The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
http://www.mass.gov/envir

April 13, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
SINGLE ENVIRONMENTAL IMPACT REPORT/NOTICE OF PROJECT CHANGE

PROJECT NAME	: Waterside Place
PROJECT MUNICIPALITY	: Summer and D Streets - Boston
PROJECT WATERSHED	: Boston Harbor
EOEA NUMBER	: 13367
PROJECT PROPONENT	: Core Development Group
DATE NOTICED IN MONITOR	: March 7, 2007

As Secretary of Environmental Affairs, I hereby determine that the Single Environmental Impact Report (SEIR)/Notice of Project Change (NPC) 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

As described in the SEIR/NPC, the proposed project consists of the construction of approximately 1,282,462 square feet (sf) of mixed-use space with a 2,350-space parking garage. The project has increased from 1,083,800 sf from the Expanded ENF chiefly because of the addition of a 300-room hotel. The proponent is proposing to construct 785,462 gross sf of commercial retail with a 72,000 sf grocery store. The commercial retail space includes shops, a food court, and a department store. The project will also include 209 residential condominium units (about 310,000 sf), a 300-room hotel (about 187,000 sf), and a 20,000 sf Visitor Center. The residential building and hotel will be about 250 and 230 feet respectively in height (19 stories). The existing project site contains the 11,600 sf World Trade Center Silver Line Station and 171 surface parking spaces. It is approximately 10.3 acres in area. The changes to the project include the addition of the 300-room hotel and the inclusion of a 72,000 sf supermarket to replace the cinema complex.

The project site is located on the Core Block in a subset of Massachusetts Port

Authority's (Massport) Commonwealth Flats Development Area (CFDA), which has completed MEPA environmental review and a Special Review Procedure. The Special Review Procedure allows for a Single EIR. The project requires a mandatory EIR. The proponent is seeking a Ground Lease from the Massport, and an Air Rights Agreement for portions of the site from the Massachusetts Turnpike Authority (MTA). It may require a Permit by the Executive Office of Transportation and Construction under Chapter 54A for construction on former railroad property. The project may require a Construction Dewatering Permit, a Notice of Construction & Demolition, a Limited Air Plan Approval/Fossil Fuel Emission Permit, a Notice Regarding Demolition and Construction, a Cross Connection Permit, and a Sewer Extension/Connection Permit from the Department of Environmental Protection (MassDEP). It will need to obtain a Construction Dewatering Permit and a Sewer Connection Permit from the Massachusetts Water Resources Authority (MWRA). The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. It will need to submit a Notice of the Construction of Structures over 200-feet with the Federal Aviation Administration. Because the proponent is seeking a land transfer (in the form of leased ground and air rights) from state agencies for most of the project site, under MEPA regulations there is broad scope jurisdiction, extending to all aspects of the project that may have significant environmental impacts.

Using the unadjusted Institute of Traffic Engineers Trip Generation land use codes (230, 495, 710, 820, and 850), the proponent has estimated that the project will generate approximately 31,280 average daily (unadjusted) vehicle trips. The proponent has estimated that the project would generate about 7,367 new vehicle trips when the rates are adjusted using Boston Transportation Department (BTD) mode splits in accordance with the transportation methodology defined in CFDA scope. Access to and egress from the parking garage would be provided onto Congress Street, D Street, and World Trade Center (WTC) Avenue. Egress from the parking garage would also be allowed onto the Massport Haul Road.

The proposed project will be connected to existing municipal water and sewer service. It will consume about 150,480 gallons per day (gpd) of water and will generate about 136,800 gpd of wastewater flow.

Review of the SEIR/NPC:

The SEIR included a detailed description of the project and described each state agency action required for the project. It contained sufficient information to allow the permitting agencies to understand the environmental consequences of their official actions related to the project.

The SEIR described how this project relates to Massport's CFDA (EOEA #11882). It contained an update on the status of area-wide infrastructure improvements and individual

development projects within the CFDA. The SEIR analyzed the cumulative impacts of the built and proposed development in the CFDA. This project may limit future development on other CFD parcels that are not developed.

The SEIR discussed the No-Build Alternative and the Preferred Alternative. The proponent provided information regarding project economics. It compared Alternative 3 – the proposed CFDA planned development for these parcels for traffic, parking, and transit impacts with the Preferred Alternative and the EENF Alternative. The overall massing of the Preferred Alternative was consistent with the massing for the CFDA Alternative. Therefore, the SEIR did not provide a separate environmental analysis of the wind, shadow, and daylight impacts of each alternative. The premium cost of decking is approximately $22 million or $18 per sf, excluding the parking garage. According to the proponent, the cost of the deck plus the ground lease costs require the massing currently proposed. The SEIR summarized the alternatives already developed by the proponent for the project site. There is no project phasing. The SEIR discussed how this project is compatible to the CFDA FEIR. It summarized how this project is compatible with Executive Order 385 – Planning for Growth, Boston Zoning, and the Metropolitan Area Planning Council's Metro Plan 2000.

The SEIR included the trip generation numbers, and these numbers were further explained in the supplemental information dated April 12, 2007 from the consultant. It provided a level of service (LOS) analysis at the required intersections. The SEIR included the a.m. and p.m. peak weekday peak hours, volume to capacity ratios, average and maximum queue lengths, a traffic distribution map, and background growth from other proposed developments in the area. It used 2010 for build-out year, as was done for the CFDA FEIR. For each intersection in the study area, the SEIR included with its LOS analysis: time delay and capacity. The SEIR examined present and future build and no-build traffic volumes for all impacted roadways and intersections. The LOS analysis for the Saturday midday peak hour was not provided in the SEIR because weekend traffic models for the area were never developed for either the Central Artery/Tunnel or CFDA analyses. However, the Saturday trips generated by the project were presented in the SEIR.

The SEIR described how the proponent intends to accommodate service and loading functions, and it identified the requirements of the project for service/loading infrastructure. The plans for the reconstruction of the roadways in the study area were discussed in the SEIR. The SEIR identified the proponent's coordination efforts with Massport, the MTA and Boston Transportation Department (BTD) to address traffic concerns within this area of Boston.

Parking at the site will include a total of 2,350 spaces in the parking garage. The SEIR described how the number of parking spaces needed was determined. It provided a breakdown of parking needs by land use category/use. The proponent anticipates providing parking to other area projects in the CFDA. Massport has committed to maintaining a parking ratio of 1.1

spaces/1,000 sf of occupied space in the CFDA. The SEIR utilized Institute of Traffic Engineers parking generation rates to demonstrate the need for the proposed 2,350 spaces. The valet parking operations and routes for the proposed project will be described in the Transportation Access Plan Agreement (TAPA) with the BTD. The TAPA will also identify taxi-parking areas along curbs and reserved parking for ZipCar or a similar service within the garage.

The SEIR did not identify any capacity constraints during peak hours on the Silver Line at the adjacent World Trade Center station. It has not proposed mitigation measures.

The SEIR provided a pedestrian LOS analysis at the following intersections for the weekday a.m. and p.m.: B/Congress Streets/Ramp D/F; D/Congress Streets; D Street/Transitway; D Street/Ramp DB; Summer/D Streets; Summer Street/WTC Boulevard. The pedestrian LOS for the Saturday mid-day peak hour was not presented in the SEIR because it depends on the traffic signal phasing and timing at each location, which was not available. The proponent has committed to identify specific bicycle parking accommodations within its TAPA. It will show where temporary and longer visit bicycle parking would occur on the project site in the TAPA. The TAPA will show the number of bicycle parking spaces and their location on the project site.

The SEIR presented a comprehensive Transportation Demand Management (TDM) Program designed to minimize reliance on single occupant private vehicles for employees of retailers at Waterside Place, the restaurant employees, and the building management staff. Tenants of the project will be required to participate in the TDM program as part of their ground lease agreement.

Air quality microscale modeling for carbon monoxide was provided in the SEIR. An air quality mesoscale analysis for ozone was also provided by the proponent to assess the total volatile organic compounds (VOC) and nitrogen oxide (NOx) emissions associated with all project-related vehicle trips. Reasonable and feasible VOC/NOx reduction/mitigation measures were included as part of the TDM mitigation package. The proponent has determined that no additional venting of the Turnpike, Silver Line, or the Massport Haul Road/CSX freight corridor is warranted by the project. The SEIR analyzed the air quality impacts and modeled the tunnel and station impacts of covering over additional areas of the Turnpike, Silver Line, and the haul road/CSX freight corridor for this project.

The SEIR presented drainage calculations and detailed plans for the management of stormwater from the proposed project. It included a detailed description of the proposed drainage system design. The SEIR analyzed the rates of stormwater runoff for the 2, 10, 25, and 100-year storm events. The proponent proposes to tie into the existing municipal stormwater system/Massport system. The SEIR identified the permits required. The stormwater will flow to a gravity stormwater system to nearby harbor outfalls. A portion of the drainage will also flow to a pump station on Service Road. The SEIR demonstrated that the proposed drainage system would

control storm flows at existing levels. It addressed the performance standards of MassDEP's Stormwater Management Policy. The maintenance program for the drainage system will be handled by Massport and the Boston Water and Sewer Commission and is conducted by them at least four times annually.

The dewatering of the construction site included a monitoring plan to ensure that there is no impact to the groundwater level. The SEIR outlined the monitoring program of groundwater levels. It summarized the existing pre-construction groundwater conditions.

The SEIR did not identify impacts from the project on the drinking water supply and distribution system. The proponent proposed to use low flow fixtures and water-saving appliances wherever possible as part of its Leadership in Energy and Environmental Design (LEED) Certification process.

The SEIR outlined the proponent's efforts to reduce water consumption and thereby reduce wastewater generation. It identified no capacity deficiencies within the municipal wastewater system to handle the project's additional wastewater flows. The proponent has committed to provide 547,200 gallons of Infiltration/Inflow (I/I) reduction. The proponent will work closely with the Boston Water and Sewer Commission (BWSC), the Massachusetts Water Resources Authority (MWRA), and MassDEP.

The SEIR presented a summary of the results of hazardous waste studies and remediation efforts undertaken at the site by the proponent to comply with the Massachusetts Contingency Plan, 310 CMR 40.0000.

The SEIR presented a discussion on potential construction period impacts. The proponent identified that it will be excavating 140,000 cubic yards of material from the site. The SEIR identified that the project would generate 4 truck trips per hour over the 36-month construction phase, and this estimated number includes the removal of excavate. It also provided existing and proposed noise levels.

The SEIR provided a shadow/daylight analysis. This analysis included the 9:00 am, 12:00 noon, and 3:00 pm for the vernal equinox, summer solstice, autumnal equinox, and winter solstice; and a shadow analysis for 6:00 pm for June and September. It identified existing shadow and net new shadow. The shadow study evaluated shadows cast on sidewalks and pedestrian areas, as well as at public and private open space within the study area.

The SEIR analyzed pedestrian level wind impacts from the proposed project. The wind study identified the areas where pedestrian level winds are expected to exceed the BRA's acceptability criteria. It identified the entrances to the project site and other nearby areas where pedestrians are expected to congregate. The wind study identified the impacts on public and

private open spaces in the project area.

The SEIR included renderings of the proposed buildings from each side. It incorporated sustainable design elements into the project design. The proponent has committed to seek LEED Certification for the project. It has a proposed a green roof as part of the project.

Summary of the SEIR Mitigation:

The SEIR included a separate chapter on mitigation measures. This chapter on mitigation included a Draft Section 61 Finding for the state permits. The Draft Section 61 Findings contained a clear commitment to mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation was also included.

On April 10, 2007, the proponent provided supplemental information on its mitigation measures. The proponent committed to the following mitigation measures in the SEIR and in its supplemental information:

- Signalize the intersection of Congress Street/Seaport Lane/Site Driveway, approximately $350,000.
- Provide improved pedestrian access through the internal and external pedestrian paths through the site, approximately $5 million.
- Develop a Valet Parking Management Plan.
- Join the Seaport Transportation Management Association (TMA).
- Implement an employee transit subsidy.
- Provide bicycle parking spaces, approximately $150,000.
- Provide parking for a carsharing service.
- Provide preferential parking and a pricing subsidy for ridesharing employees.
- Develop a Transportation Demand Management (TDM) program that includes an on-site transportation coordinator, ridematching, marketing transit information, a guaranteed ride home program, flextime and staggered work hours, telecommuting, and showers for bicyclists.
- Commit to LEED certification.
- Construct a public plaza along Summer Street and the WTC Avenue intersection.
- Provide a "green" roof, approximately $2.5 million.
- Provide a covered walkway along WTC Avenue, approximately $3 million.
- Provide internal finishes to the Massport built Summer Street pedestrian underpass, approximately $500,000.
- Develop a viaduct overlook park.
- Contribute to a landscaped open space on the triangular parcel created by Ramp F and Ramp D, approximately $250,000.

- Provide for upgraded light fixtures and other upgraded finishes along D Street, approximately $750,000.
- Develop a Transportation Access Plan Agreement (TAPA) for the BTD, approximately $500,000.
- Provide 547,200 gpd of I/I removal to the Boston wastewater system, approximately $1.2 million.
- Install water saving fixtures, approximately $150,000.
- Conduct studies, prepare design specifications, and install four groundwater observation wells and to monitor levels before, during, and after construction, approximately $500,000.
- Participate in MassDEP's Clean Air Construction Initiative, approximately $50,000.
- Provide diesel generators that incorporate specific emission limits as outlined by MassDEP using ultra low sulfur diesel fuel oil, approximately $100,000.
- Sight housing away from noise generation and incorporate building material selection to reduce interior noise levels to exceed Massport noise standards, approximately $750,000.
- Provide stormwater Best Management Practices and prevent sedimentation from entering the stormwater management system, approximately $200,000.

The SEIR updated the status of all mitigation commitments identified in the Section 61 Findings for the CFDA project.

I ask the proponent to consider installing a "continuous" covered walkway along WTC Avenue and also along Congress Street to provide pedestrians with shelter from inclement weather and wind.

April 13, 2007
DATE

Ian A. Bowles

Comments received:

Boston Groundwater Trust, 3/29/07
MCZM, 4/2/07
John Hancock Financial Services, 4/5/07
MassDEP/NERO, 4/6/07

Save the Harbor, 4/6/07
MTA, 4/6/07
WalkBoston, 4/6/07
Epsilon Associates, 4/9/07
Epsilon Associates, 4/10/07
VHB, 4/12/07

13367seir
IAB/WTG/wtg