The Commonwealth of Massachusetts
Executive Office of Energy and 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

August 7, 2009

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME	: Massachusetts Mental Health Center Redevelopment
PROJECT MUNICIPALITY	: Fenwood Road – Boston
PROJECT WATERSHED	: Boston Harbor
EOEA NUMBER	: 14440
PROJECT PROPONENT	: Brigham and Women's Hospital/Partners HealthCare/Roxbury Tenants of Harvard
DATE NOTICED IN MONITOR	: July 8, 2009

Pursuant to the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this **project requires** the preparation of an Environmental Impact Report (EIR).

Project Overview

According to the Environmental Notification Form (ENF), the proposed project consists of the construction of a 633,960 square feet (sf) mixed-use development and an underground parking garage. The project is proposed to be constructed in three phases. Phase 1 includes the demolition of the 190,000 sf Massachusetts Mental Health Center and the construction of a 56,000 sf replacement clinical and office building on the Binney Street parcel and a 21,000 sf mental health hospital housing 47 beds and providing 50 initial surface parking spaces for the return of the Department of Mental Health (DMH) to the project site. Phase 2 would include the construction of an approximately 182 foot tall, 15 floors, 197,750 sf residential building with 136 units and a 10,000 sf community meeting area by the Roxbury Tenants of Harvard (RTH). The residential building would contain approximately 66 affordable rental units and 70 condominiums. Phase 3 would include the construction of an approximately 220-foot tall, 14

floors (two mechanical floors), 358,670 sf medical office and research building with 406 underground parking spaces to be owned by Partners HealthCare.

The project site is comprised of three parcels that total approximately 3.15 acres. The Binney Street site is currently owned by Partners HealthCare and is vacant of buildings. The two other sites are owned by the Commonwealth. The DMH is planning on relocating their service to within the new Brigham and Women's Hospital (BWH) Building and returning the Binney Street Building to BWH for its use as clinical space.

Access to the proposed parking garage, to be constructed in Phase III, will be from the Vining Street Extension on the back side of the building. Using the Institute of Traffic Engineers Trip Generation land use codes 220 for apartments, 610 for hospital, 620 for nursing home, 710 for office and 760 for research & development space, the proponent has estimated 6,516 unadjusted new average daily vehicle trips. However, after adjusting for Boston Transportation Department (BTD) mode splits for the Longwood Medical Area (LMA), the proponent estimated that the project would generate approximately 3,252 new vehicle trips.

The proposed project will be connected to existing municipal water and sewer service. It will consume approximately 109,100 gallons per day (gpd) of water and will generate approximately 99,180 gpd of wastewater flow.

State Permits and Jurisdiction

This project is subject to a mandatory EIR pursuant to Section 11.03(6)(a)(6) of the MEPA regulations because it involves a land transfer from the Commonwealth, may receive Commonwealth financing, requires state permits, and generates 3,000 or more new vehicle trips. It will require a long-term lease of the land (95 years) from the Division of Capital Asset Management (DCAM). The proponent may require a Massachusetts Department of Conservation and Recreation (DCR) modified Access Permit if the proponent modifies the Riverway by the addition of a right turning lane at the Riverway/ Brookline Avenue intersection. The project will require a Sewer Connection/Extension Permit and an Environmental Results Program Certification for emergency generators and commercial boilers from the Department of Environmental Protection (MassDEP). It is subject to the EEA/MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol. The proponent may need to obtain an Industrial Discharge Permit, a Sewer Use Discharge Permit, and a Construction Dewatering 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 should submit a Notice of Preconstruction to the Massachusetts Aeronautics Commission and a Notice of Construction and Crane Approvals to the Federal Aviation Administration.

Because the proponents may be receiving funding from the Commonwealth (Massachusetts Health and Educational Facilities Authority (MHEFA) and housing grants) and

the site is the subject to a land transfer of Commonwealth property, 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.

The project is also subject to review by the Boston Redevelopment Authority (BRA) under the Article 80 Large Project Review process of the Boston Zoning Code. Accordingly, the proponent will prepare a Project Impact Report (PIR). It is my view that the planning for this project would be best served by a coordinated review and the submission of a single set of documents to satisfy the requirements of both MEPA (Section 11.09(4)(c) and the BRA (Section 80-6). The proponent should coordinate this joint review process with both agencies to establish the necessary review periods.

SCOPE

As modified by this scope, the Draft EIR should conform to Section 11.07 of the MEPA regulations for outline and content. The Draft EIR should also address the issues outlined below in detail. It should include a copy of this Certificate and all comment letters received on the ENF.

Project Description

The EIR should provide a detailed project description with a summary/history of the project. It should include existing and proposed site plans. The EIR should identify and describe the project phasing and the timing of the phases. It must identify the long-term lease arrangements between the proponents and the Commonwealth. The EIR should discuss the aesthetics of the project, and should include a conceptual-level landscaping plan and building elevations from all sides. It should identify any proposed lighting impacts on adjacent residential structures. The EIR should discuss how this project is compatible with local, regional, and state land use planning.

Alternatives Analysis

The EIR should discuss and compare the Preferred Alternative, an alternative showing the buildable bulk and density under the existing zoning provisions without zoning relief, and the No-Build Alternative. It should summarize any alternatives that have previously been explored for the project site by the proponent. The analysis should clearly present the alternative driveway/garage configurations at the site and identify the advantages and disadvantages of the Preferred Alternative. The EIR should discuss alternative building configurations on the site that might result in fewer impacts, particularly on traffic, parking, and wind and shadows. It should provide a comparative analysis that clearly shows the differences between the environmental impacts associated with each of the alternatives for each of the areas that are scoped.

Traffic

The traffic analysis presented in the EIR should be prepared in conformance with the EEA/EOT Guidelines for EIR/EIS Traffic Impact Assessment. It should identify appropriate mitigation measures for areas where the project will produce impacts on local and regional traffic operations, especially where delay increases at intersections. The unadjusted and adjusted trip generation rates must be fully explained in the EIR. Since this project contains a specialized hospital with outpatient services, the EIR should identify the number and type of outpatient services for the Massachusetts Mental Health Center (MMHC) and BWH. The EIR should provide information regarding how these outpatient visits will reach MMHC and BWH. It should include a breakdown by transportation mode and the reasoning behind these estimated trip generation numbers. It should fully describe all of the proposed components at MMHC and BWH to provide accurate trip generation estimations.

The EIR should include a Level-of-Service (LOS) analysis for the following intersections:

- Brookline Avenue/Fenwood Road;
- Brookline Avenue/Francis Street;
- Francis Street/Huntington Avenue;
- Francis Street/Binney Street;
- Fenwood Road/Binney Street;
- Fenwood Road/Vining Street;
- Fenwood Road/Huntington Avenue;
- Francis Street/Vining Street;
- Francis Street/St. Albans Road;
- Fenwood Road/St. Albans Road;
- St. Albans Road/Huntington Avenue;
- Longwood Avenue/Brookline Avenue; and
- Brookline Avenue/Riverway.

If the scope for the DPIR requires the study of other intersections, the analysis for those intersections should also be presented in the DEIR. The EIR's LOS tables should include the weekday morning and evening peak hours for each movement at these above intersections. It should verify the proposed morning and evening peak hour. The EIR should provide a traffic distribution map and background growth from other proposed projects in the area. Future conditions should cover a five-year (2014) and a ten-year (2019) time horizon to account for the phasing of the project. The EIR should examine present (2009) and future (2014 and 2019) build and no-build traffic volumes for impacted roadways and intersections. The Volume/Capacity ratio should also be provided for signalized intersections. The EIR should include a summary of average and 95th percentile vehicle queues for each intersection within the study area. The DEIR should include a LOS analysis for the Riverway/Brookline Avenue intersection evaluating a no-build scenario, a build scenario without a proposed right-turn lane on the Riverway northbound at the Brookline Avenue intersection, a build scenario with the proposed improvement, and

additional proposed alternatives to a proposed right-turn only lane.

Traffic accident history for the three most recent years for which data are available should be reviewed and presented for the study area. In the DEIR, traffic accident problem areas should be identified, and solutions should be proposed.

The EIR should discuss the proponent's coordination efforts with DCR, MassHighway and BTD officials as they address regional and local traffic concerns within this area. It should provide the most current information on the proposed construction dates for any roadway improvements in the area.

The EIR should discuss the suitability of any proposed signalization changes and any roadway widening. It should discuss right-of-way (ROW) implications of possible widening and describe how such ROW's would be acquired. The EIR should include plans showing the configuration of each roadway intersection proposed for modification.

The proponent should consider participating in proposals by DCR, MassHighway, and the BTD to provide additional traffic mitigation measures to reduce the impacts on estimated delay at adjacent intersections along the Brookline Avenue corridor.

Parking

According to the ENF, parking at the site will include approximately 406 parking spaces in an underground garage under the BWH building. The EIR should identify how parking demand and the number of proposed parking spaces was determined. The proponent is also proposing to supply MMHC with 50 parking spaces when MMHC returns to the site. This may be initially done as a surface parking area and later as part of the proponent's 406-space garage. Residential units will be supplied by BWH's existing lease of approximately 90 parking spaces in the adjacent RTH garage. The EIR should identify the number of parking spaces required by zoning, and recommended by the BTD in its citywide standards. It should describe any proposed valet parking. The EIR should describe any proposed off-site parking and for whom this parking is available.

The EIR should include a comprehensive parking needs assessment. The parking needs assessment should take into account the turnover rates for employees, patients, visitors, and residences. It should describe the parking supply and demand in the Longwood Medical Area (LMA) generally. The EIR should inventory both off- and on-street parking and proposed parking fees. It should present vehicle occupancies/modal splits for the trips generated in order to estimate parking demand. Parking demand management should be a key component of the overall mitigation analysis.

Transportation Demand Management

The EIR should outline the proponent's Transportation Demand Management (TDM) Program. TDM measures to consider include: providing a greater transit subsidy to employees using public transportation and providing transit passes to each residential unit as part of the rent or management fee; employing an on-site vehicle trip reduction coordinator; implementing a rideshare matching program; a guaranteed ride home program; additional bicycle incentives; and parking management. The proponents should commit to participating in the Longwood Medical Area (LMA) Transportation Management Agency (TMA).

Public Transit

The EIR should identify the nearby Huntington Avenue/Brigham Circle Stop on the Heath Street Branch and Longwood Station on the Riverside Branch of the Green Line and MBTA bus routes and bus stops in the neighborhood. The Medical Area (MASCO) shuttle bus routes and stops in the area also should be identified. The EIR should identify what transit services have limited capacity available during peak hours. It should also identify how MBTA improvements, like the Urban Ring project may provide service to the LMA in the future. The DEIR should analyze any needed improvements to existing transit service and evaluate potential contributions that can be made by this project to improving transit service in the area.

Pedestrian and Bicycle Facilities

The EIR should show where sidewalks currently exist on a map of the area and where the proponent proposes sidewalks. It should identify the proposed bicycle facility improvements included with this project. Bicycle parking/storage areas should be identified on a plan.

Air Quality

Air Quality microscale modeling for carbon monoxide will be needed for intersections deteriorating to LOS D or worse where the project contributes ten percent or more to the existing traffic volumes. MassDEP must be consulted as to the intersections, sensitive receptors, and model input parameters to be included in these analyses.

An air quality mesoscale analysis for ozone will be needed for this project to assess the total volatile organic compound (VOC) and nitrogen oxide (NOx) emissions associated with all project-related vehicle trips and to demonstrate that VOC/NOx emissions associated with the Preferred Alternative are less than those from the no-build case in the short- and long-term. If VOC/NOx emissions from the Preferred Alternative are greater than the no-build case, reasonable and feasible VOC/NOx reduction/ mitigation measures should be included. The proponent should consult MassDEP's "Guidelines for Performing Mesoscale Analysis of Indirect Sources" to determine the appropriate study area. This section of the DEIR should discuss opportunities to enhance pedestrian, bicycle, and transit modes as required above to reduce the

air quality impacts of the proposed project. The EIR should discuss the project's compliance with MassDEP's Ridesharing Regulations, 310 CMR 7.16. The mesoscale analysis should also be used to estimate indirect carbon dioxide (CO_2) emissions from transportation sources in conjunction with the GHG Policy and Protocol, as outlined further below.

The proponent should evaluate the feasibility of compliance with the Massachusetts Idling regulation (310 CMR 7.11) and the Rideshare Regulation (310 CMR 7.16) and should make commitments to such compliance wherever feasible. It should also evaluate participating in the MassDEP Diesel Retrofit Program and utilize ultra low sulfur diesel fuel in the off-road engines of construction vehicles.

Greenhouse Gas Emissions (GHG)

The DEIR should include an analysis of GHG emissions and mitigation measures in accordance with the standard requirements of the MEPA GHG Policy and Protocol ("the Policy"). The DEIR should quantify the direct and indirect GHG emissions associated with the project's energy use and transportation-related emissions. Direct emissions include on-site stationary sources, which typically emit GHGs by burning fossil fuel for heat, hot water, steam and other processes. Indirect emissions result from the consumption of energy, such as electricity, that is generated off-site by the burning of fossil fuels, and from emissions associated with vehicle use by employees, vendors, customers and others. The DEIR should outline and commit to mitigation measures to reduce GHG emissions. I refer the proponent to the Policy for additional guidance on the analysis and I strongly encourage the proponent to meet with representatives from MEPA, MassDEP and the Department of Energy Resources (DOER) prior to preparation of the DEIR.

The DEIR should include GHG emissions analysis that calculates and compares GHG emissions associated with three scenarios: 1) a Massachusetts Building Code-compliant baseline; 2) a Preferred Alternative; and 3) a project alternative with greater GHG emissions-related mitigation than the Preferred Alternative. Please note that the code currently in effect for the design and construction of this project and for the establishment of the Base Code Compliant Case is 780 CMR 13.00 7th Edition of the MA State Building Code. This edition is the 2006 with 2007 supplement to the International Energy Conservation Code (IECC) or the ASHRAE Standard 90.1 2006, with the 2007 Supplement (including Massachusetts specific supplements).

The GHG analysis should clearly demonstrate consistency with the objectives of MEPA review, one of which is to document the means by which the Proponent plans to avoid, minimize, or mitigate damage to the environment to the maximum extent feasible. The policy allows the proponent to select a model but, DEP and DOER recommend using EQUEST for stationary source modeling for buildings and building systems. The DEIR should include the modeling printout for each of the three scenarios. It should include emission tables that compare the base case (in tons of Carbon Dioxide (CO_2)) with the mitigation alternatives and show the projected reduction (in tons and percentages) by emissions source. The DEIR should clearly state modeling

assumptions and explicitly note which GHG reduction measures have been modeled and provide supporting data demonstrating GHG reductions. The DEIR should identify whether certain building design or operations GHG reduction measures will be mandated by the proponent to future occupants or merely encouraged for adoption and implementation. I refer the proponent to the MassDEP comment letter (that includes contributions from DOER) for additional recommendations on the analysis of GHG emissions, data to be incorporated into the DEIR, and potential mitigation measures.

Given the phased nature of this project, the proponent should consider design options that will allow them to cost effectively integrate efficiency or renewable energy measures in the future when it is more financially or technically feasible. The proponent should not discount mitigation measures even if it is not currently feasible to quantify the GHG reduction impact including recycling of construction, office and residential materials as well as water conserving approaches such as low flow plumbing fixtures, gray water reuse, and low impact landscaping and irrigation designs. These measures will be considered when evaluating whether the project mitigated its GHG emissions to the greatest extent practicable.

The proponent should evaluate stationary source GHG mitigation alternatives as suggested by MassDEP and DOER in their comments. In support of these evaluations, the DEIR should clearly describe each building including the type, usage, and orientation. It should also describe the building envelope elements, along with the proposed design performance criteria (such as R or U-value) for each element. The DEIR should describe the building electrical and HVAC systems, including the design loads and levels, equipment selected, and the relevant performance. The DEIR should consider quantifying the GHG reductions associated with water conservation measures in its plans.

The DEIR should respond to the comments by MassDEP/DOER with respect to:

- Pursuit of Leadership in Energy and Environmental Design (LEED) and/or Energy Star certifiable project status;
- Availability of potential rebates from energy providers associated with the installation of highly efficient equipment;
- Explanation of building orientation and discussion of expected impacts on energy usage;
- Energy efficient lighting (both interior and exterior);
- Interior day-lighting of buildings;
- Duct insulation;
- Use of peak shaving or load shifting strategies;
- Super insulation;
- Window glazing;
- High-efficiency HVAC systems;
- High-albedo roofing materials;
- Incorporation of third-party building commissioning;

- Implementation of lighting motion sensors, climate control and building energy management systems. I strongly encourage the implementation of separate metering of utilities within the residential units and between separate office/institutional uses to incentivize energy conservation;
- On-site renewable energy sources. The DEIR should evaluate the use of photovoltaic (PV) systems in accordance with the recommendations of DOER.
- Combined heat and power (CHP) technologies;
- Energy performance tracking capabilities; and
- Energy Star-rated appliances.

The DEIR should also evaluate the following sustainable design elements: water conservation and the reuse of wastewater and/or stormwater; the use of non-toxic and/or recycled building materials; recycling systems or plans; solid waste reduction plans; and an annual audit program for energy consumption, waste streams and the use of renewable resources.

The DEIR should reflect a commitment to pursue additional GHG mitigation measures in response to the modeling. If the proponent chooses not to model a specific mitigation measure recommended by MassDEP because it determines the measure to be infeasible for this particular project, the DEIR should thoughtfully explain why and demonstrate that the alternative selected has avoided, minimized, and mitigated CO_2 emissions adequately.

Because the project buildings will be leased from DCAM, the proponent must consider the recommendations and energy-related measures included in Executive Order No.484, Leading by Example. The DEIR should identify measures committed to, and justify any measures which will not be adopted. In addition, the proponent should consider the guidance provided in the USDOE Office of Energy Efficiency EnergySmart Hospital Program.

The mesoscale analysis described previously should be used to estimate the indirect emissions from mobile source GHG emissions associated with the additional project related vehicle trips. The calculation should compare GHG emissions for existing and future year (full) Build and No-Build conditions and future year (full) Build with Mitigation conditions. The proponent should follow the procedures for the GHG analysis as described in the Policy. The ENF indicates that the Proponent will implement a Transportation Demand Management (TDM) program to reduce vehicle miles travelled (VMT) and related GHG emissions. The DEIR should identify TDM measures proposed for each of the alternatives and the corresponding emission reductions expected.

Wind and Shadow

The EIR should consider specific building design alternatives as a means of reducing adverse wind and shadow impacts on the ground level pedestrian environment. It should be guided by the wind tunnel testing of the LMA massing. This wind tunnel testing is essential to determine the potential impacts of wind at the pedestrian level. For purposes of the EIR, a wind

analysis that evaluates pedestrian level impacts will be sufficient. Mitigation for wind impacts should be identified in the EIR.

The EIR should identify shadow impacts during the different times of the year as required by the BRA. I encourage the proponent to explore mitigation measures that could be implemented to lessen the shadow impacts of the proposed project and improve the quality of the pedestrian experience in that location.

Drainage

The EIR should evaluate potential drainage impacts on water resources, such as the Muddy River. It should present drainage calculations and plans for the management of stormwater from the proposed project. It should include a detailed description of the proposed drainage system design, including a discussion of the alternatives considered along with their impacts. The EIR should identify the quantity and quality of flows. The rates of stormwater runoff should be analyzed for the 10, 25 and 100-year storm events. The proposed drainage system should control storm flows at existing levels. The proponent should recharge roof runoff and other treated stormwater runoff from paved areas and driveways in order to retain as much as possible of the existing groundwater flows and drainage patterns. If the proponent ties into the existing City of Boston stormwater system or the Riverway's drainage system, the EIR should clarify the permits required from the City and DCR. The EIR should clarify if there will be a recharge deficit on-site. It should indicate and discuss where the Riverway, Fenwood Road, Vining Street, and the Vining Street Extension drainage systems discharge in this area.

The EIR's stormwater management should aim to maximize infiltration, slow runoff from the site, maximize the use of vegetation, capture rooftop runoff for irrigation, and minimize sediment and nutrient loading downstream. It should address the performance standards of DEP's Stormwater Management Guidelines. It should demonstrate that the design of the drainage system is consistent with these guidelines, or in the alternative, why the proponent is proposing a drainage system design not recommended by MassDEP. The EIR's stormwater analysis should evaluate the use of Low Impact Development (LID) techniques. As recommended by the Charles River Watershed Association (CRWA), the project should be developed to meet the phosphorous reduction requirements of the Total Maximum Daily Load for Nutrients in the Lower Charles River Basin. The stormwater system should reduce the sediment load to the Muddy River and reduce the peak flow. The EIR should also determine groundwater flow directions on the project site as recommended by the CRWA.

The EIR should discuss 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. The EIR should include a discussion of best management practices employed to meet the NPDES requirements, and should include a draft Pollution Prevention Plan.

In addition, a maintenance program for the drainage system should be included in the EIR to ensure its effectiveness. This maintenance program should outline the actual maintenance operations, responsible parties, and back-up systems.

The project site is located within a Groundwater Conservation Overlay District, which is intended to promote the restoration of groundwater levels and reduce the impact of surface water runoff. The proponent will be required to construct a structure capable of retaining a specific amount of stormwater accumulated on the site. It should seek guidance for the design of this structure from the Boston Water and Sewer Commission.

Water and Wastewater

The EIR should identify any Boston Water and Sewer Commission (BWSC) water or wastewater system improvements that will be required in order to connect to the municipal water and wastewater system. It should describe the proponent's proposed water and wastewater infrastructure improvements. The EIR should provide a detailed breakdown of the estimated water demand and wastewater generation for the project. This breakdown should include the proposed outdoor watering demand for landscaping and the projected water source.
The EIR should outline the proponent's efforts to reduce water consumption and thereby reduce wastewater generation. It should show the breakdown of its water consumption and wastewater generation for each component proposed on the project site. It should provide an analysis of the required Infiltration/Inflow (I/I) removal as identified in the MassDEP and BWSC comments. The DEIR should also respond to the detailed comments in the BWSC letter.

Historical/Archaeological Issues

The Massachusetts Mental Health Center (MMHC) is listed in the State and National Registers of Historic Place. The MMHC listing includes five resources at the site: the 1912, four-story, red brick, E-shaped Main Building; the 1912 freestanding, red brick Power Plant; the 1954 five-story, red brick Research Building; the 1957, two-story, red brick Therapeutic Building; and the original 1912 cast iron and brick fence. However, only those dating from 1912 are considered "contributing" to the historical and architectural significance of MMHC. The project includes the demolition of the MMHC Buildings. The proponent is exploring the feasibility of incorporating several of the key architectural features into the new construction. Because the Commonwealth has determined that the rehabilitation of the MMHC for DMH use was infeasible, DCAM has proposed the redevelopment of the site.

The EIR should provide a comprehensive examination of the MMHC site to determine the items for potential inclusion into the replacement buildings. The Massachusetts Historical Commission (MHC) has also requested that the EIR identify potential shadows from new construction on the Riverway, which is listed on the State and National Registers. The EIR should address shadow impacts on these historic resources, or on any other historic resources within the area of the project.

Riverway Parkland Impacts

The EIR should identify not only wind and shadow impacts on the Riverway parkland, but any groundwater, drainage, or other impacts. The Riverway is part of the Emerald Necklace, and it includes the Muddy River, the Riverway and the Riverway Park. The EIR should include a figure that shows parkland trails, sidewalks, roadways, and other recreational facilities within the adjacent park. The proponent should propose mitigation to reduce any environmental impacts from traffic.

Hazardous Wastes

The EIR should present a summary of the results of any hazardous waste studies and remediation efforts undertaken at the site by the proponent. It should identify potential groundwater contamination. The BWSC reported that a draft Remediation General Permit for groundwater contamination, contaminated construction dewatering and miscellaneous surface water discharges from the project site was issued by the U.S. Environmental Protection Agency. The EIR should address this contamination on the site and identify any future remediation efforts.

Construction

The EIR should present a discussion of construction period impacts (including but not limited to noise, dust, blasting, wetlands, and traffic maintenance) and analyze feasible measures that can avoid or eliminate these impacts. It should also present a construction sequencing plan, and a traffic mitigation plan to be used during construction periods.

Recycling Issues

In its comment letter, MasssDEP encourages the proponent to evaluate construction and demolition recycling activities in the EIR. The EIR should consider future waste reduction and recycling and integrating recycled materials into the project to minimize or mitigate long-term solid waste impacts from the project.

Mitigation

The EIR should include a separate chapter on mitigation measures. This chapter on mitigation should include proposed Section 61 Findings for all state permits. The proposed Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

Response to Comments

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

Circulation

The EIR 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 Boston and Brookline officials. A copy of the EIR should be made available for public review at the Boston Public Library (Mission Hill Branch) and the Brookline Public Library.

August 7, 2009
Date

Ian A. Bowles

Cc: Ms. Sonal Gandhi, Boston Redevelopment Authority

Comments received:

Epsilon Associates, 7/10/09
Vanasse Hangen Brustlin, 7/23/09
Boston Water and Sewer Commission, 7/24/09
Massachusetts Department of Energy Resources, 7/27/09
The Mission Hill Health Movement, 7/27/09
Friends of the Muddy River, 7/27/09
Massachusetts Department of Conservation and Recreation, 7/28/09
Massachusetts Department of Environmental Protection/Northeast Regional Office, 7/28/09
Massachusetts Water Resources Authority, 7/27/09
Massachusetts Historical Commission, 7/28/09
Charles River Watershed Association, 7/28/09
Friends of Historic Mission Hill, 7/28/09

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