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August 14, 2009

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

PROJECT NAME : Boston-Logan International Airport Runway Safety Area
Improvements Project
PROJECT MUNICIPALITY : East Boston
PROJECT WATERSHED : Boston Harbor
EOEA NUMBER : 14442
PROJECT PROPONENT : The Massachusetts Port Authority
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 enhancing the runway safety areas (RSAs) at the ends of Runway 33L and Runway 22R at Boston-Logan International Airport. The proposed improvements are required to enhance the RSAs to be consistent with the current Federal Aviation Administration's (FAA) airport design criteria for RSAs and to enhance rescue access in the event of an emergency. RSAs are safety measures designed exclusively to function in the event of an undershoot, overshoot or excursion from the runway. RSAs do not extend runways or have any effect on normal runway operations, runway capacity or types of aircraft which can use the runways. Typical RSAs are 1,000 feet long by 500 feet wide.

The existing RSA at the end of Runway 33L does not meet standard FAA design criteria

for overrun and undershoot protection for the design aircraft for that runway, the Boeing 747-400. The existing RSA is 187.5 feet long and 500 feet wide and is therefore too short to provide protection consistent with FAA criteria. Within this area is a 158-foot long and 170-foot wide Engineered Material Arresting System (EMAS) bed constructed of collapsible concrete blocks with predictable deceleration forces, installed in 2006 as an interim safety measure. When an aircraft rolls into an EMAS bed, the tires of the aircraft collapse the lightweight concrete and the aircraft is slowed down in a way that minimizes damage to the aircraft. The proposed project is intended to enhance the Runway 33L RSA so that it provides overrun and undershoot protection consistent with the design criteria in the FAA's Airport Design Advisory Circular to the extent feasible.

The existing RSA at the end of Runway 22R meets the minimum FAA design criteria for overrun protection for the runway's design aircraft but does not comply with undershoot requirements. However, given that Runway 22R is very rarely used for arrivals and has an 815-foot displaced threshold, it is unlikely that aircraft would ever undershoot this end of the runway. Therefore, the Runway 22R RSA enhancement is intended to protect aircraft in the event that an aircraft arriving on Runway 4L overruns and fails to stop on the runway. The RSA is 215 feet long and 500 feet wide, and includes a 190-foot long and 170-foot wide EMAS bed. As a condition of approving the installation of the existing EMAS bed, the FAA required Massport to consider options for further enhancing the level of safety provided by the existing RSA. The current project proposal is consistent with that commitment.

State Permits and Jurisdiction

This project is subject to a mandatory EIR pursuant to Section 11.03(3)(a)(2) of the MEPA regulations because it involves Agency Action and will result in wetland alterations that require a Variance in accordance with the Wetlands Protection Act.

The project will require a 401 Water Quality Certificate and a Chapter 91 License from the Department of Environmental Protection (MassDEP). The proposed project may also require approval from the Massachusetts Natural Heritage and Endangered Species Program. The proposed project will require filing a Notice of Intent with the Boston Conservation Commission to obtain an Order of Conditions pursuant to the Wetlands Protection Act (WPA). However, I note that the WPA regulations (310 CMR 10.32(2)) prohibit any alteration of Salt Marsh or marine fisheries habitat. Therefore, a Variance from MassDEP is required for the proposed RSA enhancements for both Runway 33L and 22R. In addition, both the proposed RSA enhancements for Runway 33L and Runway 22R will require fill materials to be placed below the extreme high water line. Therefore, an Individual Section 10/ 404 permit from the U.S. Army Corps of Engineers (USACE) is required. The authority for these permits is Section 10 of the Rivers and Harbors Act for any structures or work within tidal waters up to mean high water and Section 404 of the Clean Water Act for placing fill or dredged material up to the extreme high water line or within adjacent wetlands. The proposed project may also be subject to Coastal Zone Management (CZM) federal consistency review, in which case the project must be found to be

consistent with CZM's enforceable program policies. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site.

The project will be undertaken by Massport, a State Agency, and financed in part by funds from the Commonwealth. Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

Joint Review

The project will require the submission of an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA). Both MEPA and NEPA regulations allow for coordinated submission of required documentation. 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 NEPA. Therefore, I will allow (and encourage) the proponent to submit one set of documents that satisfies both the state and federal environmental processes. The proponent should coordinate this joint review process with both agencies to establish the necessary review periods.

Review of the ENF and Draft EIR Scope

Format and Circulation

The proponent should prepare and circulate the Draft EIR (DEIR) in accordance with Sections 11.07 of the MEPA regulations, as modified by this Certificate. The DEIR should contain a copy of this Certificate and of each comment letter received. The proponent should circulate the DEIR in compliance with Section 11.16 of MEPA regulations, to those parties submitting written comments on the ENF, and to any state agencies from which the proponent will seek permits or approvals. The proponent should send a Notice of Availability of the DEIR to Massport's standard MEPA mailing list, as periodically updated. The proponent should also make a reasonable number of copies of the DEIR available on a first come, first served basis. Because there will be impacts to land containing shellfish, the DEIR should be distributed to the shellfishing industry and local shellfishing representatives. A copy of the DEIR should be made available for public review at the Boston Public Library (East Boston Branch), the Revere Public Library, the Chelsea Public Library, the Everett Public Library and the Winthrop Public Library.

Project Description

The DEIR should provide a detailed project description with a summary/history of the project. It should include existing and proposed site plans. The DEIR should identify and

describe any project phasing and the timing of the phases. It should describe each State Agency Action required for the project. The DEIR should demonstrate how the project is consistent with the applicable performance standards. It should contain sufficient information to allow the permitting agencies to understand the environmental consequences of their official actions related to the project.

Alternatives Analysis

The ENF indicates that the proponent considered a number of potential alternatives resulting in the selection of two Preferred Alternatives. The Preferred Alternative for Runway 22R involves the installation of an inclined safety area at the end of the runway. This alternative would require gravel fill to be placed approximately 190 feet north from the existing EMAS bed and would be graded over the full width of the extended safety area down to the mean low water elevation. The Preferred Alternative for Runway 33L involves the installation of a new EMAS bed and a pile-supported pier extending into Boston Harbor.

Runway 33L

According to the ENF, the following alternatives were considered for Runway 33L:

- FAA required full 1,000-Foot length RSA;
- Several different shorten and/or shift runway and enhance RSA with EMAS (including the *Preferred Alternative* 600-foot long by 300-foot wide RSA with EMAS on a pile-supported deck);
- RSA with EMAS, including width and platform options; and
- No-Action.

An inclined safety area alternative was not considered for Runway 33L because it cannot provide protection for aircraft in the event of an undershoot. Furthermore, the inclined safety area previously permitted (EEA #5122) was not constructed due to concerns by pilots related to the transition between the proposed inclined safety area and the existing light pier. The FAA design criteria require that the alternatives for Runway 33L provide protection for both aircraft overruns and undershoots. Because Massport has indicated that several of the examined alternatives are infeasible due to cost or unacceptable environmental impacts, the alternatives that should be carried forward to the DEIR are the 600-foot long by 300-foot wide RSA with EMAS on a pile-supported deck and the no action alternative for Runway 33L.

Runway 22R

The following alternatives were considered for Runway 22R:

- Enhanced EMAS;
- Inclined Safety Area; and
- No Action.

The analysis provide in the ENF indicates that several of the examined alternatives are infeasible due to cost or unacceptable environmental impacts. Therefore, the alternatives that

should be carried forward from the ENF to the DEIR are the inclined safety area and no action alternative for Runway 22R. The ENF did not however examine the potential use of a pile-supported structure at Runway 22R in lieu of the inclined safety area. The selection of a pile-supported structure rather than fill for the Runway 33L safety improvements could be a significant impact-minimization measure. The DEIR should therefore examine whether there are feasible alternatives to the placement of fill for the Runway 22R project, and if not, whether the amount of fill can be further reduced. If a feasible alternative that involves no fill or reduced fill emerges, it should be included as one of the alternatives for Runway 22R along with the inclined safety area and no action alternatives.

For both runway projects, the DEIR should examine alternative configurations and alignments, if any, that meet safety objectives while minimizing impacts. In addition, the proponent should continue working with the relevant state and federal agencies and present in the DEIR any design refinements of the Preferred Alternatives for each runway. The DEIR should also summarize any alternatives that have previously been explored for the project site by the proponent. To the extent that alternatives have been eliminated in reliance on discussions with the FAA, such communications should be documented and included in the DEIR. The analysis should clearly present and identify the advantages and disadvantages of the Preferred Alternative.

Project Impacts with Preferred Alternative:

The proposed RSA enhancements will result in the loss of coastal wetland resources. However, with selection of the pile-supported deck as the preferred construction technique for Runway 33L, direct impacts to these resources have been avoided or minimized the maximum extent practicable while still meeting the project purpose and need. According to the ENF, Runway 33L Preferred Alternative will result in impacts to the following coastal wetland resources and intertidal and benthic community habitat:

- Coastal Bank – Portions of the Coastal Bank would be replaced by the pile-supported deck structure. Approximately 315 linear feet would be impacted.
- Coastal Beach – Approximately 27,550 square feet of Coastal Beach would be located beneath the pile supported deck. However, Coastal Beach would be lost only where pilings are installed beneath the deck.
- Land Under the Ocean – Approximately 95,530 square feet of land Under the Ocean would be located beneath the pile-supported deck. However, Land Under the Ocean would only be lost where pilings are installed beneath the deck.
- Land Containing Shellfish – Approximately 123,080 square feet of Land Containing Shellfish would be located beneath the pile-supported deck. However, Land Containing Shellfish would only be lost where pilings are installed. The pilings beneath the high water mark would provide substrate for attached and mobile intertidal and subtidal invertebrates including blue mussels.
- Submerged Aquatic Vegetation (eelgrass) - Approximately 55,420 square feet of eelgrass would be located beneath the pile-supported deck. The eelgrass bed would be lost beneath the deck where pilings are installed.

According to the ENF, Runway 22R Preferred Alternative will result in impacts to the following coastal wetland:

- Coastal Bank – Approximately 530 linear feet (replaced by a filled structure).
- Salt Marsh – Approximately 27,930 square feet.
- Coastal Beach – Approximately 35,360 square feet.
- Land Under the Ocean – Approximately 4,700 square feet.
- Land Containing Shellfish – Approximately 67,990 square feet.

Given the potentially significant environmental impacts of the project on coastal wetland resources, the DEIR should continue to provide updated information documenting the purpose and need for the proposed project.

Wetland

As designed, this project will require MassDEP to issue a Variance from the WPA Regulations. In order to grant a Variance request, section 310 CMR 10.05 of the regulations requires MassDEP to consider three main criteria: 1) that there are no reasonable conditions or alternatives that would allow the project to proceed in compliance with the wetlands regulations; 2) that mitigation measures are proposed that will allow the project to be conditioned so as to contribute to the protection of the interests identified in the Wetlands Protection Act; and 3) that the variance is necessary to accommodate an overriding community, regional, state or national public interest, or to avoid an unconstitutional taking of property without compensation. The DEIR should address these three criteria.

The Commonwealth has endorsed a “No Net Loss Policy” that requires that all feasible means to avoid and reduce the extent of wetland alteration be considered and implemented. The Wetland Section of the DEIR should conform to this approach by first examining options that avoid impacts to wetland resource areas, their associated buffer zones. Where it has been demonstrated that impacts are unavoidable, the DEIR should illustrate that the impacts have been fully mitigated.

For any amount of required wetlands replication, a detailed wetlands replication plan should be provided in the DEIR that, at a minimum, includes: replication location(s) delineated on plans, elevations, typical cross sections, test pits or soil boring logs, the hydrology of areas to be altered and replicated, list of wetlands plant species of areas to be altered and the proposed wetland replication species, planned construction sequence, and a discussion of the required performance standards and monitoring. The plans should include monitoring for and the management of any invasive species that may begin to grow in the replication area.

Due to the significant impacts that the project will have upon coastal wetland resource areas within Boston Harbor, the DEIR should contain a cumulative assessment of the effects of the project on the functions and values of these resources. The DEIR should include current and anticipated construction projects by Massport and others in the surrounding area that may further

degrade the coastal resources. In addition, an assessment should further quantify and differentiate between the anticipated impacts associated with construction phases and full build-out.

The ENF indicates Massport's recognition that appropriate compensatory mitigation for impacts to these resource areas will be required. Massport should continue to work closely with local, state and federal environmental agencies to develop mitigation and monitoring plans.

The DEIR should contain a detailed analysis of the on-site mitigation options as requested in the City of Boston's comment letter. The DEIR must also address the possibility of off-site mitigation if on-site mitigation is infeasible. As mitigation strategies are developed, every effort should be made to ensure that restoration and mitigation are conducted in Boston Harbor. As the City of Boston indicated in its comment letter, existing, degraded areas of salt marsh, eelgrass and shellfish beds should be assessed for purposes of rehabilitation and recently restored areas, such as the salt marsh in Chelsea Creek off of Condor Street in East Boston, should be reviewed for possible expansion in the DEIR. The scope and extent of mitigation and restoration efforts should be designed to result in a net benefit to affected coastal resource areas in the Harbor. Proposals to conduct restoration and mitigation outside of the affected resource should be discussed in the context of clear facts demonstrating that they cannot be accomplished in the Harbor or other nearby areas in Boston.

In addition, rigorous construction-period containment measures and monitoring will be crucial to minimizing project related alterations to coastal resource areas. The DEIR should contain information on the construction phase and post construction monitoring plans. Reporting must be established to assess the health of existing and restored resource areas. The DEIR should contain contingencies to ensure that if restoration efforts fail, additional measures will be required to compensate for the loss of the resource area functions and values.

Waterways and Tidelands Impacts

Portions of the proposed RSA enhancements seaward of the mean high water line would require a Chapter 91 license. For those portions of the project within Chapter 91 jurisdiction, the waterways regulations at 310 CMR 9.05 require MassDEP to issue a license for any construction within tidelands, after considering a project's impacts on the preservation of rights held by the Commonwealth in trust for the public. The regulations at 310 CMR 9.31 establish two general standards for any Chapter 91 license:

- The project must meet the basic requirements listed in 310 CMR 9.31(1); and
- The project must serve a proper public purpose.

The DEIR should address how the project will meet these standards, particularly in light of MassDEP comments concerning the need for a Variance outlined below.

The Preferred Alternatives for safety improvements to Runways 22R and 33L include proposed changes on both filled and flowed tidelands. Pursuant to 310 CMR 9.03(3)(b), no MassDEP authorization is required for Massport activities on filled tidelands at Logan Airport. MassDEP has preliminarily determined that the proposed project is a nonwater-dependent use project in accordance with 310 CMR 9.12(2), since airports do not require direct access to tidelands. This finding is particularly significant in this instance since new fill and structures for nonwater-dependent use are generally prohibited seaward of the mean high water mark [310 CMR 9.32(1) (a)]. While there are limited exceptions to this prohibition which allow placement of fill in some cases, according to MassDEP, they do not appear to be applicable to the proposed fill at Runway 22R. MassDEP has further indicated that the pile-supported structure for nonwater-dependent use proposed at the end of Runway 33L is likewise prohibited by the Waterways regulations. The project may therefore require a Variance from the Chapter 91 performance standards.

The variance provisions of the Waterways regulations are found at 310 CMR 9.21. The proposed project appears to be eligible for consideration under this provision based on its “overriding municipal, regional, state, or federal interest.” Key considerations in a variance analysis include: an analysis of alternatives that would achieve the purpose of the project without the need for a variance; minimization of detriments to the public interest in tidelands; and mitigation measures. The DEIR should examine whether there are alternatives to the placement of fill for the Runway 22R project, and if not, whether the amount of fill can be further reduced. For both runway projects, the DEIR should examine alternative configurations and alignments, if any, that meet safety objectives while minimizing impacts.

The areas in which work is proposed are not currently accessible to the public and would not be accessible to the public for the foreseeable future. These areas are within the state-legislated Logan Airport security zone restrictions on public access. This security zone extends 500 feet seaward of the high water mark. Therefore, the proposed RSA enhancements would not interfere with or restrict currently existing water-related public rights of access. However, as outlined below, the project will still need to document that it complies with the requirements for public benefits at 301 CMR 13.00.

Finally, appropriate mitigation measures for environmental and tidelands impacts should be reviewed in the DEIR.

Public Benefit Determination

In accordance with 301 CMR 13.03, the DEIR should include a chapter detailing how the project will meet the requirements for a positive Public Benefit Determination. The DEIR should include detailed information describing the nature of the tidelands affected by the project and the public benefit of the project, the purpose and effect of the project, the impact on abutters and the surrounding community, enhancement to the property, benefits to the public trust rights in tidelands or other associated rights, benefits provided through previously obtained municipal

permits, environmental protection and preservation, public health and safety, and the general welfare. I acknowledge that the proposed project presents a somewhat unique circumstance where public access to tidelands is not possible. However, the project will still need to demonstrate that the project otherwise complies with the requirement to provide public benefits.

Fisheries Species and Habitat Resources

Logan Airport is surrounded on three sides by water and supports coastal resources including coastal bank, coastal beach, intertidal mudflats, salt marshes and subtidal seagrass beds. The DEIR should provide a summary of the project site's habitat assessment. It should identify if the project will impact any state-listed species. The DEIR should explain any proposed monitoring program and describe any habitat enhancements. The DEIR should explain its proposed documentation procedures.

The intertidal mudflats surrounding Logan Airport are part of shellfish area GBH5.3, conditionally restricted, available for commercial harvest. Impacts to shellfish beds may result from any alternative with in-water construction and the ENF estimates possible impact to 67,000 sq. ft. of land containing shellfish. The Boston Harbor Association and the City of Boston have stated in their comments that in recent years, a number of shellfish beds near Logan Airport and the Town of Winthrop have re-opened to shellfishing, thanks to a cleaner Harbor. Therefore, depending upon the alternatives ultimately chosen, impacts to shellfish beds during in-water construction may occur, and shellfish beds will be lost where pilings are installed. The DEIR should thoroughly evaluate the impacts to land containing shellfish and resultant impacts to shell fishermen. To the extent any impacts result, potential mitigation measures and areas should be identified in the DEIR, in consultation with the National Marine Fisheries Service, Division of Marine Fisheries (DMF), and the City of Boston. DMF has also provided recommendations that the proponent should incorporate into the DEIR, including a recommendation that no in-water, silt producing work should be conducted from February 15th to June 30th of any year, for the protection of winter flounder.

Impacts at Runway 33L

Impacts to submerged aquatic vegetation (eelgrass) will occur at the Runway 33L end. The DEIR must include the potential impacts to eelgrass and mitigation strategies identified with the federal and state interagency eelgrass working group that has been established to address this issue. In addition, Blue mussels (*Mytilus edulis*) and soft shell clams (*Mya arenaria*) are present off Runway 33L. There are no vegetated wetlands (Salt Marsh) present at the end of Runway 33L.

The total impact to eelgrass for the Preferred Alternative is approximately 55,420 square feet of direct and indirect impacts beneath the pile supported structure at Runway 33L. The proposed project involves impacts to the most vigorous stand of eelgrass in the Boston Harbor region. At the present time, and based on preliminary studies, there appear to be few, if any, viable restoration sites where successful eelgrass transplantation and restoration would be

expected to occur. DMF recommends, and I concur, that the DEIR should contain updates on the continued dialogue with resource agencies to discuss the possibilities for mitigation of eelgrass impacts through possible direct plantings as well as alternative strategies.

The Hubline Eelgrass Mitigation Project is in the process of conducting monitoring and sediment survey work to determine the existence of possible suitable restoration sites in the Boston Harbor and Beverly area. The results of that study should be useful as a guide to frame the potential for similar eelgrass restoration work for the Massport project. As such, the DEIR should incorporate the Hubline study findings in the development of a mitigation plan for the proposed eelgrass impacts. If the Hubline study is unable to define suitable sites for eelgrass mitigation, then Massport should consult with state and federal regulatory agencies regarding the scope for the research of other suitable eelgrass-related alternative mitigation strategies.

The National Marine Fisheries Service (NMFS) has designated Essential Fish Habitat (EFH) within marine, estuarine and freshwaters of the U.S. that includes Boston Harbor. The DEIR should discuss the species and how these species will be protected during construction.

Impacts at Runway 22R

The Coastal Bank at this location is dominated by the invasive common reed (*Phragmites australis*). The ENF contains the results of Salt marsh delineations off the end of Runway 22R. Wetlands were identified based on the presence of Salt Marsh grasses (*Spartina alterniflora* and *S. patens*) and common glasswort (*Salicornia europaea*). The Coastal Beach/ Tidal Flat contains silty sand and extends seaward to the mean low water line. The ENF states that there are no eelgrass beds at the end of Runway 22R. The fill proposed off of Runway 22L may alter sediment and current dynamics in the near-shore environment. The DEIR should address this issue with a detailed evaluation and proposed measures to mitigate any impacts.

Rare Species

Review of the Massachusetts Natural Heritage Atlas indicates there is Priority Habitat in the Runway 33L RSA study area. Upland sandpiper (*Bartramia longicauda*), which is listed as endangered in Massachusetts, is known to occur in the large grassy uplands in the interior of the airfield. Massport should continue to coordinate with the U.S. Fish and Wildlife Service (USFWS), NMFS, and DMF to identify other protected species that may be found in the vicinity of the proposed RSA enhancements and the DEIR should contain the results of these discussions. The ENF stated that USFWS stated that there are no federally-listed or proposed, threatened or endangered species or critical habitat under its jurisdiction within the Runway 33L project area.

Water Quality Certification

Water Quality Certification is required from the state under Section 401 of the Clean Water Act to demonstrate that a permit issued by the USACE would not violate state water quality standards. State water quality standards contained in 314 CMR 9.00 and 314 CMR 4.00 would apply to the dredging that would be necessary to remove unsuitable substrate at the

Runway 22R end, as well as to the potential temporary construction-period increases in sedimentation and turbidity from the construction activities at the ends of both the Runway 22R and 33L. The DEIR should demonstrate that the proposed RSA enhancements for Runway 33L and Runway 22R would not increase the pollutant loading to Boston Harbor and would be designed to comply with applicable Stormwater Policy Standards.

The project will require dredging to remove structurally unsuitable substrate within Boston Harbor at the end of Runway 22R. The DEIR should contain a discussion of the volume of marine sediment to be dredged at the end of Runway 22R. The DEIR should contain a description for water quality sampling during dredging, dredge material sampling, handling, reuse/disposal requirements, and dredging performance standards.

Drainage

The DEIR should describe proposed mitigation measures to protect water quality during the construction period and, if required, post-construction. The ENF stated that the existing stormwater collection and treatment system at Logan Airport is expected to be adequate to protect receiving water quality in compliance with the Airport's National Pollutant Discharge Elimination System (NPDES) permit.

The proposed work will add 3.4 acres of new impervious surface, which qualifies the project as new development for compliance with the MassDEP Stormwater Management regulations (SMR) in 310 CMR 10.00. Stormwater runoff impacts during construction and post-construction should be evaluated in the DEIR, and it should be demonstrated that source controls, pollution prevention measures, erosion and sediment controls, and the post-development drainage system will be designed in compliance with the performance standards in the regulations. The DEIR also should explain how water quality and quantity impacts would be controlled in compliance with the SMR standards for water quality and quantity impacts and Massport's NPDES Permit. Calculations, stormwater system design plans at a readable scale, best management practice (BMP) designs and supporting information should demonstrate that the stormwater system design provides protection for wetland resources in conformance with the stormwater regulations and NPDES permit.

Proposed activities, including construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into wetland areas, should be evaluated. The locations of detention/infiltration basins and their distances from wetland resource areas, and the expected water quality of the effluent from said basins should be identified. The drainage analysis should ensure that wetlands are not impacted by changes in stormwater runoff patterns.

Underwater Archaeological Resources

The area under the current Logan International Airport was comprised of islands and mudflats throughout most of the historic period. The Massachusetts Board of Underwater

Archaeological Resources (Board) has indicated in its record the occurrence of at least 32 shipwrecks in Boston Harbor during the period of 1738-1893. The Board cannot conclude that there are no submerged cultural resources in the proposed project area. Therefore, the Board requests that the DEIR address the potential occurrence of submerged historical cultural resources and if a submerged cultural resource is encountered during the course of the project that the proponent will take steps to limit adverse affects and notify the Board.

Construction

The DEIR 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. Construction noise and potential nighttime light pollution should also be evaluated. The DEIR should also discuss any airfield operational impacts of the construction, such as temporary runway closures, etc. The construction schedule should be estimated, as should hours of construction. The DEIR should discuss air quality impacts from construction traffic and fugitive dust and noise, and should present a draft Construction Management Plan. One commenter, Mr. Ron Hardaway, has suggested that the proponent transport all of this equipment and material via barges to the site. The DEIR should address this request and consider transporting all or part of the needed construction equipment and materials via barge. The DEIR should also address the concerns raised in the Boston Transportation Department's (BTD) comment letter requesting a transportation access plan to keep construction traffic out of the neighborhoods surrounding Logan Airport.

Water quality in the vicinity of the proposed RSA enhancement could be temporarily impacted by short term construction activities, particularly by dredging to remove unsuitable substrate materials. These activities could result in a temporary increase in suspended sediments the area of Boston Harbor in the immediate vicinity of the proposed work. The DEIR should discuss this issue. Construction in adjacent upland areas could generate sediment from exposed soils (in the absence of mitigation), which could temporarily result in short-term increases in suspended solids in the immediate vicinity of the proposed RSA enhancement. The DEIR should propose a comprehensive Soil Erosion and Sediment Control Plan to minimize temporary impacts.

Coastal resources and benthic organisms in the immediate vicinity of the proposed RSA enhancement could also be temporarily impacted by short-term construction activities. The DEIR should discuss how construction would be under taken in a way that minimizes impacts to resources. Construction could also result in short -term increases in noise (from construction equipment) and air emissions from construction equipment.

Greenhouse Gases

The ENF indicated that the proposed project has been designed to improve safety and will not result in the increased emissions of Greenhouse Gases (GHG) and therefore falls within the

de minimis exception of the policy. Massport is not required to prepare an analysis of GHG emissions or identify measures to mitigate GHG emissions for the proposed safety project.

Mitigation

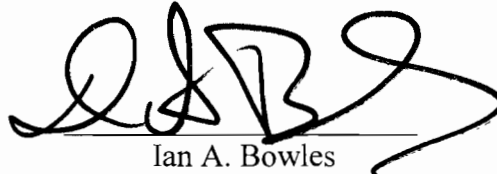
The EIR should include a separate chapter on mitigation measures. This chapter on mitigation should include proposed Section 61 Findings for all state permits. The proposed Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation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

Response to Comments

In order to ensure that the issues raised by commenters are addressed, the EIR should include a detailed response to comments. The DEIR should include a Response to Comments section which reprints comments in their entirety. The DEIR should include responses to individual comments, in an indexed format and/or direct response to individual points within comment letters. This directive is not intended to and shall not be construed to enlarge the scope of the DEIR beyond what has been expressly identified in this Certificate.

August 14, 2009

Date



Ian A. Bowles

Comments received:

07/28/2009	The Board of Underwater Archaeological Resources
07/28/2009	Office of Coastal Zone Management
08/03/2009	Mr. Ron Hardaway
08/05/2009	Department of Environmental Protection
08/07/2009	Division of Marine Fisheries
08/10/2009	The Boston Harbor Association
08/11/2009	Boston Transportation Department
08/12/2009	City of Boston Environmental Department

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