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August 7, 2020

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

PROJECT NAME	: Quincy Public Safety Complex
PROJECT MUNICIPALITY	: Quincy
PROJECT WATERSHED	: Boston Harbor
EEA NUMBER	: 16220
PROJECT PROPONENT	: City of Quincy
DATE NOTICED IN MONITOR	: June 10, 2020

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.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 **does not require** an Environmental Impact Report (EIR). I note that the Massachusetts Department of Environmental Protection (MassDEP) and the Massachusetts Office of Coastal Zone Management (CZM) have identified concerns with the hydraulic modeling presented in the ENF and the potential impacts of fill in Land Subject to Coastal Storm Flowage (LSCSF) proposed for this project. The agencies have recommended that I require additional review through an EIR. MassDEP has indicated that the project as designed may not be permittable under the Wetlands Regulations (310 CMR 10.00). I acknowledge the significance of these issues, as the project proposes major upgrades to critical emergency response infrastructure located directly on the coastline. While I applaud the City for taking proactive resiliency measures including elevation of structures above FEMA mandated base flood elevations to take into account sea level rise, the City will need to fully document and analyze whether this elevation and other design features of the project may have unintended consequences in the form of increased flooding risks to adjacent properties and wetland resources. I am also aware that the City has proposed to relocate a homeless shelter to a site within the Weymouth Fore River Designated Port Area (DPA), and may be undertaking future work to reconstruct this facility in a flood prone area. As the City is a participant in the Commonwealth's Municipal Vulnerability Preparedness (MVP) program, I strongly encourage the City to engage in comprehensive resiliency planning in making siting decisions and design choices to ensure that public buildings are resilient to the effects of climate change, while simultaneously minimizing impacts to

wetlands and other natural resources. At this juncture, however, I am declining to require an EIR because I find that sufficient disclosures and information have been made for purposes of MEPA review and that further evaluation of modeling methodology and impacts to LSCSF can be undertaken through subsequent permitting. As MEPA is not a permitting process, I find that MassDEP has sufficient regulatory authority to determine whether the project can be conditioned to meet the applicable regulatory standards.

Project Description

As described in the Environmental Notification Form (ENF), the project includes the construction of a three-story, 120,000-square foot (sf) public safety complex for the City of Quincy's (City) police, fire and emergency services. The complex will include a two-story parking garage with 192 parking spaces, a surface parking lot with 98 spaces, a fueling station for City vehicles, a new stormwater management system and a memorial park. Five buildings on the site will be demolished, including the existing police station, Father Bill's Homeless Shelter (Father Bill's), a gas station, and two industrial buildings. Father Bill's will be moved temporarily to an existing building on the south side of Broad Street at 39 Broad Street, which is located in a DPA. According to the ENF, Father Bill's is planning to construct a new permanent facility at the 39 Broad Street site within the next two to three years. The new facility will be a three-story building with program space, administrative offices, a clinic, shelter beds and 30 residential units.

The project includes infrastructure improvements to facilitate access to and from the Public Safety Complex and improve drainage. The northern stub of Field Street that intersects Broad Street will be reconstructed and extended to the south to connect with the main section of Field Street; this will provide direct access to southern parts of the City for emergency vehicles leaving the Public Safety Complex. In addition, Broad Street and Field Street will be elevated to match the grade of the project site, intersections in the vicinity of the site will be enhanced to improve pedestrian and vehicular access, and a midblock walkway between Broad Street and Field Street will be constructed. Drainage system improvements include new catch basins, piping and water quality units in the streets around the site, and two new flood control pumps that will be installed in the tide gate/outfall structure adjacent to the Town River at the eastern end of Broad Street. The pumps will be designed to activate under flood conditions when the tide gate is closed during high tides and pump stormwater from the drainage system into the Town River. According to the ENF, the pumps will minimize surcharging of the drainage system during the 100-year flood.

Project Site

The project site is comprised of seven parcels totaling 14 acres in central Quincy. It is bordered to the west by Sea Street, to the south by Broad Street and Southern Artery, to the northeast by the Quincy Animal Shelter and the Town River and to the north by City buildings, including the Department of Public Works (DPW) facility. Approximately 11.8 acres of the site are covered by buildings or impervious surface. The Quincy High School is located approximately 1,000 feet (ft) to the southwest and the high school's Faxon Field is located diagonally across from the site on the other side of the Sea Street/Southern Artery intersection. Broad Street and Southern Artery form the northwest boundary of the DPA; the area south of Broad Street and east of Southern Artery is within the DPA.

As shown on the Federal Emergency Management Agency's (FEMA) National Flood Insurance Rate Map (FIRM) number 25021C0088F (effective June 9, 2014) as modified by a Letter of Map Revision (LOMR) effective March 1, 2017, the southern half of the project site is generally located in the 100-year floodplain (Zone AE) with a base flood elevation (BFE) of 11 ft NAVD 88; small sections are within the 500-year floodplain.

The existing Quincy Police Station (QUI.128) is listed in the National Register of Historic Places (NHRP). According to the Massachusetts Historical Commission (MHC), the police station has been extensively altered, does not retain integrity of materials, design or workmanship, and no longer meets the standard for listing in the NRHP.

Environmental Impacts and Mitigation

Potential environmental impacts of the project include alteration of 14 acres of previously-developed land; 232,300 sf (5.3 acres) of Land Subject to Coastal Storm Flowage (LSCSF); 15,800 sf (0.4 acres) of Riverfront Area; generation of 560 new average daily trips (adt) (1,560 adt total); addition of 140 new parking spaces (390 spaces total); generation of 35,000 gallons per day (gpd) of wastewater and use of 40,000 gpd of water.

Measures to avoid, minimize, and mitigate environmental impacts include reducing impervious area by 42,300 sf (0.97 acres), a new stormwater management system that will meet the Massachusetts Stormwater Management Standards (SMS) and new drainage infrastructure that will minimize surcharging of the system during floods. As discussed below, the project also elevates structures above FEMA-mandated base flood elevations; however, outstanding issues remain concerning whether this elevation and other design features may exacerbate flood conditions for adjacent properties and wetlands.

Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(3)(b)(1)(f) because it requires State Agency Actions and will alter one-half or more acres of wetlands (5.3 acres of LSCSF). The project requires a Chapter 91 (c. 91) License from the Massachusetts Department of Environmental Protection (MassDEP).

The project requires an Order of Conditions from the Quincy Conservation Commissions (or a Superseding Order of Conditions from MassDEP in the event the Order is appealed). It requires a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the Environmental Protection Agency (EPA).

Because the Proponent is not seeking Financial Assistance from the Commonwealth for the project, MEPA jurisdiction for any future reviews would extend to those aspects of the project that are within the subject matter of required or potentially required Agency Actions and that may cause Damage to the Environment as defined in the MEPA regulations.

Review of the ENF

The ENF provided a description of existing and proposed conditions, preliminary project plans, and identified measures to avoid, minimize and mitigate project impacts. The City provided additional information during the review period, including a Drainage Study, a Stormwater Report, detailed site plans and a plan and profile of the drainage system.

As noted by the Massachusetts Water Resources Authority (MWRA), the City should inspect the existing stormwater and sanitary sewer systems on the site to determine whether there are any cross connections. The final project should be designed to avoid any stormwater from entering the sanitary sewer system. Roadways proposed to be improved as part of the project should be reconstructed in a manner consistent with the Complete Streets guidelines prepared by the Massachusetts Department of Transportation (MassDOT), which recommend that accommodations for pedestrians and bicyclists be incorporated into roadway designs. I encourage the City to consider providing bicycle racks on the site and to review comments with recommendations for improving bicycle facilities and open space.

Alternatives Analysis

The existing police station was originally constructed in 1925. It was renovated in the 1980s but is in poor structural condition and must be rebuilt. In light of the need for a new police station, the City considered constructing a 150,000-sf building with enough space to accommodate other needs, including office space for other municipal departments in addition to the emergency response agencies. According to the ENF, the new facility must be constructed in a central location to optimize response times to all areas of the City. The site of the existing police station (1 Sea Street) was selected because there are no other centrally-located City-owned parcels of sufficient size to accommodate the building space and parking needs of the facility. The City acquired four privately-owned parcels near the police station to accommodate the facility's parking needs so that a new building could be constructed while the police department and refueling station could continue to operate at the current site.

The City considered elevating the proposed building above the floodplain by constructing it on pilings rather than on fill. According to the ENF, this alternative would be more costly than using fill and would result in some of the parking spaces being located at ground level within the floodplain, and therefore being subject to flooding risk.

The Preferred Alternative will provide the City's emergency response agencies with a modern, centrally-located facility with adequate parking. The site has sufficient space to accommodate the refueling station that is at the existing police station, which also serves the nearby DPW. The elevation of the first floor of the building will be approximately two ft above the BFE associated with the current 100-year floodplain. The Preferred Alternative will maintain operations of on-going services, such as the police department and Father Bill's. Flood control pumps to be installed at the Town River outfall structure will decrease the frequency, magnitude, duration and horizontal extent of flooding in the area.

Flooding and Stormwater

The project includes significant changes to surface grading to minimize flooding at the Public Safety Complex site. According to the ENF, the elevation of the lowest floor will be raised to elevation 13.5 ft NAVD 88, which is 2.5 ft above the 100-year flood elevation of 11.0 ft NAVD 88 and 1.7 ft above the 500-year flood elevation of 11.8 ft NAVD 88. This elevation was selected based on the City's Hazard Mitigation Plan, which projects a 66 percent chance that sea level will increase by two feet by 2070; this time horizon corresponds to the design life of the facility. The entrance to the north side of the site from Sea Street is currently at approximately elevation 20 ft NAVD 88; this entrance and the driveway leading to the parking garage will be raised to approximately to 22 to 24 ft NAVD 88. The southern side of the site, including a parking area and a driveway onto Broad Street will be elevated from approximately nine ft NAVD 88 under existing conditions to 11 to 14 ft NAVD 88; the fueling station to be located in this area will be on a pad with a surface elevation of 12.5 ft NAVD 88. Broad Street will be slightly raised to match the elevation of the south side of the site. The elevation of the Field Street stub currently ranges from approximately elevation 8.5 ft NAVD 88 at its northern end at Broad Street to elevation 12.0 ft NAVD at the end of the paved area at its southern end. The project will raise the elevation of the northern end of Field Street to approximately 9.0 to 10.0 ft NAVD 88; the southern part of the street will be raised considerably to 25 ft NAVD 88 to meet the existing section of Field Street to the south.

The ENF included a Drainage Study that modeled flood conditions in the vicinity of the project site under existing and future conditions, including the effects of the proposed flood control pumps. The model incorporated both overland flow and the hydraulics of the drainage system. The Drainage Study included maps of the area showing the area of inundation for existing and proposed conditions under the 10-year, 50-year and 100-year flood and a table showing the depth of floodwaters at three representative locations. The model incorporated 24-hour rainfall values of 4.9 inches for the 10-year flood, 7.32 inches for the 50-year flood and 8.71 inches for the 100-year flood. The 100-year flood conditions were modeled under the assumption that the river level was at the 100-year flood elevation of 11.0 ft NAVD at the period of peak rainfall intensity. For all flooding scenarios, the Drainage Study reported that the area of flooding would be similar to or smaller than it is under existing conditions and that the depth of floodwaters would decrease at the three studied locations under proposed conditions. The improvement in flood conditions in the model is due to the effect of the flood control pumps. The Drainage Study acknowledged, however, that flooding does and would occur around the project site, including Broad Street, during 100-year flood conditions. The model did not incorporate potential higher flood elevations and more intense storm events under projected climate conditions. Flooding will continue to worsen with the effects of climate change in this coastal area.

According to CZM and MassDEP, the model does not adequately incorporate coastal flooding effects from the Town River. The results of the model presented in the Drainage Study did not include detailed information about the velocity, direction, depth and extent of coastal floodwaters, which is necessary to evaluate the potential impacts on adjacent properties from floodwaters displaced by the proposed fill and structures at the site.

According to MassDEP, the project does not appear to be permittable as proposed. As recommended by CZM and MassDEP, the City should more fully evaluate how fill and

structures on the site and adjacent roads will affect flooding at adjacent sites. To minimize any such impacts, the City should consider redesigning the Public Safety Complex and other fill and structures to be as open as possible at the ground level to minimize displacement or redirection of floodwaters, further reduce impervious area and/or redesign the fill and structures to minimize changes to flood pathways that could result in impacts to adjacent properties.

The project will reduce impervious area from existing conditions by approximately 0.97 acres. According to the ENF, the project will include the construction of a stormwater management system that meets the SMS. The design of the stormwater management system includes Best Management Practices (BMPs) such as deep-sump, hooded catch basins, stone diaphragms to facilitate infiltration, bioretention basins and water quality units that will meet the basic SMS requirements for removal of 80 percent of Total Suspended Solids (TSS in runoff and maintain predevelopment peak discharge flows and volumes. The site is anticipated to generate over 1,000 adt and is considered a land use with higher pollutant loading potential (LUHPPL) pursuant to the SMS and is therefore required to remove 44 percent of TSS prior to infiltration and treat the 1-inch storm volume. During future permitting and approval processes, the City should demonstrate, with supporting calculations and other data, that the stormwater management system will meet SMS requirements.

Chapter 91

Approximately 23,136 sf (0.6 acres) of the site consists of filled tidelands, most of which is located along Broad Street. The proposed parking garage will occupy 311 sf (0.01 acres) of filled tidelands and the tide gate structure is located on both filled and flowed tidelands. According to MassDEP, it does not appear that the fill or structures have been previously authorized pursuant to c. 91. For purposes of c. 91 licensing, the changes to the tide gate structure, including flood control pumps, will be considered to be water-dependent and the roadway improvements and Public Safety Complex will be considered to be nonwater-dependent uses. MassDEP's comment letter indicates that some project components on filled tidelands may be eligible for approval as Minor Project Modifications because the use of tidelands will not change. Given the large amount of new fill proposed, the modifications to the tide gate structure and the likelihood that the project may change to address potential impacts associated with the current design, the City should consult with MassDEP to confirm the licensing requirements for the project, .

The proposed temporary and permanent site of the relocated Father Bill's shelter and residential facility is located in the DPA, one of ten areas established by the Commonwealth where water-dependent industrial activity is promoted through state funding, planning, policy and regulation. Because of the noise, odor and traffic typically associated with industrial uses, they are not compatible with residential uses. The c. 91 regulations prohibit residential use of tidelands in a DPA; however, the proposed site of Father Bill's is not on tidelands and will not require a c. 91 License despite its location within the DPA. The City has indicated that the facility will be screened to minimize impacts from adjacent industrial uses. As noted below, the proposed site of the Father Bill's facility has the same the flooding and resiliency considerations as the Public Safety Complex in addition to the potential conflicts with DPA uses. I strongly encourage the City and Father Bill's to consider a different site for the proposed building and engage in comprehensive resiliency planning in siting public facilities intended for vulnerable populations. Because the relocation of the existing Father's Bill is being undertaken together

with improvements to the Public Safety Complex, and future improvements or reconstruction to the new building may be undertaken with public funds, I am considering both the Public Safety Complex and the Father's Bill building to be a common project for purposes of MEPA review. The proposed permanent Father Bill's facility or potential impacts were not fully described in the ENF. Should the City or Father Bill's undertake a project to rebuild the new facility within the next five years, these entities should consult with the MEPA office as to the need for a Notice of Project Change (NPC) filing.

Climate Change

Governor Baker's Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569; the Order) was issued on September 16, 2016. The Order recognizes the serious threat presented by climate change and directs Executive Branch agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet greenhouse gas (GHG) emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA) and will work to prepare state government and cities and towns for the impacts of climate change. I note that the MEPA statute directs all State Agencies to consider reasonably foreseeable climate change impacts, including additional greenhouse gas emissions, and effects, such as predicted sea level rise, when issuing permits, licenses and other administrative approvals and decisions. M.G.L. c. 30, § 61.

Adaptation and Resiliency

The region's climate is expected to experience higher temperatures and more frequent and intense storms. The Northeast Climate Science Center at the University of Massachusetts at Amherst has developed projections of changes in temperature, precipitation and sea level rise for Massachusetts. This data is available through the Climate Change Clearinghouse for the Commonwealth at www.resilientMA.org. Under the Intermediate sea level rise scenario, sea level in Boston Harbor may rise by up to 2.3 ft by 2070 and by 4.0 ft by the end of the century; these values increase to 2.9 ft by 2070 and 5.0 ft by 2100 under the Intermediate-High scenario. The average annual precipitation in the Boston Harbor Basin is projected to increase by 1.2 to 7.7 inches by 2070 and by 1.1 to 9.0 inches by the end of the century, including more frequent and more intense storm events. The average annual temperature is projected to rise by 3.5 to 10.8 degrees Fahrenheit (F) by the end of the century, including an increase in the number of days with temperatures over 90 F from 12 to up 67 days compared to 8 days observed in the 1971-2000 baseline period.

As the site of the City's Police Department and other emergency response personnel, the Public Safety Complex is a critical facility for the City. I encourage the City to reevaluate the design of the project to increase its resiliency while minimizing impacts to adjacent sites and wetland resources. Because of the potential for fill to redirect floodwaters and cause damage to adjacent sites, the City should consider further elevating the structure on pilings to allow floodwaters to flow freely across the site. The permanent design of Father Bill's, should the City proceed with the current site selection, should ensure that the facility will be resilient and accessible during storm events, at which time its services may be especially needed.

Site elements that could be designed to minimize impacts associated more frequent and intense storms and extreme heat waves include:

- Ecosystem-based adaptation measures to reduce heat island effect and mitigate stormwater runoff, such as integration of tree canopy cover, rain gardens, and low impact development (LID) stormwater management techniques;
- Stormwater management system design that will accommodate rainfall under projected climate conditions;
- Use of on-site renewable energy systems may provide added resiliency during periods of power loss during storms;
- Protection of emergency generator fuel supplies from effects of extreme weather and flood proofing; and,
- Expansion of the size of emergency generators to allow for select common areas and other emergency and life safety systems to remain operational for a period of time beyond code requirements, specifically in residential buildings; and
- Construction of residential buildings to Passivehouse standards.

Greenhouse Gas Emissions (GHG)

While this project does not exceed the thresholds for application of MEPA's Greenhouse Gas (GHG) Policy and Protocol, it does represent a new residential development that will add to GHG emissions from the building sector. I strongly encourage the City to voluntarily undertake measures to minimize the GHG emissions of the project by incorporating energy conservation measures into the project design. Measures that may be suitable for the project include:

- Roof and wall insulation with high R-values and energy efficient windows;
- Electrification of space and water heating, including the use of air-source or ground source heat pumps;
- Use of energy efficient appliances (i.e., Energy Star);
- Installation of low-flow plumbing fixtures;
- Use of LED lighting;
- Rooftop solar photovoltaic (PV) systems; and,
- Designing the Father Bill's residential buildings to achieve Passivehouse standards.

I strongly encourage the City to consder the installation of electric vehicle (EV) charging stations in the parking structure and promoting the use of EVs in its police and emergency response fleet.

Construction Period

All construction and demolition activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts, including noise and dust. The City should implement noise mitigation measures such as minimizing truck idling and turning off compressors or other equipment when not in use.

The City should implement measures to minimize emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). Contractors should be required to use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). All construction activities should be undertaken in compliance with the conditions of all State and local permits. I encourage the City to reuse or recycle construction and demolition (C&D) debris to the maximum extent.

The City should consult MassDEP's comment letter regarding additional requirements for asbestos remediation and disposal and releases of hazardous materials subject to M.G.L. c. 21E and the Massachusetts Continency Plan (MCP). According to MassDEP, two parcels within the project site have reported releases consistent with their use as a gasoline station and dry cleaner. Documentation has been submitted for closure of the MCP process related to the cleanup of these sites, but the documents are being reviewed by MassDEP to ensure that adequate testing and remediation has been completed.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with State Agencies, I have determined that an EIR is not required. Remaining issues can be addressed through the local, state and federal permitting and review processes. As noted, I encourage the City to undertake comprehensive resiliency planning in coordination with state and local resources agencies. The City and Father Bill's should consult with the MEPA office regarding the need for further MEPA review of the proposed Father Bill's facility, if future work activities are undertaken within the next five years.

August 7, 2020
Date

K. Theoharides
Kathleen A. Theoharides

Comments received:

06/16/2020 Division of Marine Fisheries (DMF)
06/24/2020 Quincycles
06/30/2020 Massachusetts Water Resources Authority (MWRA)
07/07/2020 Massachusetts Historical Commission (MHC)
07/12/2020 Robert Kearns
07/28/2020 Massachusetts Department of Environmental Protection (MassDEP)/Northeast Regional Office (NERO)
07/28/2020 Massachusetts Office of Coastal Zone Management (CZM)
07/30/2020 Massachusetts Department of Environmental Protection (MassDEP)/Waterways Regulation Program (WRP)

KAT/AJS/ajs

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MEMORANDUM

TO: Kathleen A. Theoharides, Secretary, EEA
ATTN: Alex Strysky, MEPA Office
FROM: Lisa Berry Engler, Director, CZM
DATE: July 28, 2020
RE: EEA #16220, Quincy Public Safety Complex and Supporting Infrastructure Project, Quincy

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The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Environmental Notification Form (ENF) noticed in the *Environmental Monitor* dated June 10, 2020 and supplemental information. CZM offers the following comments and recommends that they are addressed through an Environmental Impact Report (EIR).

Project Description

With this ENF, the City of Quincy proposes to redevelop a 14-acre site comprising seven parcels, a portion of the Mount Wollaston Cemetery, and portions of the Sea Street, Southern Artery (Route 3A), Broad Street, and Field Street rights-of-way (ROW) into the Quincy Public Safety Complex. The proposed complex includes a three-story municipal building for the City of Quincy Police, Fire, and Emergency Management Departments, a two-story parking garage, a surface parking lot with a fueling station, a memorial park, and associated upgrades to stormwater and subsurface utility infrastructure. Five existing structures, including the City of Quincy Police Station, Father Bill's Place, a gas station, and two industrial buildings, will be demolished and portions of the site will be filled and graded above the 1% annual chance flood elevation (Zone AE elevation 11 feet), as mapped by the Federal Emergency Management Agency (FEMA). Father Bill's Place will be relocated across Broad Street to an existing structure until a new permanent facility can be constructed adjacent to the temporary site. The existing Quincy Police Station, which is proposed for demolition, is listed in the National Register of Historic Places and Mount Wollaston Cemetery is listed in the State and National Registers of Historic Places. Two contributing historic resources within the Cemetery – the Mount Wollaston Cemetery Sea Street Gate and Granite Fountain and Horse Trough – will be removed or rebuilt during the reconfiguration of the Sea Street entrance; two other contributing historic resources, the Fireman's Memorial and Policeman's Memorial, will be relocated to the proposed memorial park adjacent to the Public Safety Complex. The project also includes the installation of two flood control pumps and two new discharge outlets at the tide gate at the end of Broad Street. According to the ENF, approximately 232,300 SF of land subject to coastal storm flowage (LSCSF) will be temporarily impacted, 56,600 SF of which will be permanently impacted; 15,800 SF of Riverfront Area will be temporarily impacted, 800 SF of which will be permanently impacted. The proposed project will result in a reduction of impervious area by one acre. Approximately half of one acre of filled tidelands are within the project site, 311 SF of which will be occupied by the proposed structured parking garage, which is a new non-water-dependent use. Broad Street and areas of the project to the southeast of

Broad Street, including the existing tide gate and the proposed temporary and permanent locations for Father Bill's Place, are within the Weymouth Fore River Designated Port Area (DPA).

Project Comments

Coastal Flooding

The City of Quincy's Hazard Mitigation Plan (HMP) states that two feet of sea level rise has a 66% probability of occurrence before 2070, while four feet has a similar probability by 2100. During the MEPA consultation, the project proponent indicated that the HMP's guidance to plan for two feet of sea level rise was incorporated into the design of the project given its expected design life. As a result, the proposed project includes significant filling and grading to elevate the lowest floor of the Public Safety Complex 2.5 feet above the current 1% annual chance flood elevation and to match the grade of the adjacent roadways.

The supplemental information includes a drainage study and stormwater report to demonstrate that the proposed fill would not have adverse impacts during flood events. However, the analyses provided do not consider the potential impacts during coastal flood events, which are expected to worsen due to more intense and frequent coastal storms and sea level rise. In order to assess the potential impacts of the proposed project on LSCSF, the EIR should include a detailed analysis of the effects that the proposed fill, grading, and solid project components (e.g., buildings, infrastructure) in the coastal floodplain will have on coastal floodwater flow and drainage patterns within and adjacent to the site, both during rain events as well as coastal storm events where there is a combination of rain and coastal flooding. The EIR should provide a detailed description and plans of a reasonable scale depicting topography and the sources, flow direction, and existing and resulting pathways of coastal and inland flooding onto, through, and off of the site during a coastal storm event using flow arrows and narrative. This should include an analysis of any changes in velocity, direction, depth, and extent of coastal floodwaters and the narrative should describe how the project may alter the coastal flooding and drainage characteristics on the project site and at adjacent properties and roadways.

Though developed, the site does possess some functional characteristics of a coastal floodplain, including the ability to slow down, detain, retain, and allow absorption of both inland and coastal flooding. After the completion of analysis regarding changes to the coastal flooding patterns has been completed, alternative designs to avoid, minimize, and mitigate any impacts to the beneficial functions of the floodplain currently present on the site should be developed and described in the EIR. A detailed description of the beneficial functions of LSCSF is contained in the guidance document *Applying the Massachusetts Coastal Wetlands Regulations: A Practical Manual for Conservation Commissions to Protect the Storm Damage Prevention and Flood Control Functions of Coastal Resource Areas*. Specifically, to ensure that impacts to the floodplain characteristics on-site and that the project will not exacerbate the flooding on-site or in surrounding areas, the EIR should demonstrate that:

- Buildings are designed so that the elevation of the usable spaces will be above projected flood elevations for the life expectancy of the building, taking projected sea level rise into account;
- Areas below all usable spaces are designed to be as open as possible to avoid displacing or redirecting floodwater;

- Impervious surfaces are minimized and open space is maximized to avoid displacing flood waters or changing the hydrology of the site so that adjacent properties and roadways are not adversely affected with additional or redirected flood waters; and
- Fill is designed to avoid changing flood pathways in a way that increases flow or velocity of flooding on adjacent properties or infrastructure.

In addition to plan views, the EIR should include cross-sections through the site that show the existing grades, proposed grades, proposed buildings and structures, and FEMA flood zone elevations.

Resiliency

For critical facilities, such as police and fire stations, it is important to ensure that they are capable of providing the necessary services in major storm events. Although the first floor of the proposed building is elevated two feet above the FEMA Base Flood Elevation (BFE), the parking areas remain at the projected FEMA 1% annual chance flood event elevation, which may preclude emergency ingress and egress. Similarly, the proposed fueling station is located one foot above the FEMA 1% annual chance flood event elevation and is likely to be inundated in future coastal storm events with expected increases in intensity of these storms and sea level rise and the discharge pipes proposed to be cored into the existing tide gate vault are below this elevation. State or federal assistance for the construction and operation of the Public Safety Complex may be conditioned on higher building or construction standards than those of the current Massachusetts State Building Code, such as the American Society of Civil Engineers (ASCE) 24 Flood Resistant Design and Construction reference standards.

The City of Quincy's alternatives analysis includes off-site locations for this critical public safety facility and on-site alternatives, such as elevating the structure on pilings. Given the future vulnerability of the project site to sea level rise, nor'easters, and hurricanes and the potential for the planned design life of the complex to be exceeded, the EIR should include a more detailed alternatives analysis of both on- and off-site alternatives to serve the critical facility needs of the City. This should include the alternative of a facility on the proposed site to provide the desired response times under non-storm conditions and another facility at a higher location to function during major storm events.

Additional Alternatives Analysis

The northwesterly edge of Broad Street is the boundary of the Weymouth Fore River Designated Port Area (DPA), one of ten DPAs in the Commonwealth. DPAs are areas of particular physical and operational features important for water-dependent industrial uses and are preserved and enhanced by state policy to prevent the significant impairment of these areas by non-industrial or non-water-dependent uses, which have a far greater range of siting options. Concentrated industrial uses may result in elevated noise from operational activities, truck traffic, and more, throughout the day, including overnight. The proposed project includes the temporary relocation of Father Bill's Place, an emergency homeless shelter, from its current site outside of the DPA to an existing structure at 39 Broad Street, which is within the DPA. The proposed Housing Resource Center for Father Bill's and Mainspring, which will include 30 units of permanent housing and 50 parking spaces, is expected to be constructed within two to three years within the DPA at 39 Broad Street/40 Field Street. In order to minimize the potential conflicts between water-dependent industrial uses and residential uses, the latter are categorically excluded from DPAs. The supplemental information indicates that the City of Quincy, Father Bill's Place, and Mainspring are aware of the potential of use conflicts and will include screening along the property edge. The ENF and supplemental information outline the public benefits

of the proposed siting of the Housing Resource Center adjacent to the current location, but the EIR should include more detailed analysis of alternative locations within and outside of the DPA for the proposed residential use. The proponent should also consult with the MEPA Office regarding the potential segmentation of the proposed project as potential impacts to the environment resulting from the relocation of Father Bill's Place and construction of the Housing Resource Center have not been identified or evaluated in the ENF or supplemental information.

Federal Consistency

The proposed project may be subject to CZM federal consistency review. For further information on this process, please contact Robert Boeri, Project Review Coordinator, at 617-626-1050 or visit the CZM website at www.mass.gov/czm/fcr.

LBE/ts/elh/rh

cc: Eric Carlson, Assistant Director, Department of Conservation & Recreation FHMP
Rachel Freed, Deputy Regional Director, MassDEP-NERO Bureau of Water Resources
Daniel Padien, Program Chief, MassDEP Waterways Regulation Program
Jill Provencal, Environmental Analyst, Mass-DEP NERO Bureau of Water Resources

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

July 28, 2020

Kathleen A. Theoharides, Secretary
Executive Office of
Energy & Environmental Affairs
100 Cambridge Street
Boston MA, 02114

Attn: MEPA Unit

RE: Quincy
Quincy Public Safety Complex and
Supporting Infrastructure Project
EEA # 16220

Dear Secretary Theoharides:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Environmental Notification Form (ENF) for the proposed Quincy Public Safety Complex and Supporting Infrastructure Project in Quincy. MassDEP provides the following comments.

Wetlands

As described in the ENF, the approximately 14-acre, 7 parcel project site is located at 1 Sea Street, 450and 470 Southern Artery, 40 Field Street, 24, 38, 39 and 45 Broad Street. The project site is currently developed and is occupied by a number of businesses, including a homeless shelter, an auto parts store and a gas station. A city police station is also located on the site. The proposed project entails demolishing all existing infrastructure and constructing a new 29,600 square foot, three-story building, with a two-story parking garage providing 192 spaces and 98 spaces at ground level. The facility will be the headquarters of the City's Police, Fire and Emergency Management Departments. A new fueling station will be constructed for use by municipal vehicles and a new memorial park will be created at the intersection of Sea Street and Southern Artery. The project also includes raising the elevation of Broad Street and construction of Field Street Extension and a pedestrian walkway to improve vehicular traffic and pedestrian use between Field Street and Broad Street. Transportation and landscaping improvements will be made to the Sea Street entrance and to

the Mount Wollaston Cemetery entrance. New stormwater systems will be installed at the project site and within Broad Street, including the installation of two twin stormwater pumps at the existing tide gate located at the end of Broad Street.

The ENF states that wetland resource areas on the project site include Land Subject to Coastal Storm Flowage (LSCSF), Coastal Bank, Land Under Ocean, Land Containing Shellfish and Riverfront Area. A portion of the site contains historically filled tidelands under the jurisdiction of the Chapter 91 Program. According to the FEMA floodplain map, portions of the project site are currently located within an AE Zone (elevation 11'). The ENF states that approximately 15,800 square feet of Riverfront Area and 175,700 square feet of LSCSF (approximately 4 acres) and 21,700 square feet of the 100-foot Buffer Zone to Bank will be permanently impacted.

According to the ENF, the site of the proposed Public Safety Building, garage and memorial park's existing topography as well as Broad Street and Field Street Extension will be filled in order to raise these areas above the elevation of the FEMA floodplain.

It is MassDEP's opinion that the ENF and supplemental information do not provide an adequate evaluation of what the impacts of the proposed 4 acres of fill will have on flooding during coastal storm events. The ENF does not demonstrate that raising the elevation of the Public Safety Building site, Broad Street and Field Street Extension will avoid impacts to other properties, roadways or infrastructure due to the redirection, reflection or changes in flood characteristics of coastal flood waters that previously flowed onto the project site.

The project proposes to address existing flooding issues by installing two "flood control pumps" in the existing tide gate. The pumps are designed to activate during a flood event, when the water levels at high tide in Town Brook prevent the stormwater from discharging through the tide gate. The pumps will be placed "above MHW" and sized to discharge the maximum allowable flow through the existing upstream 42-inch drainage pipe when the tide gate is closed. A hydrologic and hydraulic study was provided in the supplemental information. It appears to have been developed to demonstrate that the proposal to fill the project site will not have an adverse impact on the surrounding areas or upstream and that the project will ultimately result in a decrease in flooding of stormwater through the site. However, upon review of the H&H study, it does not appear that coastal flood waters were taken into consideration. This study appears to only address flooding from precipitation events associated with specific design storms.

The plan set provided to MassDEP titled, "City of Quincy, Massachusetts, Quincy Public Safety Complex and Supporting Infrastructure Project, MEPA ENF Submittal," (May 29, 2020) did not include details of the proposed pumps. The supplemental information provided a plan with details which show that one pump will be activated when water levels reach elevation 4.60' and the second pump will be activated when water levels reach elevation 5.60'. However, during a 100-year coastal flood event, water levels will reach elevation 11.0' and both pumps will be submerged. Therefore, it is unclear how the pumps will function to reduce flooding in this area during a 100-year coastal storm event.

The ENF also proposes the construction of Field Street Extension, which is a paper street located within the FEMA floodplain between Broad Street and Field Street. Commercial buildings

are located on both sides of Field Street Extension. According to the project plans, the existing elevations on Field Street Extension range between elevation 8.89' and elevation 14'. The project proposes to raise the elevation of the road to between elevation 10' and elevation 25', or an average of 9 feet above existing elevations. MassDEP continues to have concerns about Field Street Extension acting as a berm and potentially trapping floodwaters in and around the commercial properties located on the seaward side of the road. Further analysis is needed to evaluate how raising the elevation of Field Street Extension will not act as an obstruction and increase flooding and storm damage on adjacent properties.

MassDEP is concerned that, as currently proposed, the project may not be permittable under the Wetlands Regulations. MassDEP recommends that in order to obtain the information necessary to make that determination, the proposed project would be better served by submitting additional details and analysis through a DEIR. If MEPA determines that a DEIR is not warranted, the applicant should be prepared to address the issues raised in this comment letter during the permitting process.

Solid Waste

MassDEP's current *Massachusetts 2010-2020 Solid Waste Master Plan*[1] *–Pathway to Zero Waste*, issued in April 2013 identifies a key goal to reduce solid waste disposal by 30% by 2020, from 6,550,000 tons of disposal in 2008 to 4,550,000 tons of disposal by 2020. MassDEP encourages the Proponent to review the plan to identify project management and operations practices that will assist the Commonwealth in meeting its material management goals. More information on the *Solid Waste Master Plan* and yearly update reports can be found at: https://www.mass.gov/guides/solid-waste-master-plan.

Waste Ban

Section 310 CMR 19.017 *Waste Bans* of the Massachusetts Solid Waste regulations prohibit the disposal of certain construction-related wastes in Massachusetts, including, but not limited to, metal, wood, asphalt pavement, brick, concrete, clean gypsum wallboard. Further guidance can be found at: https://www.mass.gov/guides/massdep-waste-disposal-bans.

MassDEP regulations also ban disposal of food and other organic wastes from businesses and institutions that dispose of more than one ton of these materials per week. The ban is one of MassDEP's initiatives for diverting at least 35% of all food waste from disposal statewide by 2020. Diverted food waste may be composted, converted to energy (through anaerobic digestion), recycled, or reused. Additional information on the Commercial Food Material Disposal Ban can be found at: https://www.mass.gov/guides/commercial-food-material-disposal-ban.

[1] Note the Draft 2020-2030 Solid Waste Master Plan is in review and may be finalized in late 2020.

C&D Recycling

Many construction and demolition materials are currently banned from disposal or transfer for disposal in Massachusetts (https://www.mass.gov/guides/massdep-waste-disposal-bans). Therefore, MassDEP encourages the Proponent to make a significant commitment to construction and demolition (C&D) waste recycling activities as a sustainable measure for the project and to assist in complying with waste ban requirements. MassDEP considers an asphalt, brick, and concrete (ABC) rubble processing or recycling facility (pursuant to the provisions of Section (2)(b) under 310 CMR 16.03), the Site Assignment regulations for solid waste management facilities), to be exempt from the site assignment requirements, if the ABC rubble at such facilities is separated from other solid waste materials at the point of generation. In accordance with 310 CMR 16.03(2)(b), ABC can be crushed on-site with a 30-day notification to MassDEP. However, the asphalt is limited to weathered bituminous concrete (no roofing asphalt), and the brick and concrete must be uncoated or not impregnated with materials such as roofing epoxy. If the brick and concrete are not clean, the material is defined as C&D waste and requires either a Beneficial Use Determination (BUD) or a Site Assignment and permit before it can be crushed.

Pursuant to the requirements of 310 CMR 7.02 of the Air Pollution Control regulations, if the ABC crushing activities are projected to result in the emission of one ton or more of particulate matter or other pollutant to the ambient air per year, and/or if the crushing equipment employs a diesel oil fired engine with an energy input capacity of three million or more British thermal units per hour for either mechanical or electrical power which will remain on-site for twelve or more months, then a plan application must be submitted to MassDEP for written approval prior to installation and operation of the crushing equipment.

Asbestos

Pursuant to 310 CMR 7.15 the removal of asbestos from the buildings must adhere to the special safeguards defined in the Air Pollution Control regulations. An asbestos survey to identify all asbestos containing materials (ACM) shall be conducted by a Massachusetts Department of Labor Standards certified Asbestos Inspector. All identified ACM shall be abated prior to demolition activities. The Proponent is required to submit to MassDEP an Asbestos Removal Notification (Form AQ04 (ANF-001)) at least 10 working days prior to initiating work for any project involving asbestos abatement, removal, or disposal. If any ACM will need to be abated through non-traditional abatement methods, the Proponent must apply for and obtain approval from MassDEP, through Application BWP AQ36 - Application for Non-Traditional Asbestos Abatement Work Practice Approval.

Pursuant to 310 CMR 7.09, for any Construction and Demolition, except in a residential building with fewer than 20 units, the Proponent is required to submit to MassDEP a Construction/Demolition Notification (Form BWP AQ06) at least 10 working days prior to initiating work. MassDEP Asbestos, Construction and Demolition Notifications can be found at: https://www.mass.gov/guides/massdep-asbestos-construction-demolition-notifications.

Pursuant to 310 CMR 19.061, disposal of ACWM within the Commonwealth must be at a facility specifically approved by MassDEP. The Proponent is advised that asbestos containing waste materials (ACWM) are a special waste as defined in the Solid Waste Management regulations. There are specific ACWM disposal exceptions for intact vinyl asbestos tile (VAT) and asphaltic-asbestos felt and shingles. The disposal of the ACWM outside the jurisdictional boundaries of the Commonwealth must comply with all the applicable laws and regulations of the state receiving the material. Pursuant to 310 CMR 16.05, ACM including VAT, and/or asphaltic-asbestos felts or shingles may not be disposed of at a facility operating as a recycling facility.

Recycling Infrastructure

MassDEP supports voluntary initiatives to institutionalize source reduction and recycling into operations. Adapting the design, infrastructure, and contractual requirements necessary to incorporate reduction, recycling and recycled products into existing large-scale developments has presented significant challenges to recycling proponents. Integrating those components into developments during the planning and design stage enables the project's management and occupants to establish and maintain effective waste diversion programs.

Massachusetts Contingency Plan

MassDEP advises the project proponent to consult with a Licensed Site Professional (LSP) to determine the need for testing at the proposed redevelopment properties for the presence of oil and/or hazardous materials (OHM). Two of the properties listed in the Environmental Notification Form (ENF) as being a part of the redevelopment are sites with a history as gasoline stations, one of which was also a dry cleaner for almost three decades. These uses often result in reportable releases of OHM pursuant to Mass. General Law Chapter 21E and the Massachusetts Contingency Plan (MCP). Upon checking the Bureau of Waste Site Cleanup's list of reported Disposal Sites, it is confirmed that releases of OHM at the two above-mentioned properties have been reported to MassDEP. Even though closure documentation for the two Sites has been submitted to MassDEP, the documentation has not been audited by MassDEP to determine if the appropriate testing and cleanup has been performed.

The ENF identified one Release Tracking Number (RTN 3-0029877) for the former gasoline station at 450 Southern Artery. MassDEP's files includes a second RTN for that address: 3-0004142. The RTN associated with the other former gasoline station and former dry cleaner is 3-0024442. There are also releases of OHM that have been reported for properties abutting the project site. At 447 Southern Artery, three RTNs have been assigned: 3-0015609, 3-0015657, and 3-0023854. At 459 Southern Artery, there are also three RTNs: 3-0013865, 3-34838, and 3-0034912. In light of the newly proposed site redevelopment and re-use, MassDEP advises the project proponent to have its LSP review all files in MassDEP's records for locations at or near the project site, and determine if any additional testing is warranted. Failing to identify soil or groundwater contamination prior to project construction start-up may result in delays, exposures of OHM to workers, and unanticipated costs for response actions.

Contaminated Soil and Groundwater:

The project proponent is advised that excavating, removing and/or disposing of contaminated soil, pumping of contaminated groundwater, or working in contaminated media must be done under the provisions of MGL c.21E (and, potentially, c.21C) and all other applicable federal, state, and local laws, regulations, and bylaws. If permits and approvals under these provisions are not obtained beforehand, considerable delays in the project can occur. The project proponent cannot manage contaminated media without prior submittal of appropriate plans to MassDEP, which describe the proposed contaminated soil and groundwater handling and disposal approach, and health and safety precautions. If contamination at the site is identified, professional environmental consulting services should be readily available to provide technical guidance to facilitate any necessary permits. If dewatering activities are to occur at a site with contaminated groundwater, or in proximity to contaminated groundwater where dewatering can draw in the contamination, a plan must be in place to properly manage the groundwater and ensure site conditions are not exacerbated by these activities. An LSP must be employed or engaged to manage, supervise or actually perform the necessary response actions at the site.

Air Monitoring:

Dust and/or vapor monitoring and controls are often necessary for large-scale projects in contaminated areas. The need to conduct real-time air monitoring for contaminated dust and to implement dust suppression must be determined prior to excavation of contaminated soils, especially those contaminated with compounds such as metals and PCBs. An evaluation of contaminant concentrations in soil should be completed to determine the concentration of contaminated dust that could pose a risk to health of on-site workers and nearby human receptors. If this dust concentration, or action level, is reached during excavation, dust suppression should be implemented as needed, or earthwork should be halted.

Ambient air monitoring at the site perimeter and near areas of excavation and management of soils contaminated with volatile organic compounds such as tetrachloroethylene (PCE), should be implemented using field instrumentation capable of detecting low concentrations of PCE (ex: 1 ppbV PCE). A detailed air monitoring program should be developed prior to excavation activities to include monitoring frequency, action levels, sampling the indoor air of nearby structures, as needed, and mitigation measures.

Capping of Contaminated Soil:

If capping of contaminated soil is needed to achieve a level of No Significant Risk, MassDEP recommends the following capping design criteria. In unpaved areas, a minimum of three feet of clean soil should be placed over the contaminated soil. This protective layer of clean soil should be separated from the underlying contaminated soil by a geotextile or combination of materials, which will provide both a brightly colored visual marker and a permeable fabric to separate the clean soil from the contaminated soil. In paved areas, a minimum one-foot cap consisting of clean soil, road base and the pavement layer should be placed over the contaminated soil. Similar to unpaved areas, the contaminated soil should be separated from the clean soil or road

base using a visual marker and geotextile. In such cases, an Activity and Use Limitation (AUL), prepared in accordance with 310 CMR 40.1012 would be necessary to identify the maintenance requirements of the cap. It should also be noted that a cap constructed as an Immediate Response Action or as a Release Abatement Measure will not be considered a Permanent Solution until a Phase III completed in accordance with 310 CMR 40.0850 demonstrates the lack of a feasible alternative, as required by 310 CMR 40.0414(7) and 40.0442(4).

Potential Indoor Air Impacts:

Parties constructing and/or renovating buildings in contaminated areas should consider whether chemical or petroleum vapors in subsurface soils and/or groundwater could impact the indoor air quality of the buildings. All relevant site data, such as contaminant concentrations in soil and groundwater, depth to groundwater, and soil gas concentrations should be evaluated to determine the potential for indoor air impacts to existing or proposed building structures. Particular attention should be paid to the vapor intrusion pathway for sites with elevated levels of chlorinated volatile organic compounds such as tetrachloroethylene (PCE) and trichloroethylene (TCE). MassDEP has additional information about the vapor intrusion pathway on its website at https://www.mass.gov/lists/policies-guidance-technical-support-for-site-cleanup?_ga=2.165003519.1902262297.1534291448-758575996.1534291448#vapor-intrusion-.

New Structures and Utilities:

Construction activities conducted at a disposal site shall not prevent or impede the implementation of likely assessment or remedial response actions at the site. Construction of structures at a contaminated site may be conducted as a Release Abatement Measure if assessment and remedial activities prescribed at 310 CMR 40.0442(3) are completed within and adjacent to the footprint of the proposed structure prior to or concurrent with the construction activities. Excavation of contaminated soils to construct clean utility corridors should be conducted for all new utility installations.

Activity and Use Limitations:

An Activity and Use Limitation (AUL) is a legal document that is recorded or registered at the appropriate Registry of Deeds and identifies site conditions that are the basis for maintaining a condition of No Significant Risk at a property where contamination remains after a cleanup. The AUL identifies permitted and allowable site uses and activities that may occur at a property while maintaining No Significant Risk. The AUL also identifies restricted uses and activities, which could result in the exposure of people at or near the disposal site to remaining contamination if such activities were to occur. The project proponent is advised that in cases where proposed activities would not be consistent with a level of No Significant Risk and/or an existing AUL, additional cleanup and the amendment or termination of the initial AUL and implementation of a revised AUL would be necessary before the proposed activities could occur.

The MassDEP appreciates the opportunity to comment on this proposed project. Please contact Rachel.Freed@mass.gov at (978) 694-3258 for further information on wetland issues. Please contact John.MacAuley@mass.gov at (978) 694-3262 for further information on solid waste, construction and demo, and asbestos issues. Please contact Stephen.Johnson@mass.gov at 9780 694-3350 for further information on Massachusetts Contingency Plan issues. If you have any general questions regarding these comments, please contact me at John.D.Viola@mass.gov or at (978) 694-3304.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

John D. Viola
Deputy Regional Director

cc: Brona Simon, Massachusetts Historical Commission
Eric Worrall, Rachel Freed, John MacAuley, Steve Johnson, MassDEP-NERO

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

Memorandum

To: Alex Strysky, MEPA

From: Daniel Padien, Program Chief, Waterways Regulation Program, MassDEP/Boston

Re: Comments from the Chapter 91 Waterways Regulation Program – EEA #16220; ENF – Quincy Public Safety Building and Supporting Infrastructure Project; Filled Fidelands of Town Line Brook, Norfolk County

Date: July 30, 2020

The Department of Environmental Protection Waterways Regulation Program (the "WRP") has reviewed the referenced Environmental Notification Form (EENF) EEA #16220 and additional information submitted by LEC Environmental Consultants on behalf of the City of Quincy for the construction of a new public safety building, roadway and stormwater/drainage improvements in the vicinity of Broad and Field Streets in Quincy, Norfolk County (the "project site"). The project includes work within filled tidelands of the Town River. No work is proposed within flowed tidelands.

Chapter 91 Jurisdiction

As described in the ENF and based on the historic high-water mark(HHW) published by MassGIS, the project site includes approximately 0.6 acres of jurisdictional filled tidelands formerly subject to tidal action of the Town River. The Department has not independently confirmed the location of the HHW mark but notes the proponent is relying on the presumptive HHW line determined by the MassDEP/MassCZM Chapter 91 Historic Shoreline Report. Lacking any cartographic evidence disputing this boundary, the Waterways Program will use this line in determining the geographic limits of Chapter 91 jurisdiction.

Regulatory Review

Based on the Waterways Program's review of the ENF and supplemental materials provided in response to requests by MEPA staff and DEP's Northeast Regional Office and published historic cartographic data and other information, we note the following:

- The majority of filled tidelands at the project site are located within the footprint of existing roadways, sidewalks flood control structures and meet the definition of "public service projects" as defined by 310 CMR 9.02.
- The existing roadways, sidewalks and tide gate facilities located with jurisdictional filled tidelands were present on January 1, 1984;
- Neither the proponent nor the Department have been able to identify a Waterways License or legislation authorizing the original placement of fill or construction of the tide gate facilities. In the absence of additional information, the Waterways Program presumes these structures and fill are unauthorized;
- The continuing uses of these structures are potentially exempt from licensure pursuant to 310 CMR 9.05(3)(c) and the proposed work is potentially eligible for approval as one or more minor project modifications pursuant to 310 CMR 9.22.

Prior Tide Gate Maintenance Repair and Modifications

In 2012, the City of Quincy obtained authorization under a Department of the Army General Permit for maintenance and repairs to the existing tide gate facility including resurfacing the concrete vault, replacement of the tide gate mechanism and placement of rip-rap scour protection above the high tide line.

The Waterways Program has not been able to determine if the 2012 work was reviewed under M.G.L. Chapter 91 or the Waterways Regulations at 310 CMR 9.00. However, based on the our preliminary review of the materials submitted to-date, it does not appear that the 2012 work – as depicted on the Department of the Army authorization - included any changes in use or structural alterations that might comprise "unauthorized alterations" which could invalidate the provisions of 310 CMR 9.05(3)(c).

Proposed Tide Gate Maintenance, Repair and Modifications

Based on the Waterways Program's review of the ENF and supporting materials, it appears that the proposed work may be eligible for approval as a minor modification to an existing unauthorized public service project exempt from licensing because (i) the work is limited to the existing footprint of fill and structures and (ii) does not include any change in use or placement of new fill within filled or flowed tidelands.

Proposed Roadway Work and Public Safety Facility

The proposed work within filled tidelands within existing public ways and the limited footprint of work within the Public Safety Building site also appear eligible for approval as maintenance and/or minor modifications to existing public service projects.

The Waterways Program will review one or more requests for approval of these propose activities as maintenance and/or minor modifications within 30 days of receipt of such a request submitted by

the applicant. To facilitate this review, the Program recommends the applicant provide any additional information regarding Chapter 91 review submitted in connection with the 2012 project and a detailed description of work proposed within the project roadways.

In the event the Waterways Program determines licensing is required for the proposed work, we anticipate the following determination of water dependency.

- Tide gate improvements: water dependent
- Roadway improvements: non-water dependent
- Sidewalks and parking at the public safety project: non-water dependent

Any license application which includes water dependent and non-water dependent project elements will be reviewed as non-water dependent.

Conclusion

The proposed project includes certain improvements to unauthorized existing public service projects located within filled tidelands of the Town River. The proposed improvements may be eligible for approval as minor project modifications pursuant to 310 CMR 9.05(3)(c) and 310 CMR 9.22(3). In the event these improvements require a new license, the Waterways Program has not identified any impediments to eventual issuance of such licenses following the successful completion of MEPA review.

If you have any questions regarding the WRP's comments, please feel free to contact me at daniel.padien@mass.gov.

The Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400, Boston, MA 02114
p: (617) 626-1520 | f: (617) 626-1509
www.mass.gov/marinefisheries

CHARLES D. BAKER, Governor
KARYN E. POLITO, Lt. Governor
KATHLEEN A. THEOHARIDES, Secretary
RONALD S. AMIDON, Commissioner
DANIEL J. MCKIERNAN, Director

June 30, 2020

Kathleen A. Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office, Alex Strysky
100 Cambridge Street, suite 900
Boston, Ma 02114

RE: EEA#16220 Environmental Notification Form

Dear Secretary Theoharides:

The Massachusetts Division of Marine Fisheries (MA DMF) has reviewed the Environmental Notification Form (ENF) submitted by the City of Quincy for the proposed City of Quincy Public Safety Complex and Supporting Infrastructure Project along the Town River in Quincy regarding the project's impacts to marine fisheries resources and habitats. The preferred alternative includes installation of a new stormwater management system on the proposed Public Safety Complex site, updates to existing stormwater management infrastructure on Broad Street, and the addition of stormwater pumps at the Town River tide gate at the end of Broad Street. The preferred project alternative will result in an approximately 1 acre net decrease in impervious surface at the 14 acre site. The work on the Town River tide gate includes the replacement of 260sf of existing rip rap with new rip rap in an intertidal area.

The location of the proposed Quincy Public Safety Complex and Supporting Infrastructure does not directly overlap with marine fisheries resources. However, as noted in the ENF, nearby areas in the Town River have been mapped as shellfish habitat by MA DMF for soft shell clam (*Mya arenaria*) within shellfish growing area GHB1.0, classified as Prohibited for shellfish harvest. The Town River also provides essential habitat for the spawning and early development of winter flounder (*Scophthalmus aquosus*) and the passage, spawning, and early development of diadromous fish species including American eel (*Anguilla rostrata*) and rainbow smelt (*Osmerus mordax*). The project is also located near important marine fisheries habitats in the Town River including tidal flat and salt marsh.

MA DMF provides the following comments for your consideration.

- **Alternatives analysis:** The ENF and supplemental information included analyses of off-site alternatives for the project location, and on-site alternatives for building configuration. The proposed location of parking lots that are anticipate to have over 1,000 vehicle trips per day, a land use with higher potential pollutant loads (LUHPPL), along the shore of Town River has the potential to impact the marine fisheries resources listed above. Off-site and on-site building configuration alternatives that could avoid or minimize impacts from LUHPPL were rejected because of space constraints, costs, or logistics, not potential or actual environmental impacts. As the design and construction of the project progress, the proponent should continue to coordinate with the Department of Environmental Protection (DEP) to insure the project meets DEP's stormwater management standards.

- **MA DMF permits or authorizations:** MA DMF does not anticipate that the proponent will require any letters of authorization, written determinations, or permits from MA DMF for this project.
- **Time of year (TOY) restrictions and mitigation:** MA DMF does not anticipate the project will require TOY restrictions or mitigation in regards to marine resources. However, a more detailed narrative of the rip-rap replacement work at the Town River tide gate is needed to confirm that neither a TOY nor mitigation is warranted for this portion of the project (e.g. will any dredging be required, will there be any in-water work, how will construction equipment access the area).

Thank you for considering our comments. Questions about this review may be directed to Forest Schenck in our Gloucester office at (978) 282-0308 x108 or Forest.Schenck@Mass.gov.

Sincerely,

Daniel J. McKiernan
Director

DM/FS/sd

Cc.
Mark Manganello, LEC Environmental Consultants, Inc.
T. Evans, MA DMF
K. Frew, MA DMF
K. Ford, MA DMF
E. Hokenson, CZM
B. Boeri, CZM
B. Newman, ACOE

From:	Robert Kearns
To:	Strysky, Alexander (EEA)
Subject:	16220 Quincy Public Safety Complex and Supporting Infrastructure Project
Date:	Sunday, July 12, 2020 2:18:34 PM

Hello Alex,

I reviewed the project. My comment is that at the end of Broad Street where the tide gate is and the Animal Shelter is it looks like on the plans there are plans for some landscaping.

I would increase the landscaping around the tide gate and make a small pocket park with an overlook to Town Brook there to increase public access per Chapter 91 waterways.

There are currently trails for Chapter 91 license on the Quirk Ford and Quirk Nissan properties as mitigation adjacent to this project and it would be good to add some access there.

There could be future opportunities to connect the trails at the recently restored Broad Meadows Marsh from Broad Street behind the DPW Yard. There is currently access to Broad Meadows park from Murphy Memorial Drive off Sea Street and From Broad Meadows Middle School from Calvin Road.

--
Best,
Robert Kearns

www.RobertVKearns.com

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

July 7, 2020

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge Street, Suite 900
Boston, MA 02114

Attn: Alex Strysky, MEPA Office

RE: Public Safety Complex and Supporting Infrastructure, 1 Sea Street, 450, 470 Southern Artery, 40 Field Street, 24, 38, 39 and 45 Broad Street, Quincy, MA; MHC# RC.68187, **EEA#16220**

Dear Secretary Theoharides:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Environmental Notification Form (ENF) that was submitted, received at this office on June 2, 2020, for the project referenced above. Staff of the MHC have the following comments.

The proposed project consists of the creation of a new public safety complex in Quincy and includes the construction of a new building, garage, landscaping, parking and memorial park. The project also includes the demolition of five existing buildings within the complex project area.

Review of MHC files and the information submitted indicates that the Quincy Police Station (QUI.128), located at 442 Southern Artery, is listed in the National Register of Historic Places.

The MHC understands that the Quincy Police Station has been extensively altered since its original listing. It is the opinion of MHC staff that the Quincy Police Station does not appear to retain integrity of materials, designs or workmanship, and no longer meets the criteria of eligibility for listing in the National Register of Historic Places.

These comments are offered to assist in compliance with M.G.L. Chapter 9, sections 26-27C (950 CMR 71.00) and MEPA (301 CMR 11). Please do not hesitate to contact Linda Santoro of my staff if you have any questions.

Sincerely,

Brona Simon

Brona Simon
State Historic Preservation Officer
Executive Director
Massachusetts Historical Commission

xc: Quincy Historical Commission

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June 30, 2020

Kathleen A. Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge St, Suite 900
Attn: MEPA Office, Alex Strysky
Boston, MA 02114

Subject: EOEEA #16220 –Environmental Notification Form
Quincy Public Safety Complex and Supporting Infrastructure Project
Quincy, MA

Dear Secretary Theoharides:

The Massachusetts Water Resources Authority (MWRA) appreciates the opportunity to comment on the Environmental Notification Form (ENF) submitted by the City of Quincy (the "Proponent") for the Quincy Public Safety Complex and Supporting Infrastructure Project (the "Project"). The Project involves the construction of a new municipal building, parking garage, surface parking, landscaping and a new memorial park on the 14-acre Project site. The Project also includes associated transportation, drainage and utility infrastructure improvements. The Project results in an estimated increase of 20,000 gallons per day (gpd) in water use and an increase of 17,500 gpd in wastewater generation.

MWRA's comments relate to wastewater issues emphasizing the need for Infiltration/Inflow (I/I) Removal and Discharge Permitting from the Toxic Reduction and Control (TRAC) Department.

Wastewater

The ENF reports that the Project will increase wastewater flow by 17,500 gallons per day gpd, from an existing wastewater flow of 17,500 gpd for a new total of 35,000 gpd. The Site is served by a sanitary sewer system owned and operated by the City of Quincy that conveys flows to MWRA's High Level Sewer for ultimate conveyance to the Deer Island Wastewater Treatment Plant. Due to high levels of infiltration and inflow (I/I) that enter tributary community systems, sections of the City and MWRA sewer systems can surcharge in large storms. To ensure that the Project's new wastewater flow does not increase surcharging or overflows in large storms, the Proponent should comply with MassDEP regulation, as well as related City of Quincy I/I policy. MWRA requests that the Proponent also investigate the onsite drainage and

sewer collection systems to ensure that stormwater does not enter the sanitary sewer system, and on-site sewer service pipes, whether existing, rehabilitated or replaced, are free from infiltration/inflow.

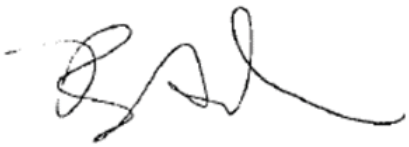
TRAC Discharge Permitting

MWRA prohibits the discharge of groundwater and stormwater into the sanitary sewer system, pursuant to 360 C.M.R. 10.023(1) except in a combined sewer area when permitted by the Authority and the local community. The Project site has access to separate sewer and storm drain systems. Therefore, the discharge of groundwater or stormwater to the sanitary sewer system associated with this Project is prohibited.

Any gas/oil separators in parking garages associated with the Project must comply with 360 C.M.R. 10.016 and State Plumbing Code. The installation of the proposed gas/oil separators may not be back filled until inspected and approved by the MWRA and the Local Plumbing Inspector. For assistance in obtaining an inspection the Proponent should contact John Feeney, Source Coordinator in the TRAC Department at 1 (617) 305-5631.

On behalf of the MWRA, thank you for the opportunity to provide comments on the Project. Please do not hesitate to contact me at (617) 788-4958 with any questions or concerns.

Sincerely,



Beth Card
Director
Environmental and Regulatory Affairs

cc: John Viola, DEP

MEPA Quincy Project 16220

To whom it may concern,

Quincycles, a volunteer-run organization advocating for improved conditions for bicyclists in Quincy, respectfully submits the following concerns regarding MEPA Project #16220 for a Public Safety Complex in Quincy.

1. It is our understanding that the planning process for this project did not adhere to guidelines in the Complete Streets Policy adopted by Quincy in 2018 which "directs all City decision-makers and department staff to consistently plan, design, operate and construct networks to accommodate and meet the needs, to the extent practical, of all anticipated users including, but not limited to pedestrians, bicyclists, motorists, emergency vehicles, and freight and commercial vehicles." (p1) The Project documents do not provide evidence of an exception to the Policy "approved by the appropriate authority with input and a recommendation from the designated Complete Streets Committee." (p2)

2. The limit of work for this project includes Sea Street to the entrance to the Mount Wollaston Cemetery, Southern Artery from Broad Street to Sea Street, and the whole of the intersection of Sea Street and Southern Artery. This intersection is an integral connector for Houghs Neck to Quincy Center, and for Quincy Point to the north. A Complete Streets project is in process of completion on Coddington Street connecting to this intersection. Bicycle accommodations are included in the Sea St/Quincy Shore Drive project east of the limits of this project, and are proposed in the Sea Street MassDOT project in design to Palmer Street This intersection needs safe bicycling infrastructure to connect the routes on either side of it. The city's Complete Streets Policy states that Quincy "is committed, to the maximum extent practicable, to design, construct or reconstruct, and operate all streets to provide for a comprehensive, integrated, connected and low-stress network of facilities." (p2) Please incorporate separated bikeways to connect these two sections of Quincy's bike network through this intersection.

3. As presented, there is no mention of bicycle accommodations nor are there any accommodations for bicyclists included in this project.

4. We are concerned that the lane widths exceed the MassDOT recommended lane width of 11' and the NACTO Guidelines of 10'. Minimum lane widths included are 12' and expand to 20'. Wider lanes have been shown to encourage speeding.

5. The turning radii are greater than 30 degrees and so allow for higher speeds of turning vehicles and increase the distance for pedestrians crossing the road. Please use turning radii that are more conducive to traffic calming and pedestrian safety.

6. It appears that the slip lane from Southern Artery onto Sea Street is being widened. This will potentially contribute to vehicles to rounding that corner more quickly. We request a traffic calming design.

7. We applaud the pedestrian path connecting Field and Broad Streets but would request that it be widened to 12 feet and designated a bi-directional shared use path.

8. Please include accessible, secure, sheltered bicycle parking facilities in the new Public Safety Complex.

Thank you for all you do.

Regards,

The Quincycles Board of Directors