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March 7, 2008

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

PROJECT NAME : Phase 1 Muddy River Flood Control, Water Quality,  
Habitat Enhancement, and Historic Preservation Project  
PROJECT MUNICIPALITY : Boston and Brookline  
PROJECT WATERSHED : Charles River  
EOEA NUMBER : 11865  
PROJECT PROPONENT : City of Boston Parks and Recreation Department  
DATE NOTICED IN MONITOR : February 6, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project change does not require the preparation of an Environmental Impact Report.

MEPA History and Description of Project Changes

The project was the subject previous review under MEPA, which culminated in the submission of a Supplemental Final Environmental Impact Report (EIR), which was found to be adequate in a Certificate issued on April 1, 2005. As described in the SFEIR, the project involves a range of physical improvements and management practices that will produce flood control, water quality improvements, habitat enhancement, landscape restoration, pedestrian and automobile circulation improvements, and building and bridge restoration along the Muddy River. The Project also constitutes the first phase in the long-term restoration of the entire system of Emerald Necklace parks in Boston and Brookline.

As described in the Notice of Project Change (NPC), the proposed project change entails modifications of the types of flow conveyance structures, the size of the structures, and the footprint occupied by the structures, as well as the elimination of a surface roadway.

Specifically, the project change consists of four major components:

- the replacement of two proposed culverts - a 10-foot by 16-foot culvert under the Riverway and a 10-foot by 24-foot culvert starting upstream of Brookline Avenue and running to downstream of Jug Handle Road – with concrete arch bridge sections in order to avoid the need for approximately 1,800 driven piles to provide the proper foundation support;
- the elimination of the existing 72-inch culverts under the Riverway and their replacement with a 10-foot by 24-foot culvert to accommodate all of the flows that need to be conveyed;
- the shortening of the proposed 10-foot by 24-foot culvert starting upstream of Brookline Avenue and running to downstream of Jug Handle Road to convey flows under Brookline Avenue only, thereby providing an additional 10,000 square feet of daylighted river and open space; and
- the elimination of Jug Handle Road, thereby eliminating the need for a culvert underneath it and creating additional open space and daylighting of the river.

### Review of the Proposed Project Changes

In general, commenters indicated that the proposed changes will result in an improved project with greater environmental benefits. While I agree, the Parks and Recreation Department should consider the specific additional measures suggested in the comment letters, including but not limited to the following:

- The Department of Environmental Protection (MassDEP) and other commenters recommend that restorations plans for the replanting of riverbanks include riverine characteristics with appropriate native species, and that bordering vegetated wetlands be established in appropriate areas depending on topography and hydrology.
- The Maintenance and Management Oversight Committee (MMOC) for the Muddy River Restoration Project further recommends that these plantings be consistent with the original design for the park by Frederick Law Olmsted and follow the guidance within the Emerald Necklace Parks Master Plan and that new pathways provide appropriated access for the disabled.
- The Department of Conservation and Recreation (DCR) requests that specific measures be implemented as part of the project's plan for traffic management, including traffic controls (particularly at the confluence of Park Drive and the Riverway); coordination of pedestrian and bicycle facilities with proposed traffic improvements; coordination with DCR on the relocation of the egress for Landmark Center, which will require a new access permit; and the inclusion of audible signals for all pedestrian crossings.
- The Boston Water and Sewer Commission (BWSC) advises that project plans be supplemented to indicate how construction of the new 10-foot by 24-foot culvert will be

phased so that flows can be accommodated without flooding until Phase 2 of the project is completed.

- The BWSC also advises that project plans should retain the ability to divert flows from its Brookline Avenue gate structure to the Muddy River Conduit during periods of maintenance and high flows.
- The Massachusetts Historical Commission recommends that granite veneer, rather than concrete block units, be used for the finish treatments on the walls of the conveyance structures that will be located over the waterline in order to be consistent with the historic character of the bridges.
- The Medical Academic and Scientific Community Organization, Inc. (MASCO) also suggested that surface drainage improvements be implemented at the intersection of the Fenway and Brookline Avenue as part of the project, in order to address an existing drainage problem and because it impedes pedestrian and vehicular safety and access.
- MassAudubon requests that consideration be given to the removal of all or part of the proposed concrete floors within the new culverts, or modifying the surface of the floor, in order to promote fish passage, and that plantings be designed so as to avoid or minimize creation of habitat ideal for Canada geese.

Additionally, in its comments, DCR affirmed its commitment to working cooperatively with the City of Boston to resolve any existing jurisdictional issues in the project area such that, upon completion of the project, it will be clear which entity is responsible for operations and maintenance of specific structures and facilities. I also note that the Massachusetts Water Resources Authority (MWRA) has confirmed that an 8M permit will be required in order to minimize the risk of damage while construction occurs over or near to its sewer facilities.

I strongly encourage the City of Boston to work in cooperation with the U.S. Army Corps of Engineers, state and local agencies, and other stakeholders on outstanding issues pertaining to the project, including the incorporation of suggestions made during the MEPA review of the NPC, and in dissemination information on construction period impacts in order to resolve potential conflicts and issues before they occur.

I commend the City of Boston for its diligence in exploring ways to enhance the environmental benefits of this important project. No further review of the project under MEPA is required as a result of the proposed project change.

March 7, 2008  
Date

  
Ian A. Bowles

Comments received:

2/26/08 Department of Environmental Protection Northeast Regional Office  
2/26/08 Department of Conservation and Recreation  
2/26/08 Massachusetts Historical Commission  
2/26/08 Massachusetts Audubon Society  
2/26/08 Boston Water and Sewer Commission  
2/26/08 Emerald Necklace Conservancy  
2/26/08 Zara Zsido  
2/27/08 MASCO (Medical Academic and Scientific Community Organization, Inc.)  
2/28/08 Muddy River Restoration Project Maintenance and Management Oversight  
Committee  
2/28/08 Massachusetts Water Resources Authority  
3/6/08 City of Boston Environment Department

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