, and the 2006/2007 delineations from the DEP Eelgrass Mapping Project be provided and discussed within the context of the resource assessment.

The NPC for the construction of the 54-slip marina provided a Resource Characterization that was based on a 1974 DMF Ecological Monograph, data from the 1990 ENF, a shellfish/eelgrass assessment that was conducted in 2001, and a limited shellfish assessment in the dock/ramp footprint conducted in 2003 for the Wetlands Notice of Intent. Because eelgrass and shellfish distribution and abundance vary over time and the most current data presented in these previous filings is over six years old and, a new resource survey is warranted. Therefore, the proponent should develop a draft Resource Characterization survey plan to be provided to the agencies for review and comment prior to implementation of the updated survey. In addition to shellfish and eelgrass resources, this Resource Characterization should include sediment collection and analysis for proposed dredging that will be required as part of the 401 Water Quality Certification and 404 Permitting process.

The proponent must also discuss the impact of marina size in relation to shellfish area classification. As a result of the implementation of the 54-slip marina, the DMF was required under the National Shellfish Sanitation Program (NSSP) to implement a shellfish management closure around the marina (in an area that had been recently opened to shellfishing owing to improvements in area water quality). The proponent should identify the required management closure area associated with each of the marina alternatives and include this consideration in the analysis of impacts and potential mitigation actions in the Final Landside EIR/Draft Marina EIR. The proponent should also develop a Marina Management Plan to mitigate potential pollution and impacts from the proposed marina. The proponent should consult with DMF and CZM in developing this plan.

Water Quality

A number of water quality and sewer issues need to be addressed in the Final Landside EIR/Site Master Plan and Draft Marina EIR. These include describing the current condition of the existing connection sewers for all buildings that will remain on the project site. Recent problems arose in November 2007 when waves exposed a section of the 18" collector sewer from the Cordage area located in a tidal zone. The project proponent should consider relocating this sewer line to a more appropriate upland site. If proposed, this will require a BRP WP 71 Sewer Extension Permit. The proponent also is advised that the expansion of the existing Marina from 51 to up to 300 slips may require additional pump facilities resulting in additional flow to the sewer, generating the need for an additional sewer connection and/or a holding tank. The Final Landside EIR/Site Master Plan and Draft Marina EIR also should clarify the proposed fate, and any related concerns, associated with the existing pump station located next to the smoke stack on the property. The Final Landside EIR/Site Master Plan and Draft Marina EIR also should address the risk of an ocean storm flooding on the site, and the potential need for special construction/precautions to prevent salt water from entering the main collector sewer system in the area.

Transportation

The Draft Landside EIR was prepared in conformance with the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment. The project is expected to generate 9,768 new weekday trips and 7,728 new Saturday trips. The proposed trip generation numbers were explained from the Institute of Traffic Engineers' land use codes. The proponent summarized the analysis of impacts on the level of service (LOS) at the intersections listed in the ENF Certificate.

The mesoscale traffic analysis contains 12 roadway segments, most of which intersect with Route 3A and all of which now operate poorly (LOS E and F). On p.3-11, the project identifies a transportation improvement program to addresses these roadway segments and also includes a transportation demand management (TDM) program. A Memorandum of Understanding between the Town of Plymouth and the project proponent requires the proponent to provide certain transportation improvements to offset project related traffic impacts. These improvements as required by the MOU include:

- Roadway improvements at the site access roadway on Court Street, at Hedge Road, at South Spooner Street, at Standish Avenue, and at Spooner Street;
- Possible roadway improvements at Route 3A and Crescent Street;
 - Route 3 ramps at Exit 9, Samoset Street at Route 3 Exit 6, Route 3A at Howlands Lane, and Route 3A at Samoset Street;
 - TDM measures;
 - Improvements to MBTA Commuter Rail access/egress easements and commuter parking; and
 - Connection to the Plymouth Bikeway.

The Draft Landside EIR indicates that the schedule for these roadway improvements and those undertaken by other entities will be implemented as warranted or tied to the schedule of residential occupancy. The TDM program proposed by the project proponent contains limited bicycle and pedestrian accommodation and commitments to ensure compliance with 310 CMR 7.16 (Massachusetts Rideshare Regulation). Additional air quality mitigation measures include project commitments to ensure compliance with 310 CMR 7.11 (Massachusetts Idling Regulation), alternative work schedules, and off-peak deliveries.

The Final Landside EIR/Site Master Plan and Draft Marina EIR should discuss a more comprehensive mitigation package starting with the additional TDM measures. The proximity to the Old Colony Commuter Rail and regional bus services should be exploited to the fullest extent possible to meet the inter/intra regional travel needs of future project residents, visitors, and neighbors. I strongly recommend close coordination between the project and the MBTA on commuter rail parking, access, and service frequency demands as necessary to maximize ridership. Additional TDM that should be considered include:

- An On-site Vehicle Trip Reduction Coordinator.
- The Commuter Tax Benefit Program to take public transportation.
 - A Rideshare-Matching Program.
 - Car Sharing.
 - A Guaranteed Ride Home Program to provide emergency rides home in the form of taxis or work vehicles to employees that carpool or vanpool to work.
 - Preferential Parking for carpoolers, vanpoolers, and for alternatively fueled and fuel efficient vehicles.
 - Shuttle to the Plymouth and Kinston MBTA Commuter Rail stations.
 - Bicycle Incentives to increase bicycle use to the site and on the site.

Although the proposed project is adjacent to an MBTA commuter rail station in Plymouth the stations runs an off peak schedule. It is anticipated that a number of residents of the 675 unit 40R residence will use the Kingston MBTA commuter rail station that runs on a peak schedule. The Final Landside EIR/Site Master Plan and Draft Marina EIR must address the comments that were not addressed in this Draft Landside EIR pertaining to the Kingston Commuter Rail station and the anticipated increase in traffic in Kingston. The Kingston Police Chief, the Kingston Town Planner as well as the Kingston Planning Board raised theses concerns

in their comments on the NPCs which must be addressed.

Air Quality

To be consistent with the provisions of the State Implementation Plan (SIP), the proponent was required to conduct an air quality mesoscale analysis. This analysis included both an estimate of total Volatile Organic Compounds (VOC) and nitrogen oxides (NOx) emissions associated with all project related vehicle trips and a demonstration that the VOC and NOx emissions associated with the preferred alternative will be less than those from the no-build case in both the short and long term; if the VOC emissions from the preferred alternative are greater, the analysis was required to show identification and review of all reasonable and feasible reduction and mitigation measure.

An air quality mesoscale analysis for ozone was completed in the Draft Landside EIR to assess the total volatile organic compound (VOC) and NOx emissions associated with all project-related vehicle trips. The mesoscale analysis was also used to provide a carbon dioxide (CO2) spreadsheet calculation. Because VOC emissions from the Preferred Alternative are greater than the no-build case, the proponent has proposed reasonable and feasible VOC reduction/ mitigation measures.

Based on the mesoscale analysis, the project is expected to generate 9,768 new weekday trips and 7,728 new Saturday trips. The analysis shows that the Build Condition, when compared to the No Build Condition, results in a 20% increase in both VOC and NOx emissions. In addition, a comparison of the Build Condition to the Build w/ Mitigation Condition shows only a slight improvement in reducing emissions, a 0.3% reduction in VOC and a 0.5% reduction in NOx.

The project will result in a considerable increase in CO2 emissions. Further, the Build w/ Mitigation Condition provides only a modest CO2 reduction. Although the MEPA Greenhouse Gas (GHG) Policy does not formally apply to this project, I recommend that the Final Landside EIR/Site Master Plan and Draft Marina EIR reflect a greater commitment to reduce project related emissions of CO2. I encourage the proponent to integrate GHG reduction measures into the Smart Growth cost framework.

Historic and Archaeological Resources

The Massachusetts Historical Commission's (MHC) believes that the Plymouth Cordage Complex is eligible for listing in the State and National Registers of Historic Places. The proponent should provide MHC with additional project information as it becomes available in order to allow a determination of effect for the Plymouth Cordage Complex and address any outstanding issues with MHC. Specifically, In addition, the Draft Landside EIR did not take into account MHC's response to technical comments in submitted by PAL for an intensive (locational) archaeological survey conducted for the project. A summary of these consultations should be included in the Landside EIR/Site Master Plan and Draft Marina EIR. The proponent should continue to work closely with MHC.

Construction Impacts

The project may include the demolition of buildings and other structures, which may contain asbestos. The project proponent is advised that demolition activity must comply with both Solid Waste and Air Quality Control regulations. In accordance with the air quality regulations at 310 CMR 7.09(2), the proponent must submit an AQ-06 form to MassDEP for all construction projects to comply with the Air Quality Regulations at 310 CMR 7.00.

Mitigation and Section 61

The Final Landside EIR/Site Master Plan and Draft Marina EIR should include a separate chapter on mitigation that includes a summary of all mitigation measures to which the proponent has committed. The Final Landside EIR/Site Master Plan and Draft Marina EIR should also include updated Section 61 Findings for use by the state permitting agencies.

Response to Comments

The Final Landside EIR/Site Master Plan and Draft Marina EIR should include a copy of each of the comment letters listed below. The Final Landside EIR/Site Master Plan and Draft Marina EIR must present additional narrative and/or quantitative analysis necessary to respond to the comments received.

Circulation

The Final Landside EIR/Site Master Plan and Draft Marina EIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to any state agencies from which the proponent will seek permits or approvals, to the list of "comments received" below, and to Chelsea and Revere officials. A copy of the Final Landside EIR/Site Master Plan and Draft Marina EIR should be made available for review at the Plymouth and Kingston public libraries.

January 16, 2008

Date



Ian A. Bowles

Comments Received:

01/08/08	Senator Therese Murray
01/08/08	Representative Vinny deMacedo
01/10/08	Representative Thomas Calter
01/04/08	Kingston Conservation Commission
01/07/08	The Plymouth Area Chamber of Commerce

Comments Received (continued):

01/07/08 Massachusetts Historical Commission
01/09/08 Town of Plymouth, Office of Town Planner
01/09/08 Helen Gavin
01/09/08 Jones River Watershed Association
01/09/08 Olly deMacedo
01/09/08 Almac II Real Estate Trust, Brian Alosi
01/10/08 Plymouth County Convention and Visitor Bureau
01/10/08 The Arc of Greater Plymouth
01/10/08 South Shore Dry Dock Marine Development Council
01/10/08 Letter of Support signed by six neighbors in the Rocky Nook area of Kingston
01/10/08 Massachusetts Office of Coastal Zone Management
01/10/08 Massachusetts Division of Marine Fisheries
01/11/08 Department of Conservation and Recreation
01/11/08 Department of Environmental Protection
01/14/08 Town of Plymouth, Planning Board
01/14/08 Old Colony Planning Council

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