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May 30, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE
MODIFYING
A SPECIAL REVIEW PROCEDURE

PROJECT NAME : Circumferential Transportation
Improvements in the Urban Ring
Corridor – Phase 2
PROJECT MUNICIPALITIES : Boston, Brookline, Cambridge,
Chelsea, Everett, Medford and
Somerville
PROJECT WATERSHEDS : Charles, Boston Harbor (Mystic), and
North Coastal
EOEA NUMBER : 12565
PROJECT PROPONENT : Executive Office of Transportation
DATE NOTICED IN MONITOR : April 23, 2008

Pursuant to Section 11.09 of the MEPA regulations, I hereby modify an existing Special Review Procedure (SRP), which was previously the subject of a Certificate Establishing a SRP dated November 9, 2001, and two Certificates Modifying the SRP issued on September 7, 2005, and July 11, 2007, to guide the continuing MEPA review of this project.

Proposed Modifications to the Special Review Procedure

The NPC propose new filing dates for the Revised DEIR/DEIS and the Final EIR/Final EIS for Phase 2, as well as the DEIR/DEIS for Phase 3 based on the unexpected need to develop a third round of demographic assumptions for the horizon year 2030 employment projections that were officially accepted by the Boston Region Metropolitan Planning Organization (MPO),

and are the basis for projected ridership in the Urban Ring Corridor. According to the NPC, because the development of this third round of demographic assumptions was not completed until December 2007, final modeling and ridership projections for the Urban Ring Phase 2 alternatives was delayed. This information was to have been included in the Revised Draft Environmental Impact Report (RDEIR)/Draft Environmental Impact Statement (DEIS) that was to have been submitted on May 31, 2008.

I have consulted with the Executive Office of Transportation (EOT) on its request and, while I am disappointed and concerned that the schedule for the environmental review of this important project continues to slip, I find that there are no feasible means to develop the necessary analysis on the current filing schedule. I therefore accept EOT's justification of the need for another adjustment in the review schedule, noting that the proponent has made a good faith effort to address stakeholders' technical and procedural input, and to provide adequate time for review of project documentation by the citizens Advisory Committee (CAC), the Federal Transit Administration (FTA) and others. Therefore, I hereby revise the schedule for the submission of environmental review documents, as proposed in the NPC, to the following:

- Revised DEIR/DEIS for Phase 2 to be submitted no later than November 30, 2008;
- Final EIR (FEIR)/Final EIS (FEIS) for Phase 2 to be submitted no later than December 31, 2009;
- DEIR/DEIS for Phase 3 to be submitted no later than December 31, 2011; and
- FEIR/FEIS for Phase 3 to be submitted by a deadline to be determined jointly by this office and the FTA.

I note that the FEIR/EIS is expected to be informed by Preliminary Engineering that cannot be undertaken until FTA grants approval in response to a federal New Starts application. I strongly encourage EOT to submit a New Starts Application within a time frame that would allow FTA to grant approval and then complete and submit the FEIR/FEIS by December 31, 2009, reflecting Preliminary Engineering. Although FTA will accept 2009 New Start applications up to September of that year, a fully reviewed FEIR/FEIS based on Preliminary Engineering would seem to require that the application be submitted well before that date. Therefore, I strongly recommend that EOT take the necessary steps to submit its New Starts application early, rather than later, in 2009, thereby ensuring that the submission of the FEIR/FEIS remain on schedule.

Again, I wish to stress the importance that EOT make every effort to adhere to the revised schedule indicated above. I consider these deadlines to be firm and direct EOT to expedite the environmental review process in order to ensure that the established deadlines are met. I will continue to require that any subsequent change to the newly established schedule for the submission of final documents be the subject of a Notice of Project Change (NPC) to be based on consultation with, and justification by, the Secretary of Transportation. I expect that that this will be the last request for extensions.

I note that many commenters on the NPC suggested three-, rather than six-month extensions for the submission of the Phase 2 FEIR/FEIS and the Phase 3 DEIR/DEIR. I have reluctantly granted the requested six-month extensions because I am satisfied, based on my consultation with EOT and the CAC, that the three-month extensions would not be sufficient and would only necessitate the submission of yet another NPC in 2009 requesting an adjustment in schedule. I concede that adequate time must be given to ensure that the final environmental review documents are produced to the highest standard practicable. While I sympathize with the frustration expressed by commenters, particularly in their requests for an enforceable schedule for the submission and/or distribution of draft and interim documents, I am reluctant to add more procedural requirements to this process. The Commonwealth's interest in advancing the project and the required schedule for the submission of final documents to be reviewed under MEPA and NEPA should be sufficient to drive the schedule for draft and interim documents. However, in order to ensure that interim milestones are achieved in a timely manner, I am requiring that EOT establish schedules for project milestones for each six-month period so that CAC members will know when to expect to receive draft and other interim documents for their review. These schedules should accompany each bi-annual (twice yearly) progress report and will be published in the Environmental Monitor according to the previously established schedule, reiterated below. Because the next progress report is not due until September 30, 2008, I am requiring that EOT establish a project schedule for the remainder of 2008 that will be due on June 30, 2008. This schedule will should present an ambitious, yet realistic, schedule for the completion and distribution to the CAC of draft and/or interim documents pre-requisite to the Revised DEIR/DEIS.

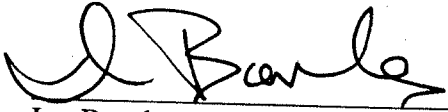
Generally, the purpose of these progress reports will be to provide reviewing agencies and the general public an understanding of any issues related to the timely submission of the environmental review documents. The progress reports should describe progress to date on the preparation of each document, indicate milestones achieved, and note any issues that would pose an obstacle to timely submission so that action can be taken towards their resolution. The progress reports will be posted on both the Environmental Monitor and the project website and should be submitted according to the following schedule:

- September 30, 2008
- March 31, 2009
- September 30, 2009
- March 31, 2010
- September 30, 2010
- March 31, 2011
- September 30, 2011


Beyond 2011, deadlines for progress reports related to the preparation of the FEIR/FEIS for Phase 3 of the project will be determined in the Certificate on the DEIR/DEIS for Phase 2.

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

May 30, 2008
Date


Ian Bowles
Secretary of Energy and Environmental Affairs

June 6, 2008
Date


Bernard Cohen
Secretary of Transportation

Comments Received:

- 05/08/08 Medical Academic and Scientific Community Organization, Inc.
- 05/12/08 Arshag Mazmanian
- 05/13/08 Karen Wepsic
- 05/13/08 Beth Israel Deaconess Medical Center
- 05/13/08 Dana-Farber Cancer Institute
- 05/14/08 Partners Healthcare
- 05/15/08 Massachusetts College of Art and Design
- 05/16/08 Conservation Law Foundation
- 05/19/08 Children's Hospital Boston
- 05/20/08 Partners Healthcare
- 05/20/08 Harvard University
- 05/21/08 A Better City (ABC)
- 05/21/08 Urban Ring Citizens Advisory Committee
- 05/21/08 Massachusetts Institute of Technology
- 05/22/08 Boston University
- 05/22/08 Urban Ring Compact
- 05/23/08 City of Somerville