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

PROJECT NAME	: Dorchester Bay City
PROJECT MUNICIPALITY	: Boston
PROJECT WATERSHED	: Boston Harbor
EEA NUMBER	: 16277
PROJECT PROPONENT	: Bayside Property Owner, LLC and Morrissey Property Owner, LLC
DATE NOTICED IN MONITOR	: October 7, 2020

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62I) and Section 11.03 of the MEPA Regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of a mandatory Draft Environmental Impact Report (DEIR).

As described further below, I received numerous comment letters from State and regional agencies, environmental advocacy groups and residents, including abutters. The majority of comments recognize the potential to develop a largely vacant paved site to a vibrant mixed-use community providing green space and pedestrian and bicycle connections to the Boston Harborwalk and surrounding communities. Comments also recognize potential adverse effects to nearby Carson Beach and Moakley Park which are important and highly utilized open spaces for the surrounding community. Comments also identify the need for significant transportation and resiliency improvements to support a project of this size. Several large-scale transportation projects are proposed and/or contemplated within the project area including the re-design of Morrissey Boulevard, Mt. Vernon Street, Kosciuszko Circle, and JFK/UMass Station. I urge the Proponent to work closely with abutters and stakeholders including the City of Boston, the Department of Conservation and Recreation (DCR), the Massachusetts Department of Transportation (MassDOT), the Massachusetts Bay Transportation Authority (MBTA) to

coordinate ongoing resiliency plans and transportation improvements within the vicinity of the project. As indicated below, I recommend that the Proponent convene both transportation and resiliency working groups prior to the submission of the DEIR.

Project Description

As described in the Environmental Notification Form (ENF), the project consists of the redevelopment of 33.54 acres of land comprised of two adjacent sites including the Bayside Site and 2 Morrisey site located in the Columbia Point neighborhood of Dorchester. Both locations will be included in the Dorchester Bay City development and will include a total of 5,900,000 square feet (sf) within 17 new development blocks that will contain a mix of uses including residential, retail/restaurant, and office/research and/or academic, as well as active ground floor uses such as retail shops, restaurants, cafes and civic and possibly cultural uses. The specific development blocks are as follows:

Bayside Component	Total sf	Retail/Restaurant (sf)	Residential (sf)	Residential Units	Office/ Research (sf)
Bayside Component					
Block A	131,000	10,000	121,000	131	0
Block B	197,000	18,000	0	0	179,000
Block C	137,000	12,000	125,000	136	0
Block D	401,000	20,000	0	0	381,000
Block E/F	524,000	26,000	498,000	541	0
Block G	480,000	17,000	0	0	463,000
Block H-1	619,000	16,000	0	0	603,000
Block H-2	137,000	5,000	132,000	282	0
Block I	542,000	5,000	0	0	537,000
Block J	332,000	10,000	322,000	355	0
Total	**3,500,000**	**139,000**	**1,198,000**	**1,198**	**2,163,000**
2 Morrissey Component					
Block P	262,000	0	262,000	285	0
Block Q	16,000	16,000	0	0	0
Block R	341,000	0	0	0	341,000
Block S	166,000	0	0	0	166,000
Block T	485,000**	0	0	0	208,000
Block U	578,000	0	0	0	578,000
Block V	552,000	0	0	0	552,000
Total	**2,400,000**	**16,000**	**262,000**	**285**	**1,845,000**
Project Total	5,900,000	155,000	1,460,000		4,008,000

Access to the project site is proposed via Day Boulevard, Mount Vernon Street, and Morrissey Boulevard, including new access through the 2 Morrissey Site connecting Mount

Vernon Street and Morrissey Boulevard. The project will generate a significant number of new traffic and transit trips; therefore, offsite transportation and/or transit improvements are anticipated and should be identified during the MEPA review process. The Proponent is proposing a connected network of streets, sidewalks, bicycle paths, and pedestrian paths that span from the JFK/UMass MBTA station across Morrissey Boulevard and Mt. Vernon Street to Day Boulevard and the Boston Harbor. Additional details on these proposed connections will be required in the DEIR.

The project represents a potential catalytic force for resiliency initiatives within the Columbia Point Neighborhood. As described in the City of Boston's Climate Ready Dorchester Report entitled *Coastal Resilience Solutions for Dorchester*[1] published in October 2020, the Bayside site occupies a low point on the shoreline between the City of Boston's Moakley Park and the privately-owned Harbor Point residential neighborhood. The Bayside site is not only at significant risk of frequent and severe coastal flooding, but also acts as a critical flood inundation pathway impacting the Columbia Point peninsula and parts of South Boston and the South End. The Proponent proposes to regrade the project site and provide new flood protection control measures in the form of an elevated berm along the waterfront edge of the project site. This will require approval from and coordination with public agencies that may be planning similar initiatives to the north at Moakley Park and south along the Boston Harborwalk. Additional detail regarding initiatives to the north and south including responsible parties and timing are needed to assess the project's impact and phasing on surrounding areas.

Project Site

As noted above, the 33.54-acre project site is comprised of two components, the 19.94-acre Bayside site and the 13.61-acre 2 Morrisey site. The two areas are separated by Mt. Vernon Street. The Bayside site is bounded by DCR's Dorchester Shores Reservation to the east; the Harbor Point Apartments to the south; Mt. Vernon Street to the west; and property of the Boston Teachers Union and a portion of the Dorchester Shores Reservation including Carson Beach, and State Police Barracks to the north. From the Bayside Site's northern driveway south to its terminus at the University of Massachusetts at Boston (UMass Boston) Campus, Mt. Vernon Street is a City of Boston public street. North of the driveway, Mt. Vernon Street is under the jurisdiction of DCR. The site is separated from the Boston Harbor shoreline by DCR's Dorchester Shores Reservation which includes portions of the Boston Harborwalk, a near-continuous, 43-mile linear park along Boston's shoreline. The Harborwalk stretches from the Neponset River in lower Dorchester to Constitution Beach in East Boston via Charlestown, the North End, Downtown, Seaport, South Boston and Dorchester.

The Bayside portion of the property is owned by the University of Massachusetts Building Authority (UMBA). The site is part of the planning area for the UMass Boston 25-year Master Plan which is subject to a Special Review Procedure (SRP) established by the MEPA office on June 30, 2010. The Master Plan identified a broad range of campus-wide improvements including the construction of new academic and residential buildings, new parking garages, establishment and expansion of open spaces, facility and infrastructure upgrades, and

[1] https://www.boston.gov/sites/default/files/file/2020/10/Climate%20Ready%20Dorchester-Final%20Report%20(Spreads%20for%20web).pdf

demolition of some existing structures. The SRP was amended to include the Bayside site on October 8, 2014. A Notice of Project Change (NPC) was submitted in April 2015 which described the demolition of the Bayside Exposition Center and surface parking improvements. The buildings were demolished in 2016 and the site currently contains approximately 1,300 satellite surface parking spaces utilized by UMass Boston. As described in the ENF, the Bayside Site is no longer envisioned as part of the UMass Boston 25-year Master Plan and will not operate as part of the campus but as a discrete, mixed use development that will provide a source of revenue for UMass. As described further below, the site's removal from the 25-year Master Plan will need to be formalized through an NPC submission from UMass Boston.

The 2 Morrissey site is an approximately 13.61-acre parcel of privately-owned land with an existing 425,000 square foot building thereon, together with approximately 900 surface parking spaces. The 2 Morrissey Site is bounded by Mt. Vernon Street to the northeast, Boston College High School to the south, Morrissey Boulevard to the west, and St. Christopher's Parish on land owned by the Roman Catholic Archbishop of Boston and the McCormick Middle School (a Boston Public Schools facility) to the southeast. Morrissey Boulevard (along with Day Boulevard) is under the jurisdiction of DCR. The entire 2 Morrissey Site is currently leased to Santander Bank and is used for office, banking and other related uses, as well as accessory parking. The project proposes to demolish the existing buildings at the 2 Morrissey Site after the existing tenancy expires.

The project site contains several areas regulated under the Massachusetts Contingency Plan (MCP). Approximately 29.28 acres of the project site consists of Land Subject to Coastal Storm Flowage (LSCSF). According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) number 25025C0083J (effective March 16, 2016), approximately 29.2 acres of the site are located within the 100-year floodplain (Zone AE) with a Base Flood Elevation (BFE) of 11 feet North American Vertical Datum of 1988 (NAVD 88) with a small section (0.1 acres) adjacent to the Limit of Moderate Wave Action within Zone VE with a BFE of 14 ft NAVD88.

Environmental Impacts and Mitigation

Potential environmental impacts of the project include the nonwater-dependent use of approximately 12.35 acres of filled commonwealth tidelands; alteration of 29.28 acres of LSCSF, generation of 44,668 (50,986 total) New average daily trips (adt); new construction of 450 (2,650 total) parking spaces; increase in use of water by approximately 676,991 (700,366 total) gallons per day (gpd); and new generation of approximately 615,445 (636,695 total) gpd of wastewater. The project may have wind and shadow impacts on adjacent land and water sheet. Greenhouse Gas (GHG) emissions and other air pollutants may be associated with the burning of fossil fuels for on-site energy use and for vehicle trips generated by the project.

The project will minimize and mitigate environmental impacts by removing 12.66 acres of impervious area; enhancing pedestrian and bicycle access by providing open space on 20 acres (approximately 60 percent) of the site; off-site resilience and transportation improvements; implementing Transportation Demand Management (TDM) measures such as encouraging use of public transit and other alternate modes of travel; and construction of a stormwater management system with Best Management Practices (BMPs) to improve water quality, reduce flow rates and infiltrate stormwater. The DEIR should provide analysis to demonstrate that the project includes

measures to minimize stationary- and mobile-source GHG emissions generated by the project to the maximum extent practicable.

Jurisdiction and Permitting

The project is subject to the preparation of a Mandatory EIR pursuant to 301 CMR 11.03(3)(a)(5) and 301 CMR 11.03(6)(a)(6), respectively, because it requires State Agency Actions and involves the nonwater-dependent use of more than one acre of tidelands and will generate 3,000 or more new adt on roadways providing access to a single location. The project also exceeds the ENF thresholds at 11.03(5)(b)(4)(a) and 11.03(6)(b)(7) because it involves the new discharge or expansion of discharge to a sewer system of 100,000 or more gpd and construction of 300 or more new parking spaces at a single location. The project requires a Chapter91 (c. 91) License from MassDEP; a Vehicular Access Permit from the Massachusetts Department of Transportation (MassDOT); a Construction and Access Permit and/or License Agreement from DCR and a Sewer Use Discharge Permit, Section 8(m) Permit, and Direct Connection Permit from the Massachusetts Water Resources Authority (MWRA). The project may also require an Article 97 Land Transfer from DCR. The project requires a Public Benefit Determination (PBD) and is subject to review under the May 2010 MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol ("the Policy").

The project requires an Order of Conditions from the Boston Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions (SOC) from MassDEP). It requires Article 80 Large Project Review and PDA Development Plan Approval by the BPDA and a Transportation Access Plan Agreement (TAPA) and Construction Management Plan (CMP) approval from the Boston Transportation Department (BTD). The project requires a determination of no hazard to air navigation from the Federal Aviation Administration (FAA) and a National Pollutant Discharge Elimination System (NPDES) Stormwater General Permit from the Environmental Protection Agency (EPA). The project requires review by the Massachusetts Historical Commission (MHC) acting as the State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

The Proponent will enter into a long-term ground lease with UMBA for the development of the Bayside site; therefore, MEPA jurisdiction for project components within the area of this Land Transfer is broad in scope and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment. Additionally, the entire Bayside site is located in regulated tidelands, and the subject matter of the c. 91 License is sufficiently broad such that jurisdiction is functionally equivalent to full scope jurisdiction in accordance with 301 CMR 11.01(2)(a)(3). The 2 Morrissey St. site is privately owned and is not seeking Financial Assistance, and, therefore, MEPA jurisdiction would extend to all aspects of the project that are related to required Permits and that may cause Damage to the Environment as defined in MEPA regulations. However, given the multiple Permits required and the coordinated nature of the 2 Morrissey St. and Bayside developments, the Scope does not distinguish between the two projects with respect to the items and analysis required in the DEIR.

Review of the ENF

In order to coincide with the BPDA's Article 80 Large Project Review comment period, the comment period was extended from October 27, 2020 to December 11, 2020. A remote MEPA Consultation Session was conducted via videoconference on the evening of October 29, 2020. The Proponent translated the Consultation Session notice into seven languages, namely, Spanish, Vietnamese, Haitian Creole, Cape Verdean, Cantonese, Mandarin, and Portuguese. In addition to a standard distribution list consisting of State, City and regional agencies and environmental and community groups, notice of the Consultation Session was provided to the Dorchester Bay Economic Development Corporation, Dudley Street Neighborhood Initiative, Cape Verdean Association of Boston, Asian American resource workshop, Codman Square Neighborhood Development Corporation, Chinese Progressive Association, Vietnamese American Initiative for development and Higher Ground. The Proponent offered to provide Spanish, Vietnamese, Haitian Creole, Cape Verdean, Cantonese and Mandarin interpretation services for the Consultation Session upon request; however, there were no requests for interpretation services.

The ENF included a description of existing site conditions, a basic project description and conceptual plans of proposed conditions that were not to scale. Supplemental information regarding the project's proposed grading and flood protection was distributed on November 6, 2020. The ENF identified the project's potential impacts on tidelands, transportation, water and wastewater infrastructure, stormwater and historic resources, but did not provide a detailed assessment of impacts or a comprehensive analysis of mitigation measures. The ENF addressed c. 91 requirements applicable to the site including for public and private filled tidelands. The DEIR should provide a more detailed description of existing and proposed conditions, including offsite measures, and a comprehensive review of the project's impacts and measures to avoid, minimize and mitigate such impacts, as set forth in the Scope below.

I received numerous comment letters from State and regional agencies, environmental advocacy groups, and from residents including abutters. The majority of comments recognize the potential to develop a largely vacant paved site to a vibrant mixed-use community. However, comment letters also recognize the complex transportation improvements and resiliency measures required to support a development of this size in a coastal location. This effort will require significant infrastructure improvements which will require extensive coordination between State and regional agencies, the City of Boston and the Proponent. As indicated in MassDOT's comment letter, given the project's size, the complexity of the surrounding transportation system, planning studies and projects under consideration in the study area, and the potential impacts on transportation facilities under multiple jurisdictions, MassDOT recommends convening a Transportation Working Group (TWG) to guide the transportation analysis process and achieve the best possible transportation outcomes. MassDOT recommends that the TWG include at least the following stakeholders: MassDOT, DCR, the MBTA, the City of Boston, and the Proponent. MassDOT indicates they would be willing to coordinate this effort. I strongly recommend that the Proponent work with MassDOT to facilitate the creation of the TWG and participate actively in TWG meetings and consultations throughout the course of MEPA review for this project. Additionally, I strongly encourage the Proponent to facilitate the formation of a Resiliency Working Group (RWG) with DCR, CZM, the City of Boston and other stakeholders to coordinate ongoing resiliency efforts within the project area including proposals for resiliency improvements at the City's Moakley Park, the feasibility of raising the adjacent

Harborwalk at DCR's Dorchester Shores Reservation, and flood protection measures for Morrissey Boulevard.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for outline and content and provide the information and analyses required in this Scope. It should clearly demonstrate that the Proponent has sought to avoid, minimize and mitigate Damage to the Environment to the maximum extent feasible. As noted above, I expect that the Proponent will work collaboratively with the City of Boston, MassDOT, MBTA, DCR, and other stakeholder groups prior to the preparation of the DEIR. These collaborative efforts will assist the Proponent in identifying mitigation measures and presenting a project that meets applicable environmental performance standards.

The project will be built out in phases over a 10-15 year period and, therefore, requires a phased approach to environmental review. The DEIR should identify proposed phases with supporting building program and site plan configurations. It will be particularly important to demonstrate that access to the Red Line MBTA stations will not be impeded at intermediate stages of development, and that transportation/transit mitigation, greenhouse gas commitments, stormwater improvements, public open space, resiliency improvements, and other public benefits are phased proportionally to development. The DEIR should also address appropriate thresholds for provision of phased mitigation.

Project Description and Permitting

The DEIR should include detailed site plans for existing and post-development conditions at a legible scale. Plans should clearly identify buildings, interior and exterior public areas, impervious areas, pedestrian and bicycle accommodations, and stormwater and utility infrastructure. The DEIR should include updated conceptual plans at a legible scale for any proposed off-site utility (water and wastewater), resiliency, and/or transportation improvements that clearly identify lane widths, expanded areas of pavement or removal of medians/open space, traffic signals, pedestrian and bicycle accommodations, wetland resource areas and c.91 jurisdiction, stormwater management infrastructure, historic resources and proposed easements or acquisitions as may be required from the MBTA or other State Agencies. Proposed real estate acquisitions or easements from State Agencies should also be included in the narrative. A significant portion of resiliency mitigation involves offsite improvements on DCR land. The DEIR should describe the mechanism by which any offsite mitigation measures will be authorized and who will be responsible for long-term maintenance.

The DEIR should include a summary table identifying the potential environmental impacts associated with the project and associated off-site transportation improvements (i.e land alteration, impervious area, fill etc.) and should describe any changes or refinements to impacts since the review of the ENF. It is acknowledged that in the instance of off-site transportation improvements, these impact estimates will be conceptual in nature, but will assist in identifying potential permitting requirements, design challenges, and identify wetland, stormwater,

construction-period and other potential impacts. The impact assessment provided for the project should present the project's cumulative impacts.

The DEIR should describe the project and identify any changes since the filing of the ENF. It should identify and describe State, federal and local permitting and review requirements associated with the project and provide an update on the status of each of these pending actions. The DEIR should include a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project's consistency with those standards. It should confirm that the height of the proposed building will comply with the Massachusetts Port Authority's (Massport) Logan Airspace Map and any FAA requirements. The DEIR should include a narrative of how the project is consistent with the Columbia Point Master Plan, Go Boston 2030, and the Climate Ready Dorchester plan. As noted above, the Bayside project site is included in the planning area for the UMass Boston Master Plan (EEA# 14623). The proposed project is no longer envisioned as part of the Master Plan and therefore must be formally separated from Master Plan prior to the submission of the DEIR. The Proponent should coordinate with UMass Boston on the timing of an NPC submission proposing this separation.

The information and analyses identified in this Scope should be addressed within the main body of the DEIR and not in appendices. In general, appendices should be used only to provide raw data, such as drainage calculations, traffic counts, capacity analyses and energy modelling, that is otherwise adequately summarized with text, tables and figures within the main body of the DEIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the DEIR to materials provided in an appendix should include specific page numbers to facilitate review.

Alternatives Analysis

The ENF included a limited alternatives analysis which identified an As-of-Right Alternative and a No-Build Alternative. The As-of-Right Alternative would contain the same building footprints as the Preferred Alternative, but with reduced heights and Floor Area Ratio (FAR) to be consistent with the Boston Zoning Code resulting in buildings with relatively uniform height ranging from one to four stories. The As-of-Right Alternative would contain a total of 17 development blocks across both sites, with approximately 445 residential units, 154,600 sf of retail/restaurant space, and 1,043,900 sf of office/research space. As described in the ENF, community members have voiced support for a development with a variety of building heights which is not consistent with the As-of-Right Alternative. As described in the ENF, the infrastructure needed to accommodate both the As-of-Right Alternative and the Preferred Alternative would be similar; however, the ENF noted that the cost associated with building the extensive horizontal infrastructure including the open space network would not be financially feasible for the reduced build As-of Right Alternative, and therefore the project would not be able to afford the quality and size of the open space of the Preferred Alternative. The environmental impacts of the As-of-Right Alternative associated with trip generation, water usage and sewer use would be less than those of the Preferred Alternative; however, as described in the ENF, the public benefits that would be provided in the Preferred Alternative, including significant investments in job training, infrastructure and resiliency improvements, and support for nonprofits for the local community and the greater Boston area, would not be feasible due to limited revenue associated with a scaled down program. According to the ENF, the economic

benefits associated with the As-of-Right Alternative are also less than those of the Preferred Alternative, with fewer permanent and construction jobs created, less real estate taxes generated, reduced linkage contributions, and a significant reduction in the number of critically needed residential units and affordable housing units created. Similarly, the No- Build Alternative would have none of the benefits associated with the Preferred Alternative and would not reduce onsite impervious area by 12.66 acres.

As described in the ENF, the Preferred Alternative will transform the currently auto-centric and underutilized project site into a pedestrian friendly district with tree-lined streets that will promote walking and biking, new open spaces, outdoor recreation, multi-use paths, and public art. The ENF indicated that the Preferred Alternative is consistent with the Columbia Point Master Plan (2011) which envisioned the economic revitalization of the Columbia Point neighborhood through the construction of a mixed-use district with ample, tree-lined streets where people could live, work, and shop in close proximity.

In addition to the As-of-Right Alternative identified in the ENF, the DEIR should review one or more Reduced Build Alternatives of a size between this alternative and the Preferred Alternative which maximizes open space and buffer between the shoreline and any proposed structures. Numerous comment letters emphasize the need for cultural space and/or athletic fields within the project area. I encourage these uses to be incorporated into the alternatives evaluated in the DEIR. The DEIR should evaluate alternatives which eliminate access to the site from Day Boulevard, a component of the project which requires an Article 97 Land Transfer from DCR. The alternatives analysis should be developed to demonstrate consistency with EEA's Article 97 Land Disposition Policy. If this alternative is not feasible, the DEIR should explain why. I note that the conceptual plans previously contemplated by the City for the Moakley Park redesign may include the elimination of the section of Day Boulevard that runs along Carson Beach. The Proponent should consult with the City and DCR on the most current plans for Day Boulevard in this area and present an alternative that incorporates these planning efforts as appropriate.

As discussed below, the project is proposed to be constructed in close proximity to the DCR Harborwalk, and in some places, directly at the border of the Harborwalk. The DEIR should include an alternative that assesses whether the project could be designed to pull Block A, B and C and associated flood protection grading landward, so as to maximize the longevity and preservation of the Harborwalk and other important pedestrian and bicycle connections and shoreline access. In order to facilitate the assessment of impacts to the Dorchester Shores Reservation, DCR requests that the Proponent provide alternative design scenarios for the interface between the Reservation and the Dorchester Bay City property line. I refer the Proponent to the additional information requested by DCR in their comment letter. The DEIR should discuss whether these alternatives are technically and economically feasible, and whether they would be consistent with the City's climate resilience planning efforts for this area including through the Coastal Resilience Solutions for Dorchester report. The DEIR should provide conceptual plans and describe and quantify each alternative's impacts on land alteration, creation of impervious area, impacts to wetland resource areas, Article 97 Land, traffic generation, GHG emissions, parking, water use, and wastewater. This comparison should be provided in a tabular format with supporting narrative and conceptual site plans. The expanded alternatives should document proposed conditions, quantify environmental impacts and provide a conceptual plans. It should compare the alternatives with respect to their impacts on traffic, tidelands and public use of the site, water use, wastewater generation, impervious

area and stormwater management. The DEIR should provide a detailed comparison of wind, shadow and GHG impacts and review climate change resiliency features of each alternative.

Additional recommendations provided in this Certificate may result in a modified design that would further avoid, minimize, or mitigate Damage to the Environment. The DEIR should address how the project has been revised to further reduce impacts and, if certain measures identified herein are infeasible, the DEIR should discuss why these measures will not be adopted.

Land Use and Article 97

The DEIR should provide detailed plans, sections, and elevations to accurately depict existing and proposed conditions, including proposed above- and below-ground structures and on- and-offsite open space and resiliency and other mitigation measures. The plans should include property lines and ownership of all parcels where project activities are proposed, including off-site parcels. The DEIR should identify any easements or land acquisitions from state agencies necessary to construct the project and proposed on- and/or off-site mitigation measures. The DEIR should include a review of the City's zoning applicable to the site. The DEIR should include a table which breaks down all land uses included in the project site (i.e. building footprint, walking paths, pervious green space, roadways, etc.). This breakdown should identify what constitutes the proposed 20 acres of open space including publicly accessible open space, privately accessible open space, landscaped area, hardscaped area, roadways etc.

As described in DCR's comment letter, public access to the Harborwalk must be protected during construction. DCR requests that the DEIR include a transportation/access management plan that identifies potential construction period impacts and describes mitigation strategies for DCR parkways and adjacent Dorchester Shores Reservation. DCR requests ongoing coordination with the Proponent, including development of a Memorandum of Understanding (MOU) outlining mitigation for Dorchester Shores Reservation and associated DCR roadways. The DEIR should address these concerns and include any draft MOUs (if available) and/or timeframe for completion of a draft MOU(s).

As discussed in DCR's comment letter, the proposed access road connecting the northern end of the project site to Day Boulevard will require a permanent non-exclusive easement triggering the need for Article 97 legislation and compliance with the EEA's Article 97 Land Disposition Policy (the Policy). The primary goal of the Policy is to ensure no net loss of Article 97 lands within the Commonwealth. Allowances are made within the Policy for exceptional dispositions provided that replacement land of comparable size, location and natural resource value is provided. Transfer of ownership or other real property interests may only occur under exceptional circumstances, as defined in the Policy, including the determination that no feasible alternative is available, and a minimum amount of land or an interest therein is being disposed for the proposed use. The DEIR should include a narrative that describes how the project will comply with each of the six conditions identified in the EEA Article 97 Land Disposition Policy which determine when "exceptional circumstances" exist such that a disposition of Article 97 land may be allowed. As noted above, the DEIR should provide an alternative analysis that eliminates the need for the Article 97 transfer and demonstrates that all other options to avoid the Article 97 disposition have been explored and no feasible and substantially equivalent alternatives exist.

Impervious Area and Stormwater

As described in the ENF, the project will improve stormwater management onsite through the reduction of impervious areas by 12.66 acres and incorporation of additional stormwater management BMPs. The project includes the construction of a new stormwater management system that will be designed to meet the Massachusetts Stormwater Management Standards (SMS) and Boston Water and Sewer Commission (BWSC) requirements, including infiltration of the first 1.25-inches of runoff from impervious areas. The stormwater management system will reduce both stormwater discharge rates and volumes for the current 2-year, 10-year, 25-year, and 100-year 24-hour rainfall events for the Project Site.

The DEIR should provide a detailed analysis of site drainage under existing and proposed conditions. It should review the BWSC drainage system to which runoff will be discharged, including its available capacity and should identify any improvements to drainage infrastructure that may be necessary to accommodate runoff from the project. The DEIR should describe the proposed on-site stormwater management system, document how it will be designed to meet the SMS and provide plans and calculations that show the location and size of BMPs. It should evaluate alternative open designs to further reduce impervious area on the site, including a range of low-impact design (LID) measures appropriate for the site. The DEIR should identify the rainfall conditions used to design the drainage system and discuss whether the system will be sized to handle increased precipitation due to future climate conditions over the useful life of the project. The Proponent should consult with MassDEP on the appropriate precipitation forecasts to use, but, at a minimum, rainfall data from the NOAA Atlas 14 should be consulted and increased by a factor that takes into account the effects of climate change. The DEIR should demonstrate whether project stormwater will be managed entirely on site with no off-site discharge to the maximum extent practicable. If this is not possible, the DEIR should explain why. The DEIR should clarify if stormwater discharges are subject a total maximum daily load (TMDL).

As described in CZM's comment letter, the project site's likely soil composition of fill material with urban debris underlain by impervious peat (former salt marsh) and potential contamination may limit its capacity for stormwater infiltration. If groundwater recharge is required or proposed, the DEIR should demonstrate that sufficient area is available to site recharge areas. It should also demonstrate that soils and/or groundwater conditions are suitable for such stormwater discharges.

As noted in the 2020 Climate Ready Dorchester Report, existing gravity-based stormwater system will be overwhelmed as sea level rises and storms become more intense and more frequent. The Coastal Resilience Solutions for Dorchester Report indicated that pipes and outfalls at low elevation will be impacted, including any stormwater system facilities that are located within the floodplain. As noted above, the majority of the projects site is located within the floodplain. The DEIR should address how the design of the stormwater management infrastructure accounts for these considerations and clarify whether any stormwater will discharge to existing outfalls.

As indicated in DCR's comment letter, the DEIR should include design and engineering plans, site grading, and planting plans to both assess the impact on the Dorchester Shores Reservation as well as to understand how stormwater management within the development will

protect water quality and prevent erosion and sedimentation along both oceanfront and landside DCR property.

Chapter 91/Tidelands

Approximately 12.35 acres of the 19.94-acre Bayside Site are located on filled tidelands. Because the site is owned by UMBA, a state authority of the Commonwealth of Massachusetts, this land is considered Commonwealth Tidelands. Additionally, this land is not separated from the flowed tidelands of Dorchester Bay by a public right-of-way and therefore, is not deemed "landlocked." These filled Commonwealth Tidelands are subject to licensing by MassDEP pursuant to M.G.L. Chapter 91 (c.91).

The 2 Morrissey site contains approximately 285 sf of filled tidelands. These private tidelands are more than 250 feet from the current high water mark of Savin Hill Cove, and are entirely separated from those flowed tidelands by Bianculli Boulevard and Morrissey Boulevard, both of which are public ways which are existing as of 1984. Therefore, the filled tidelands of the 2 Morrissey Site are considered Landlocked Tidelands, as defined by the Waterways Regulations at 310 CMR 9.02, and are exempt from the licensing requirements of the Waterways Regulations. However, as Landlocked Tidelands, activities on the 2 Morrissey Site are subject to Chapter 168 of the Acts of 2007 and the Public Benefit Determination regulations (301 CMR 13.00).

The buildings proposed on the site will be used for nonwater-dependent uses and the project is therefore subject to the setbacks, use limitations, height requirements, site coverage limits and public access standards under the Waterways Regulations. The ENF indicated that the Proponent will be filing a c.91 License application seeking a Consolidated Written Determination (CWD) per 310 CMR 9.14(4) to obtain individual licenses for each development lot located within c. 91 licensing jurisdiction. The DEIR should describe each lot (and proposed development) which will be seeking an individual license and address its compliance with the above-referenced restrictions for non-water dependent uses.

Comments from MassDEP's Water Resources Program (WRP) indicate that the Proponent will likely seek an extended term license for each of the licenses issued from the CWD, pursuant to the MassDEP's discretionary authority under 310 CMR 9.15. Accordingly, the DEIR should include preliminary information justifying the requested extended term length in accordance with 310 CMR 9.15(1)(b). Among those required items and other relevant factors, the DEIR should describe how the project is consistent with state and city adaptation and resiliency planning, specifically regarding 310 CMR 9.15(1)(b)(2).

The DEIR should provide detailed plans, including profiles and cross-sections as necessary, showing existing and proposed fill and structures; ground-floor and upper-floor uses; and publicly-accessible interior and exterior areas, including open space. The plans should include specific building heights, setback distances from existing mean high water and the maximum building heights allowed under the 310 CMR 9.51(3)(e). While the Project Site does not have a Project Shoreline, the DEIR should include calculations showing the location and width of the WDUZ using a weighted average per 310 CMR 9.51(3)(c) on the intervening parcel to confirm whether the WDUZ extends into the project site or not. I refer the Proponent to the extensive guidance provided in MassDEP's WRP comment letter.

Public Benefit Determination

The project site is comprised of tidelands subject to the provisions of *An Act Relative to Licensing Requirements for Certain Tidelands* (2007 Mass. Acts ch. 168) and the Public Benefit Determination regulations (301 CMR 13.00). Consistent with Section 8 of the legislation, I must conduct a Public Benefit Review as part of the review of EIR projects located on tidelands that entail new use or modification of an existing use. I will issue a PBD within 30 days of the issuance of a Certificate on the Final Environmental Impact Report (FEIR).

Section 3 of this legislation requires that any project that is subject to MEPA review and proposes a new use or structure or modification of an existing use or structure within tidelands address the project's impacts on tidelands and groundwater within the ENF. It indicates that the ENF *"shall include an explanation of the project's impact on the public's right to access, use and enjoy tidelands that are protected by chapter 91, and identify measures to avoid, minimize or mitigate any adverse impacts on such rights set forth herein."* If a project is located in an area where low groundwater levels have been identified by a municipality or by a State or federal agency as a threat to building foundations, the ENF *"shall also include an explanation of the project's impacts on groundwater levels, and identification and commitment to taking measures to avoid, minimize, or mitigate any adverse impacts on groundwater levels."* The legislation notes that these provisions apply to the filing of an EIR if one is required.

Traffic and Transportation

The ENF included a transportation scoping letter (TSL). The purpose of the TSL is to identify a basic analytical approach, technical assumptions, and key transportation issues to be addressed in the TIA. As noted above and indicated in MassDOT's comment letter, given the project's size, the complexity of the surrounding transportation system, planning studies and projects under consideration in the study area, and the potential impacts on transportation facilities under multiple jurisdictions, MassDOT recommends convening a TWG to guide the transportation analysis process and achieve the best possible transportation outcomes. I hereby incorporate by reference, MassDOT's comment letter dated December 12, 2020.

As described in MassDOT's comment letter, given the overall size of the development and the regional context of the project, MassDOT, MAPC and the MEPA office strongly recommend the use of the services of the Central Transportation Planning Staff (CTPS) for transportation modeling. The CTPS model represents the region's transportation network with links and nodes to significant roadways and intersections. The model closely depicts the actual transportation network, including attributes such as capacity and travel speeds along roadway links. I note that use of the CTPS regional travel demand model was recently utilized in the Suffolk Downs development (EEA# 15783) in Boston and the Union Point development in Weymouth (EEA# 11085R). The Proponent should discuss the feasibility of utilizing the CTPS model with MassDOT to determine the number of new trips that will be generated by the project and to make trip assignments on the different modes of transportation. The Proponent should consult with MassDOT and the MBTA to develop travel demand and trip generation characteristics in light of the difficulty in adequately modeling the transit trip generation and trip assignments for the project.

Additionally, MassDOT's comment letter notes that the mitigation program for the project is expected to be multimodal and extend across multiple roadway jurisdictions, land uses, and neighborhoods, and include both physical and nonphysical improvements to address the project's impacts. To ensure a fair and equitable distribution of mitigation responsibilities and achieve the goal of a seamless multimodal mitigation program, MassDOT recommends exploring the establishment of a mitigation bank where developers and other entities could contribute funding to implement projects and programs over time within the study area. I expect this mitigation funding mechanism will be considered by the Proponent and further developed as part of the TWG and, if viable, should be presented and explained in the DEIR.

The DEIR should include a traffic study prepared consistent with the EEA/MassDOT *Transportation Impact Assessment (TIA) Guidelines* issued in March 2014, MassDOT's comment letter dated December 11, 2020, and this Scope. The study should include a comprehensive multimodal assessment of the transportation impacts of the project. The TIA should provide capacity analyses for the existing conditions, future No-Build conditions, and future Build conditions within the study area. The future Build conditions should include an analysis of operations both with and without any improvements suggested to mitigate project impacts. The study should propose a mitigation package intended to improve vehicular traffic operations while supporting increased use of carpooling, walking, bicycling, and transit by residents, employees, and visitors.

According to the TSL, the baseline traffic volumes will be derived from historic traffic counts adjusted to 2019 conditions, to stand in for 2020 existing traffic volumes.. In developing future No-Build and Build traffic volumes, the TIA should include trips generated by other nearby planned and/or approved projects as part of the background growth; project impacts should be considered cumulatively with other projects within the study area for purposes of impacts analysis and mitigation. The Proponent should coordinate with UMass Boston, MassDOT, DCR, and the Boston Transportation Department (BTD) about any ongoing or planned transportation improvements in the vicinity of the project site, before conducting the transportation analysis. I note that a key background project to consider will be the UMass Boston campus plan, which formerly included the Bayside Site. Typically, ITE trip rates would be used to estimate the vehicle trip generation of un-built and/or yet to be occupied space. In addition, an annual growth factor would be superimposed on existing traffic volumes prior to the addition of the volumes associated with background project-specific growth.

While the planning horizon year for TIAs is typically seven years from the time of submittal of the TIA, the TSL proposes Medium Term and Long Term scenarios in 2025 and 2030, respectively, with the Long Term No Build scenario reflecting 2027 conditions. Because the ENF notes that the project would likely be built out over 10 to 15 years, comments from MassDOT request that the Proponent use Medium Term and Long Term scenarios in 2030 and 2040, respectively. MassDOT also requests that the Long Term No Build and Long Term Build scenarios reflect the same year for a more straightforward comparison between No Build and Build. The TIA provided in the DEIR should utilize the future planning horizons recommended by MassDOT.

The TSL proposes a study area consisting of the following intersections, some of which are under MassDOT jurisdiction:

- Columbia Road at I-93 southbound (SB) Ramps;
- Columbia Road at I-93 northbound (NB) Ramps;
- Kosciuszko Circle ("K Circle");
- Day Boulevard at the "Chute";
- Day Boulevard at North Bayside Site Driveway;
- Old Colony Avenue at Columbia Road;
- Old Colony Avenue at Morrissey Boulevard;
- Old Colony Avenue/Mount Vernon Street at Morrissey Boulevard/the "Chute";
- Mount Vernon Street at Bayside Site Driveway/2 Morrissey Boulevard North Driveway;
- Mount Vernon Street at South Bayside Site Driveway; and
- Morrissey Boulevard at 2 Morrissey Boulevard South Driveway.

MassDOT recommends the following additional intersections:

- Columbia Road at Dorchester Avenue;
- Columbia Road at Buttonwood Street;
- Morrissey Boulevard (Blvd) at Bianculli Blvd (UMass Boston access road); and
- Any other driveways on Morrissey Boulevard providing access to the 2 Morrissey Site.

Additionally, DCR requests that the following intersections be included:

- Morrissey Boulevard at Bianculli Boulevard
- Morrissey Boulevard at Old Colony Terrace
- Morrissey Boulevard at Freeport Street
- Neponset Circle
- Day Boulevard at G Street
- Day Boulevard at I Street
- Day Boulevard at L Street

MassDOT also recommends highway merge/diverge analysis at the following locations:

- I-93 SB exit ramp to Columbia Rd (highway diverge analysis);
- I-93 NB exit ramp to Columbia Rd (highway diverge analysis);
- I-93 SB entrance ramp from Columbia Rd (highway merge analysis);
- I-93 NB entrance ramp from Columbia Rd (highway merge analysis);
- I-93 NB exit ramp to Morrissey Blvd (highway diverge analysis); and
- I-93 NB exit ramp to Morrissey Blvd with Morrissey Blvd (highway merge analysis).

The TIA provided in the DEIR should incorporate the additional study area locations identified by MassDOT and DCR. If necessary, the study area should be expanded further to include any location where project-generated trips increase peak hour traffic volume by five percent or more or by more than 100 vehicles per hour at other locations.

The DEIR should fully describe and document existing and proposed pedestrian and bicycle facilities, transit operations and roadway and intersection conditions within the study area. As noted in numerous comment letters, the connections between the project site and the JFK/UMass MBTA station are integral for the success of the project's TDM program. The TIA should describe the project's anticipated transportation impacts and identify appropriate mitigation measures. The Proponent should indicate a clear commitment to implement proposed mitigation measures and describe the timing of their implementation, including whether measures are implemented based on phases of the project or occupancy levels. Any proposed roadway improvements, including bicycle/pedestrian facilities, that are recommended to mitigate traffic impacts or address safety issues should be consistent with Complete Streets design guidelines contained in the *MassDOT Project Development and Design Guide*.

Trip Generation

Trip generation estimates in the TSL were calculated based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th edition) land use codes (LUCs) 222 (Multifamily Housing (High-Rise)), 710 (General Office), and 820 (Shopping Center). Based on these LUCs the project is estimated to generate 50,986 vehicle trips on an average weekday, including 4,439 vehicle trips during the weekday morning peak hour and 4,984 vehicle trips during the weekday evening peak hour. The TSL also includes an adjusted trip generation that reflects internal capture and mode share. The mode share is based on other similar developments in the Boston area, U.S. Census data, and projections in the Columbia Point Master Plan. These adjustments result in a trip generation of 16,692 vehicle trips on an average weekday, including 1,513 vehicle trips during the weekday morning peak hour and 1,526 vehicle trips during the weekday evening peak hour. When accounting for trip generation for the existing uses, 11,712 net new vehicle trips on an average weekday, 1,010 net new vehicle trips during the weekday morning peak hour, and 1,024 net new vehicle trips during the weekday evening peak hour. The existing Bayside Site trips were based on parking gate data provided by UMass Boston, the current occupant of the site. The existing 2 Morrissey Site trips were estimated using LUC 710 (General Office). Comments from MassDOT note that pre-COVID-19 traffic counts for the 2 Morrissey site would be the preferable source for developing the existing site trip generation. The Proponent should compare the net adjusted trip generation, based on this process, with empirical trip data from a similar site, if available. The project will include 2,650 parking spaces provided primarily underground, an increase of 450 spaces compared to current conditions.

Pedestrian and Bicycle Facilities

The ENF describes a pedestrian and bicycle network linking the development parcels, the MBTA station and adjacent roadways. As described in MassDOT's comment letter, because the project anticipates a high pedestrian mode share, it is expected that the Proponent will provide a mitigation package that ensures walking and bicycling will be an attractive way to access the site. The TIA should provide an inventory of existing sidewalks and crosswalks within the study area and should address the quality and condition of those facilities. The TIA should include a commitment to improvements in any areas that are structurally deficient or not meeting current codes for accessibility, including sidewalks, crosswalks, ramps, and pedestrian equipment. Special attention should be given to linking the proposed development to adjacent

complementary land uses and transit facilities. The DEIR should include proposed pedestrian and bicycle circulation routes that identify connections to surrounding land uses and transit facilities.

The TIA should include a detailed inventory of the bicycle network to include bikeway types, bikeway widths, and bicycle numbers and speeds. The Proponent should identify the likely travel routes for bicyclists within the study area. The degree to which these routes can safely support bicycle travel should also be examined. The TIA should reevaluate these routes based on the origin-destination of potential residents, employees, and visitors. Based on this analysis, the Proponent should consider the feasibility of expanding some of these existing routes or considering new routes to encourage bicycle travel in and around the site. The Proponent should work closely with MassDOT and the City of Boston to provide a seamless connection between existing and planned bicycle facilities in the study area.

The DEIR should identify the construction timing of any proposed pedestrian and bicycle amenities. Any proposed mitigation within the state highway layout and all internal site circulation must be consistent with a Complete Streets design approach that provides adequate and safe accommodation for all roadway users, including pedestrians, bicyclists, and public transit riders. Complete Streets design guidelines are included in the MassDOT *Project Development and Design Guide*. Where these criteria cannot be met, the Proponent should provide justification, and should work with the MassDOT Highway Division to obtain a design waiver.

Public Transportation

The project site is located near several transit options including: the MBTAJFK/UMass Station, serving the Red Line and three commuter rail lines, as well as MBTA bus routes 8, 16, and 41. The TIA should contain an analysis of additional transit demand generated by the project and the capacity on the MBTA Red Line, the MBTA commuter rail lines, and the MBTA bus routes proximate to the project site. The Proponent should consult with the MBTA to identify the planning horizons and intermediate development phases that should be evaluated in the TIA. Once the transit trip generation is developed and applied to the network, the TIA should address the following issues:

The analysis should be compliant with the MassDOT Office of Performance Management and Innovation's (OPMI) methodology for calculating the existing, future No-Build, and future Build comfort metrics (as evaluated in the Service Delivery Policy [SDP]) for each bus route within the project's study area. Mitigation should be proposed for:

- Any bus route receiving new passengers that falls below the 96% route-wise minimum threshold for the SDP comfort metric (share of passenger travel time experienced in comfortable conditions);
- Any trip for which the new passengers would cause the trip to exceed the threshold; and/or
- Any trip which was already above the crowding threshold and which new passengers would be added to.

The Proponent should coordinate with the MassDOT Public Private Development Unit (PPDU) and MBTA Service Planning Department prior to proposing mitigation to offset these project-related impacts. The TIA should contain an assessment of how riders, particularly during the MBTA peak periods, are expected to access the site via rail transit. The TIA should also provide information demonstrating how residents, employees, and visitors who choose to use the Red Line will travel between the site and the station. The Red Line is expected to see the bulk of the transit ridership in the study area; therefore, the TIA should estimate anticipated new ridership on the Red Line, and analyze the potential impacts and the time of day when those impacts will occur. The Proponent should work with the MBTA Service Planning Department to ensure that it has access to the most recent and most relevant ridership and operational statistics for the Red Line. The TIA should show how residents, employees, and visitors using the bus network will travel between the site and the bus stops. The TIA should show how pedestrian crossings and bus stops can be coordinated to ensure safe, accessible travel for bus customers. Of particular importance to the MBTA are all codes and standards related to the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (MAAB), along with the Federal Transit Administration (FTA) regulations and guidance. The Proponent should present the existing conditions on routes between major transit hubs and the project site and how those conditions could be upgraded/improved to ensure a fully accessible path of travel for all customers.

The TIA should also identify and document transit improvement proposals under evaluation by MassDOT, the City of Boston, and the MBTA. Mitigation proposed for the project should be consistent with the ongoing transit improvement initiatives of these agencies.

Traffic Operations

Capacity analyses should be conducted for the weekday morning and evening peak hours for both existing and future conditions for each development alternative considered. In addition, capacity analyses for Build with mitigation conditions should be provided for all intersections, particularly those with impacts to the state highway system. Of particular concern are the areas where the City of Boston and DCR jurisdictional roadways interact with MassDOT-controlled locations. The TIA should include figures which label intersection and roadway jurisdictions.

The TIA should provide illustrations depicting the peak hour 50th (average) and 95th percentile queue lengths for each lane group/turning movement at each study area intersection, for all analysis scenarios. The information contained in these illustrations should clearly demonstrate that the project would not result in any extended queues that would block vehicle movements to/from study area intersections, particularly those involving state highways. Appropriate mitigation should be identified at any locations where queue blockages occur. Color-coded illustrations should also be prepared depicting the level of service (LOS) for each lane group/turning movement for each case. A traffic signal warrant study (TSWS) should be performed, and the need documented for any locations where signalization is being proposed, including site driveway intersections with the public roadway system. A left-turn lane warrant analysis should be conducted, and the need documented for any locations where the addition of such a lane is being proposed, including at site driveways. The need for off-site traffic improvements required as a result of the Project's traffic

will be assessed through the permitting process. MassDOT recommends that the Proponent discuss the transportation impacts of the project with MassDOT prior to the submittal of the TIA.

The TIA should include a safety analysis for all intersections and roadway segments within the study area. The analysis should calculate crash rates using MassDOT data and data from the Boston Police Department for the most recent continuous five-year period. Crash rates should be documented, and additional mitigation considered at any locations exceeding the State and/or District 6 averages. The Proponent should determine if any study area intersections are listed in the Highway Safety Improvement Program (HSIP) and coordinate with the MassDOT Highway Division's Safety Section to determine if a Road Safety Audit (RSA) is necessary.

Parking

According to the TSL, the project would include the provision of 2,650 passenger vehicle parking spaces. The TIA should clarify how the parking needs of the project were determined and explain the methodology used to determine the total parking required. The ITE's *Parking Generation* (5th Edition) generally provides a reasonable basis for comparison to parking requirements under local zoning. The TIA should include a summary of parking need and supply for comparable facilities based on multiple data sources. The TIA should also determine the number of parking spaces occupied at various times of the day and identify the periods of peak use. The Proponent should confirm whether parking will be provided for free or at a cost. The DEIR should discuss whether efforts were made to minimize parking supply, and detail additional opportunities that may exist to reduce parking.

The DEIR should confirm the Proponent's commitment to comply with the City's Electric Vehicle Readiness Policy for New Developments, which requires projects undergoing Section 80 or TAPA review provide electric vehicle (EV) charging stations at 25 percent of all parking spaces and that the remaining spaces be EV-ready. The DEIR should identify the total number and location of parking spaces that will be provided with EV charging stations and those that will be provided as EV-ready.

Transportation Demand Management

The ENF identified potential TDM measures that will be implemented to minimize the number of single-occupancy vehicle (SOV) trips to the site by residents, employees and visitors. Measures identified in the ENF include installing a bicycle sharing station, designating a full-time transportation coordinator, encouraging tenants to offer on-site MBTA pass sales and transit subsidies and providing information on travel alternatives to residents, employees and visitors to the site.

The TSL indicates that the Proponent is committed to implementing TDM measures. The TIA should include a comprehensive TDM program that would implement measures aimed at minimizing single occupancy vehicle (SOV) and Transportation Network Company (TNC, i.e. Uber and Lyft) trip generation to achieve the robust non-SOV mode share presented in the mode split section. It should include specific, defined mode share goals that target high rates of transit, bicycle, and pedestrian use. Data and analysis of existing modes (including public

transportation, walking, and bicycling) should be employed to identify physical improvements and supporting programs to increase these modes. The TDM program should further investigate measures that would maximize usage of existing and potential new pedestrian, bicycle, and transit facilities. It should specifically address TDM measures identified in the MassDOT and MAPC comment letters.

Comments from MassDOT note that any analysis regarding provision of a private shuttle to the MBTA JFK/UMass Station should not assume such a shuttle could access the busway at the station without prior consent of the MBTA. Before considering a private shuttle, the Proponent should coordinate with the MBTA and existing UMass Boston and the Medical Academic and Scientific Community Organization (MASCO) shuttle operations to determine if existing services could be improved to meet the project's needs. The TSL notes that the Proponent will form and join a new Transportation Management Association (TMA) with other landowners near the project site.

Transportation Monitoring Program

The DEIR should include a draft traffic monitoring program to evaluate the assumptions made in the traffic study and the adequacy of the transportation mitigation measures, including the TDM program in meeting mode share goals. The program should include annual traffic monitoring for a period of five years beginning six months after the first Certificate of Occupancy is issued. The monitoring program should include:

- Simultaneous automatic traffic recorder (ATR) counts at each parking entrance for a continuous 24-hour period on a typical weekday;
- Travel survey of employees, patrons, and residents at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM peak hour turning movement counts (TMCs) and operations analysis at "mitigated" intersections, including those involving parking entrances; and
- An update on TDM effectiveness and transit ridership.

The traffic monitoring program should include a description of how TDM measures will be modified if shown to be less effective than anticipated as a result of monitoring.

Wetlands

The project includes proposed fill and structures within portions of the site and adjacent areas that are located within LSCSF. In addition, a section of Bayside site is located within the VE Zone. Work within these areas includes adding fill to elevate the site and construction of an earthern berm to increase resiliency to climate change. The Boston Conservation Commission will review the project for consistency with the Wetlands Protection Act (WPA) and its implementing regulations (314 CMR 10.00) and associated performance standards. As described in CZM's comment letter, though developed, the site does possess functional characteristics of a coastal floodplain, as outlined 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[2]. As such, redevelopment projects should improve these functions.

The DEIR should quantify and describe the nature of all wetland impacts that cannot be avoided including grading and construction-related disturbances and whether they will be temporary or permanent in nature. The DEIR should clearly identify how impacts to wetland resources have been avoided and minimized to the maximum extent practicable and identify mitigation measures for those impacts that are unavoidable. The DEIR should demonstrate that the project can be designed and constructed consistent with the WPA performance standards. It should include plans at a reasonable scale that clearly delineate all applicable resource area and buffer zone boundaries including FEMA FIRM floodplain elevations for both the project site and for all off-site improvements.

As detailed further below, the DEIR should include an analysis of the effects of proposed fill on the flow patterns of floodwaters under existing and future conditions. It should include a detailed description of the project's impacts on wetlands resource areas and the floodplain and review how the project will comply with the relevant performance standards in the Wetlands Regulations (310 CMR 10.00). The DEIR should elaborate on the design features incorporated into the project site to maximize the function of the LSCSF and minimize flood damage on the site and adjacent properties. The DEIR should include a detailed analysis specific to how the proposed fill, grading and structures (buildings, roadways, infrastructure, etc.) within the coastal floodplain will affect water flow and drainage patterns within and adjacent to the site; both during rain events as well as costal storm events where there is a combination of rain and coastal flooding.

Water and Wastewater

As noted above, the project will increase water demand at the project site by 676,991 gpd from an existing water demand of 23, 375 gpd to 700,366 gpd. As described in the ENF, new water services will connect to newly constructed water mains within nearby roadway networks. The Bayside Site will connect to the existing 16-inch Boston Water Sewer Commission (BWSC) Southern Low water main in Mt. Vernon Street. The 2 Morrissey Site will connect to the existing 12-inch BWSC Southern Low water main in Mt. Vernon Street or the existing 12-inch BWSC Southern Low water main in Morrissey Boulevard. There are no anticipated negative impacts to the BWSC water system with the proposed increase in water demand associated with the Project; capacity will be reviewed and confirmed with BWSC as the plan for the Project progresses and will be coordinated with any proposed connections.

The ENF reports that the project will increase wastewater flow by 615,445 gallons per day (gpd), from an existing wastewater flow of 21,250 gpd to 636,695 gpd. The ENF reports that sanitary systems serving the Bayside site will connect to the existing 36-inch BWSC sewer in Mount Vernon Street, and that sanitary systems serving the 2 Morrissey site will connect to the 36-inch BWSC sanitary sewer in Mt. Vernon Street or the 12-inch BWSC sanitary sewer in Morrissey Boulevard. The 36-inch and 12-inch BWSC sewers connect to MWRA's Columbus Park Connector Sewer at the intersection of Mt. Vernon Street and Morrissey Boulevard, which

[2] https://www.mass.gov/doc/applying-the-massachusetts-coastal-wetlands-regulations/download

conveys flows to MWRA's Columbus Park Headworks for transport to the Deer Island Treatment Plant. The Headworks receives flows from BWSC separate sanitary sewer systems and combined sewer systems serving Downtown Boston, South Boston, and parts of Roxbury and Dorchester. In large storms, these sanitary and combined sewer flows can exceed the capacity of the Headworks or the capacities of the MWRA and BWSC pipes conveying flow to the Headworks, and contribute to combined sewer overflow (CSO) discharges to the South Boston CSO Storage Tunnel, to Fort Point Channel, and to the Reserved Channel.

As noted in MWRA's comment letter, the ENF acknowledges that the Project's wastewater demand and sanitary sewer connections and the BWSC sewer capacities will be subject to BWSC site plan review and approval, but makes no mention of the potential impacts of the Project's large increase in wastewater flow on wet weather flows to BWSC and MWRA facilities or wet weather-related impacts, including CSOs. The DEIR should identify any combined sewers along the project's wastewater flow path, discuss potential impacts to system capacity during dry and wet weather conditions, and identify opportunities to minimize CSO events within the system. The project will be required to fully offset new sanitary flows into the regional wastewater system. The DEIR should discuss how the project intends to meet the requirement to offset new flows in accordance with state and city policies and requirements. The Proponent should consult with MassDEP, MWRA, BWSC, and the City of Boston to develop a mitigation plan. The DEIR should discuss the outcome of these consultations, identify sewer system deficiencies within the system serving the project site and identify and describe I/I mitigation commitments.

Increasing wastewater flow to the BWSC sewer system without the required offset can compromise the water quality benefits for Fort Point Channel and the Reserved Channel of MWRA's recently completed $912 million CSO control plan, as well as compromise the performance of the South Boston CSO Storage Tunnel in preventing the discharge of CSO and controlling the discharge of stormwater to the South Boston beaches.

The DEIR should provide supporting documentation or data to demonstrate that water and wastewater systems have sufficient capacity to accommodate the project. The DEIR should identify and describe water conservation measures that will be incorporated into design and operations. At a minimum, the DEIR should review the feasibility of installing low-flow fixtures and using rainwater or gray water for irrigation and other purposes. I refer the Proponent to the comments from MWRA regarding applicable Toxic Reduction and Control (TRAC) Discharge permitting including: prohibiting discharges of groundwater to the sanitary sewer system pursuant to 360 CMR 10.023(1); discharges of wastewater requiring a Sewer Use Discharge Permit; and approvals for the installation of oil/gas separators. The DEIR should provide an update on the applicability of these Permits and address how the project complies with applicable statutory and regulatory standards and requirements.

Cultural Resources

According to the ENF, there are no historic structures present on the site. Comments from MHC also indicate that a review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that no historic or archaeological resources are recorded in the project impact area. However, MHC indicates that review of historical documentation identifies

the Bayside property as the former location of Camp McKay, part of the South Boston Army Base Boston Harbor Port of Embarkation during World War II, and the location of a former Italian Prisoner of War (POW) Camp. Review of historical aerial photographs suggests that portions of the original Camp McKay installations may remain underneath paved areas of the Bayside portion of the overall project impact area. If, present, important archaeological information, such as significant artifacts, archaeological features and deposits could assist in the present interpretation of these lesser-known World War II military organizations, installations, and the Boston homefront.

Based on this, MHC requests that an intensive (locational) archaeological survey (950 CMR 70) be conducted for the archaeologically sensitive portions of the project. The goal of the investigation is to locate and identify any significant archaeological resources associated with Camp McKay that could be affected by the project, well in advance of any project construction. The results of the survey should be considered in consultation to avoid, minimize or mitigate adverse effects to any significant archaeological resources identified in the project impact area. The MHC also encourage project planners to consider the development and installation of memorial kiosks and signage within the project property and/or virtual media that interpret this location as part of the Boston WWII homefront for a modern audience. I refer the Proponent to comments from MHC for additional guidance on this issue. The DEIR should provide an update on the status of the archaeological survey, potential avoidance, minimization, and mitigation measures, and consultation with MHC.

Air Quality

The Proponent should conduct an indirect source review analysis in accordance with MassDEP *Guidelines for Performing Mesoscale Analysis of Indirect Sources.* The Proponent should consult with MassDEP for guidance and for confirmation of the appropriate study area. The purpose of the analysis is to determine whether and to what extent the project will increase the amount of volatile organic compounds (VOC) and nitrogen oxides (NO_x) emitted in the project area and to determine consistency with the State Implementation Plan (SIP). The analysis should model emissions under No Build and Build conditions. If the analysis demonstrates that emissions under future Build conditions are greater than under the No Build scenario, mitigation measures must be provided, including a TDM Program.

Solid and Hazardous Waste

As noted above, the project site contains areas regulated under the MCP. There are two RTNs on the Bayside site including RTN 3-29509 and RTN 29510. RTN3-29509 has achieved regulatory closure and a Permanent Solution with No Conditions. This RTN is related to petroleum-impacted soils and a Condition of No Significant Risk exists. RTN 29510 is currently listed as Temporary Solution status and a Permanent Solution is feasible after the completion of additional remedial response actions. This RTN is related to polycyclic aromatic hydrocarbons, metals, petroleum, and asbestos containing materials in soil.

On the 2 Morrissey Site, there are a number of RTNs at the site including RTN 3-11601, RTN 3-12788, RTN 3-19461, and RTN 3-28745. RTN 3-11601 is currently closed and was linked to RTN 3-19461. RTN 3-12788 has achieved regulatory closure and a Permanent Solution with Conditions exists. This RTN is related to polycyclic aromatic hydrocarbons, metals, and

petroleum petroleum-impacted soils and a Condition of No Significant Risk exists with the implementation of an Activity and Use Limitation. RTN 3-19461 has achieved regulatory closure and a Permanent Solution with Conditions. This RTN is related to polycyclic aromatic hydrocarbons, metals, PCBs, and petroleum petroleum-impacted soils and a Condition of No Significant Risk exists with the implementation of an Activity and Use Limitation. The Activity and Use Limitation was submitted to the Department of Environmental Protection on July 30, 2003 and is recorded against the site. RTN 3-28745 has achieved regulatory closure and a Permanent Solution with Conditions. This RTN is related to residual petroleum petroleum-impacted soils and a Condition of No Significant Risk exists with the implementation of a previously filed Activity and Use Limitation for RTN 3-19461.

As described in MassDEP's comment letter, involvement of a Licensed Site Professional (LSP) will be necessary for the completion of the ongoing and future MCP compliance for RTNs 3-29510, 3-19461, 3-28745, and 3-12788**.** Also, LSP involvement will likely be necessary for unanticipated issues that may arise during the proposed project which may fall under MCP purview. I refer the Proponent to MassDEP's comment letter which provides additional guidance on applicable requirements.

The DEIR should identify which AULs will need to be resolved prior to the implementation of the project and which will remain in effect. If the former, the DEIR should explain how resolution will be achieved. The DEIR should also identify how construction of the project will occur in compliance with any restrictions identified in the AULs.

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 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.

The GHG Policy and requirements to analyze the effects of climate change through EIR review play an important role in this statewide strategy. These analyses advance proponents' understanding of a project's contribution and vulnerability to climate change. I encourage the Proponent to consider complementary approaches – such as Passivehouse design, incorporation of renewable energy generation and inclusion of low impact development in site design - which can improve the project's resiliency, reduce GHG emissions and conserve and sustainably employ the natural resources of the Commonwealth.

Adaptation and Resiliency

As noted above, approximately 29.28 acres of the project site consist of LSCSF including portions of the site located within the 100-year floodplain (Zone AE) with a BFE of 11 ft NAVD 88 and with a small section adjacent to the Limit of Moderate Wave Action within Zone VE (elevation 14 ft NAVD88). The Bayside site and Morrissey Boulevard are characterized by low elevations and have been identified as flood inundation pathways affecting the Columbia Point peninsula and parts of South Boston and the South End.

The ENF and supplemental information included a conceptual grading plan to protect the site from flooding and SLR. The grading strategy for the project site involves raising the site to a maximum elevation of 15 ft NAVD88 (21.5 Boston City Base (BCB)), including creation of a berm running north of the project site and landward of Carson Beach on DCR land (including a portion of DCR's Day Boulevard) which would connect to grading at the Moakley Park which is proposed to be implemented in the future by the City of Boston. The DEIR should clarify by which mechanism this work will be authorized (Article 97 land transfer, construction and access permit or license agreement etc.) and the party responsible for ongoing maintenance. The DEIR should include additional information about the probability and timing for implementation of large-scale flood control measures as contemplated by the City that the project would tie into. In addition to increasing the grade of Moakley Park, the regional measures identified in the *Coastal Resilience Solutions for Dorchester* report include raising the elevation of the Harborwalk and Morrissey Boulevard, which already experiences regular flooding under existing conditions and is anticipated to serve a significant portion of the project's traffic. The DEIR should identify how the project will support regional climate adaptation initiatives, and address whether the project will take different or additional measures in the event other related strategies are not implemented close in time with this project. The DEIR should address how flooding risks for the project site and surrounding areas would be impacted if resiliency measures for this project were taken *without* implementation of the other grading strategies on adjacent sites. In the event flooding risks are identified, the DEIR should discuss what interim or supplemental measures will be explored in the event the project site is raised to the appropriate design flood elevation without simultaneously raising adjacent roadways and structures. In particular, the DEIR should discuss the timing of construction of the off-site berm that is anticipated to tie in future Moakely Park upgrades; whether the proposed elevation of the berm is contingent on raising the elevation of (or making other structural modifications to) Day Boulevard; and what interim or supplemental measures would be considered if Day Boulevard were not so raised or modified on a timing that is commensurate with implementation of this project.

The ENF states that the project will adhere to the City of Boston's guidelines pertaining to climate resilience and refers to the BPDA Coastal Flood Resilience Design Guidelines published in September 2019 which identify a base flood elevation of 13 ft NAVD88 (19.5 BCB) and a design flood elevation (2 ft of freeboard) of 21.5 BCB (15 ft NAVD88) for the project site. However, as indicated in MAPC's comment letter, the DEIR should refer to the more recently published *Coastal Resilience Solutions for Dorchester (2020*). This report provides detailed flood risk analyses and resilience recommendations specifically for the Dorchester shoreline, including the project site. It documents areas at risk of flooding from a 1 percent storm under three scenarios: existing conditions, the 2030s, (assuming 9 inches of sea level rise), and 2070s (assuming 40 inches of sea level rise). For the Bayside site specifically, the report shows that a portion of the site is currently subject to flooding from a 1 percent storm, and by the 2030s the

entire site would be subject to flooding from a 1 percent storm. By the 2070's, the report shows that a portion of the site would also be subject to much more frequent monthly tidal flooding. The projected 2070 depth of flooding on the Bayside site ranges from 3.5 to 5.0 feet. Based on these flooding projections, the Dorchester coastal resilience report establishes a Design Flood Elevation (DFE) for the Bayside section of the shoreline of 16.2 ft NAVD or 22.7 BCB. As noted above, the DFE of 16.2 NAVD88 would equate to 22.7 feet BCB, which is 1.2 feet higher than the 21.5 feet BCB design flood elevation referred to in the ENF. The DEIR should evaluate the proposed site design in relation to the DFE of 16.2 NAVD88, and address whether the project can be designed to meet that standard. Comments from CZM note that it is possible that elevating the perimeter of the site along the shoreline to the DFE of 16.2 feet NAVD88 would accomplish this without the need to elevate the entire site. The DEIR should evaluate this and propose the most effective way to ensure the site and its connections to neighboring sites will maintain an elevation consistent with the DFE of 16.2 NAVD88. The DEIR should express all elevations in one consistent format, preferably NAVD88.

As described in CZM's comments, FEMA's post-storm damage assessments (i.e. Mitigation Assessment Team Reports) have cited flow channelization as one of the causes of damage to buildings and infrastructure during storm events. To identify the potential impacts of the proposed project on future stormwater and coastal floodwater flow and drainage patterns, the Proponent should conduct a topographic analysis indicating changes to these patterns within and adjacent to the site as a result of the proposed fill, grading, and solid project components (e.g. solid foundations, retaining walls). This analysis should include rain events and coastal storm events with a combination of rain and coastal flooding. To support this analysis, the DEIR should provide a detailed description and plans depicting topography and the sources, flow direction, and pathways of coastal and inland flooding onto, through, and off the site during a coastal storm event for the existing conditions; for the proposed project through its useful life incorporating the likely impacts of climate change and sea level rise; and for alternative designs that avoid, minimize, and mitigate impacts to the functions of the current and future floodplain. Alternatives that evaluate different amounts of fill should be analyzed to assess potential impacts to rain and coastal flooding patterns including an alternative that fills the site to match adjacent grades to address the existing coastal inundation pathway and an alternative that evaluates elevating the site grades higher to avoid flooding during future sea level rise conditions. The Proponent should consider changes in velocity, direction, depth, and extent of coastal floodwater and resulting impacts on the project and adjacent sites, especially public streets and properties that are not proposed to be filled to a matching elevation. Any proposed fill, grading, or solid project components should not adversely impact existing wetland resource areas (e.g., DCR's Dorchester Shores Reservation). The Proponent should consult with CZM about this analysis before submitting the DEIR.

The City is a participant in the Commonwealth's Municipal Vulnerability Preparedness (MVP) program. The MVP program is a community-driven process to define natural and climate-related hazards, identify existing and future vulnerabilities and strengths of infrastructure, environmental resources and vulnerable populations, and develop, prioritize and implement specific actions the City can take to reduce risk and build resilience. The *Climate Ready Boston* report (December 2016) identifies the City's vulnerabilities to climate change and potential measures to increase its resilience and the City recently published *Coastal Resiliency Solutions for Dorchester* that will include recommendations for promoting the neighborhood's resilience. The DEIR should provide a review of the City's extensive studies on climate

vulnerabilities and potential solutions and describe how the project incorporates climate-related design specifications and standards included in *Coastal Resilience Solutions for Dorchester.*

As depicted in the ENF, the project will be constructed adjacent to the Harborwalk, and in some places (Blocks A, B, C), right up to the border of the Harborwalk. In addition to construction period impacts described in DCR's comment letter, the DEIR should discuss whether the proposed grading and site elevations will have long-term consequences for the Harborwalk and DCR infrastructure relative to erosion and flooding risk, and how these long-term effects may affect public and coastal access in and near the vicinity of the project site. As noted earlier, the DEIR should consider an alternative that pulls back buildings that are proposed to be located in close proximity to the Harborwalk, so as to maximize the long-term viability and preservation of the Harborwalk. Given that the public access and recreational opportunities afforded by the Harborwalk would enhance the value of the property for future residents and visitors, the DEIR should carefully assess the long-term impacts of this development on these natural resources. If long-term impacts are identified, the DEIR should discuss how the Proponent will work to mitigate those impacts, including through an agreement with DCR to contribute to any future work that may be needed to preserve the coastline.

The DEIR should include a comprehensive discussion of the potential effects of climate change on the project site and describe features incorporated into the project design that will increase the resiliency of the site to these changes. It should provide a review of the City's resiliency plans, including regional solutions requiring coordination between the Proponent and abutters and other stakeholders. The DEIR should identify the projected climate conditions and assumptions, such as temperature, sea level rise and precipitation rates, that will be used to design the project's resiliency measures. In addition to the City's Coastal Resiliency Solutions for Dorchester Report, the Proponent should reference the Massachusetts Flood Risk Model (MC-FRM) which will be available shortly and may update available information regarding the extent of sea level rise and anticipated flooding along the New England coastline. I encourage the Proponent to consult the most updated climate data in making design choices for the project. The DEIR should address whether data from the MC-FRM, if available, differ from current climate projections incorporated into project design, and, if so, what if any design adjustments could be made to address any such revised projections.

The DEIR should also identify site elements that have been incorporated into project design to reduce the impact of extreme heat waves and limit the potential impact of more frequent and intense storm precipitation. The Proponent should consider how on-site renewable energy may provide added resiliency during periods of power loss during storms. In addition to the site design measures identified above, the DEIR should evaluate incorporating the following potential resiliency and adaption features into the project design:

- Ecosystem-based adaptation measures to reduce heat island effect and mitigate stormwater runoff, such as integration of tree canopy cover, rain gardens, and LID stormwater management techniques;
- Designing open space to flood and to absorb and buffer flood waters;
- Stormwater management system design that will accommodate rainfall under projected climate conditions;

- Use of on-site renewable energy systems that 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 of parking garages and other structures; 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.

State Building Code

The Massachusetts State Building Code, 9th Edition includes Flood Resistant Construction standards in Section 1612, Flood Loads, and ASCE 24-14, Flood Resistant Design and Construction. According to the ENF, many of the proposed buildings will have below-grade parking. Below-grade parking is allowed for non-residential and mixed-use structures in A zones (but not in V zones). Below-grade parking areas are required to be designed and constructed to be dry floodproofed in accordance with ASCE 24-14 Chapter 6. Designs for structures in floodplains must be certified by a registered design professional. Areas below the required elevation that are not below grade and are used for building access, parking or storage can be designed to be wet floodproofed in accordance with ASCE 24-14, Chapter 6. The DEIR should discuss compliance with these requirements, and should address whether alternatives to below-grade parking were considered in light of flooding risks to the surrounding above-ground areas. The DEIR should address how flood water will enter and leave the wet floodproofed structures, describe how vehicles will be relocated and how residents/tenants will be notified, and demonstrate there is adequate space to move vehicles out of flood prone locations before a storm event.

Additionally, projects within the 100-year floodplain involving any federal action (e.g., permit, funding) must also comply with federal Executive Order 11988, Floodplain Management. This executive order requires an eight-step decision-making process which includes analysis of alternatives, avoiding impacts when possible, and minimizing impacts when avoidance is not possible. Because this project requires a NPDES and Construction General Permit, compliance with this process is necessary. The DEIR should describe the project's compliance with this Executive Order.

Greenhouse Gas (GHG) Emissions

This project is subject to review under the May 5, 2010 MEPA GHG Policy. The Policy requires Proponents to quantify carbon dioxide (CO_2) emissions and identify measures to avoid, minimize or mitigate such emissions. The analysis should quantify the direct and indirect CO_2 emissions of the project's energy use (stationary sources) and transportation-related emissions (mobile sources). Direct emissions include on-site stationary sources, which typically emit GHGs by burning fossil fuel for heat, hot water, steam and other processes. Indirect emissions result from the consumption of energy, such as electricity, that is generated off-site by burning of fossil fuels, and from emissions from vehicles used by employees, vendors, customers and others.

The ENF did not provide an analysis of the project's stationary- and mobile-source GHG emissions or review potential mitigation measures. The DEIR should include a GHG analysis prepared in accordance with the GHG Policy, guidance provided in the comment letter submitted by the Department of Energy Resources (DOER), which is incorporated in this Certificate in its entirety, and this Scope.

Stationary Sources

The DEIR should include an analysis that calculates and compares GHG emissions associated with: 1) a Base Case that conforms to the 9th Edition of the Massachusetts Building Code, which references the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2013 and the International Energy Conservation Code (IECC) 2015 and 2) a Preferred Alternative that achieves greater reductions in GHG emissions. The City has adopted the Massachusetts Stretch Energy Code (SC). Therefore, the project will be required to meet the applicable version of the SC in effect at the time of construction. The SC increases the energy efficiency code requirements for new construction (both residential and commercial) and for major residential renovations or additions in municipalities that adopt it. The current SC requires a reduction in energy use of 10 percent compared to that achieved by complying with the baseline energy provisions of the State Building Code. As noted by DOER, in November 2020, there was an update to the stretch code. The Stretch Code update continues to use ASHRAE 90.1-2013-Appendix G. However, there are several new, or changed, Massachusetts amendments including: C402.1.5 (envelope), C405.3 and C405.4 (lighting), C405.10 (EV charging), and C406 (additional efficiency measures). Massachusetts Stretch Code applies to this project. Stretch Code requires a 10% energy performance improvement over ASHRAE 90.1-2013-Appendix G plus Massachusetts amendments including C402.1.5 (envelope), C405.3 and C405.4 (lighting), C405.10 (EV charging), and C406 (three additional efficiency measures).

The GHG analysis should clearly demonstrate consistency with the key objective of MEPA review, which is to document the means by which Damage to the Environment can be avoided, minimized and mitigated to the maximum extent feasible. The DEIR should identify the model used to analyze GHG emissions, clearly state modeling assumptions, explicitly note which GHG reduction measures have been modeled, and identify whether certain building design or operational GHG reduction measures will be mandated by the Proponent to future occupants or merely encouraged for adoption and implementation. The GHG analysis should include separate modeling for building types which include lab/office, low-rise residential, high-rise residential and retail. The analysis should include the following scenarios identified in DOER's comment letter.

The DEIR should include the modeling printouts for each alternative and emission tables that compare base case emissions in tons per year (tpy) with the Preferred Alternative showing the anticipated reduction in tpy and percentage by emissions source. Other tables and graphs, such as the table of mitigation measures recommended by DOER, may also be included to convey the GHG emissions and potential reductions associated with various mitigation measures as necessary. The DEIR should provide data and analysis in the format requested in DOER's letter. I hereby incorporate by reference DOER's letter dated December 16, 2020. As noted in its letter, DOER intends to coordinate review of energy efficiency measures with the BPDA and the City's Interagency Green Building Committee (IGBC). To the extent the Proponent is required to conduct additional modeling or analysis for the BPDA beyond the areas identified in DOER's

letter, the Proponent should provide the same analysis in the DEIR. The Proponent should consult with DOER and the MEPA office about the GHG analysis before submitting the DEIR, and should include the BPDA/IGBC in the distribution list for all future filings.

The DEIR should present an evaluation of mitigation measures identified in DOER's comment letter. In particular, the feasibility of each of the mitigation measures outlined below should be assessed for each of the major project elements, and if feasible, GHG emissions reduction potential associated with major mitigation elements should be evaluated to assess the relative benefits of each measure. The DEIR should explain, in reasonable detail, why certain measures that could provide significant GHG reductions were not selected – either because it is not applicable to the project or is deemed technically or financially infeasible. It should include a review of available financial incentives potentially available for the project, as described in DOER's comment letter, and should take into account energy savings that would accrue to homeowners and tenants over time. At a minimum, the DEIR should consider the following GHG mitigation measures:

- Residential portion of the building designed in conformance with Passivehouse standards;
- Efficient electrification of spaces heating (all buildings);
- Maintaining building envelope integrity with framed, insulated walls with continuous insulation (all buildings);
- Avoiding glass curtain wall assemblies and excessive windows (all buildings);Energy recovery (all buildings)
- Management of solar heat gains (all buildings);
- Rooftop solar photovoltaic (PV) systems and/or solar-ready roofs; and,
- EV ready parking spaces (all buildings).

Efficient electrification and renewable thermal space and water heating entail the swapping of fossil fuels (natural gas, oil, and propane) or electric resistance systems with cold-climate ASHP and VRF for space heating and ASHP for water heating. Additionally, as describe in DOER's comment letter, central air to water heat pumps can be readily incorporated into any size building, floor plate size, and building use. These systems consist of a centrally located air to water heat pump heating plant which provides hot water to a 120F thermal distribution loop for space heating. This option also provides an approach for speculative buildings in which the floor space use may not be known. For Lab/office space, which typically have high ventilation loads making electrification of space heating challenging, partially electrified space heating may be appropriate. The approach involves a hybrid of air to water heat pumps and gas equipment in which the air source heat pump can provide 80-90% total annual heating end use. I refer the Proponent to DOER's comment letter which identifies additional details on this alternative. The DEIR should clarify, which buildings (or building typologies) will be constructed and fitted-out by the Proponent and which buildings will only include core and shell construction with fit-out performed by future tenants. It should clarify which building-related mitigation measures will be mandated by the Proponent to future occupants (and describe the mechanism for doing so) and those measures merely encouraged for adoption and implementation. For those components that will be encouraged by the Proponent, the DEIR should expand on the draft tenant manual to identify the specific strategies which will be implemented to encourage their adoption (e.g. design assistance, financial incentives, providing a

list of approved fit-out material performance standards, etc). The draft tenant manual should also contain measures specific to the proposed office, residential, hotel, and retail uses. If the Proponent intends to sell or lease portions of the site, the DEIR should clearly identify how the commitments made by the Proponent will transfer to the new responsible parties

The project should review opportunities to maximize on-site PV by set-aside as much roof space as possible for future rooftop PV. Even if PV is not installed during building construction, it's important to plan the project to ensure that roof space is set aside for PV and that roof space doesn't become unnecessarily encroached with HVAC appurtenances, diminishing the opportunities for future PV. Electrification of heating and Passivehouse can both contribute to enabling more PV as these approaches can reduce rooftop equipment associated with conventional code HVAC. I also encourage the Proponent to maximize opportunities for providing EV charging infrastructure.

The GHG analysis in the DEIR should incorporate all recommendations in DOER's comment letter including evaluation of financial incentives available from Alternative Energy Credits (AEC) and MassSave.

Mobile sources

The GHG analysis should include an evaluation of potential GHG emissions associated with mobile emissions sources. The DEIR should follow the guidance provided in the GHG Policy for *Indirect Emissions from Transportation* to determine mobile emissions for Existing Conditions, Build Conditions, and Build Conditions with Mitigation. The Proponent should thoroughly explore means to reduce overall single occupancy vehicle trips. The DEIR should also review measures to promote the use of low-emissions vehicles, including installing electric vehicle charging stations and providing designated parking spaces for these vehicles in accordance with the City's Electric Vehicle Readiness Policy for New Developments. More information on electric vehicle infrastructure can be obtained from the MassEVolves program at www.massevolves.org. The Build with Mitigation model should incorporate TDM measures and any roadway improvements implemented by the project, and document the reductions in GHG emissions associated with the mitigation. The DEIR should explain how TDM measures will be monitored and adjusted over time, and provide a methodology for quantifying emission reductions impacts rather than an assumed percentage reduction.

GHG Self-Certification

The DEIR should include a commitment to provide a GHG self-certification to the MEPA Office upon completion of the project. It should be signed by an appropriate professional (e.g. engineer, architect, transportation planner, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve identified reductions in stationary source GHG emission and transportation-related measures, have been incorporated into the project. If equivalent measures are adopted, the project is encouraged to commit to achieving the same level of GHG emissions (i.e., "carbon footprint") identified in the Preferred Alternative expressed as a volumetric measure (tpy) in addition to a percentage GHG reduction from Base Case. The GHG self-certification should provide a narrative describing changes to building design and TDM measures made after the FEIR, building code changes that may occur after the FEIR, and how each of those changes affected

GHG emissions reductions for the project. The DEIR should describe how GHG self-certifications will be submitted relative to the phased construction of the project.

The project will be built out over a period of 10-15 years. The DEIR should describe an approach to address how each phase will be designed to achieve the maximum feasible reductions in energy use and GHG emissions and a strategy for providing self-certifications to the MEPA Office based on phasing or completion of individual buildings.

Construction Period

The DEIR should provide a comprehensive review of the project's construction-period impacts and mitigation relative to noise, air quality, water quality, and transportation, including pedestrians, bicyclists and transit riders. The DEIR should describe how it will comply with M.G.L. c. 21E during construction. It should describe potential construction period dewatering requirements, discuss how dewatering will be conducted in a manner consistent with applicable regulations/guidelines, and identify any necessary permits. The DEIR should describe mitigation measures that will minimize impacts to facilities, operations and visitors of the DCR's Dorchester Shores Reservation including Carson Beach the Harborwalk. The DEIR should include measures that will minimize damage to the site and adjacent areas that could result from coastal storms during the construction period. It should identify the schedule for construction of various project elements, including open space. It should confirm that the project will require its construction contractors to use Ultra Low Sulfur Diesel fuel, and discuss the use of after-engine emissions controls, such as oxidation catalysts or diesel particulate filters. More information regarding construction-period diesel emission mitigation may be found on MassDEP's web site at http://www.mass.gov/dep/air/diesel/conretro.pdf. The DEIR should identify the anticipated amount (cy) of fill required to raise the project site above the floodplain. It should identify and describe proposed construction truck traffic routes to the site and provide an estimate of the number of vehicle trips that will be generated during the construction period. The DEIR should identify measures that will be taken to minimize truck traffic and noise disruption to the surrounding residential areas. Because the project is located adjacent to residential areas, I encourage the Proponent to mitigate the construction period impacts of diesel emissions to the maximum extent feasible. This mitigation may be achieved through the installation of after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs), or the use of equipment that meets Tier 3 or Tier 4 emission standards for non-road construction equipment. The DEIR should address how the project will support compliance with the Massachusetts Idling regulation at 310 CMR 7.11.

The DEIR should provide more information regarding the project's generation, handling, recycling, and disposal of construction and demolition debris (C&D) and identify measures to reduce solid waste generated by the project. I encourage the Proponent to commit to C&D recycling activities as a sustainable measure for the project. The DEIR should review procedures to be used for the removal and disposal of any asbestos at the site. It should describe how contaminated soil or groundwater encountered during construction will be managed in accordance with M.G.L. c. 21E and the Massachusetts Contingency Plan (MCP). I refer the Proponent to comments from MassDEP which provide additional guidance on C&D handling, asbestos management and MCP requirements.

The project will be required to develop a Stormwater Pollution Prevention Plan (SWPP) in accordance with its NPDES CGP to manage stormwater during the construction period. The DEIR should describe stormwater management measures that will be implemented during construction. It should describe potential construction period dewatering requirements, discuss how dewatering will be conducted in a manner consistent with MWRA regulations/guidelines, and identify any necessary permits.

Mitigation and Draft Section 61 Findings

The DEIR should include a separate chapter summarizing all proposed mitigation measures, including construction-period measures. This chapter should also include draft Section 61 Findings for each permit to be issued by State Agencies. The DEIR should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation (either funding design and construction or performing actual construction), and a schedule for implementation. The DEIR should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing, either tying mitigation commitments to overall project square footage/phase or environmental impact thresholds, to ensure that adequate measures are in place to mitigate impacts associated with each development phase.

Responses to Comments

The DEIR should contain a copy of this Certificate and a copy of each comment letter received. It should include a comprehensive and direct response to comments on the ENF that specifically address each issue raised in the comment letter; references to a chapter or sections of the DEIR alone are not adequate and should only be used, with reference to specific page numbers, to support a direct response. 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.

Circulation

The Proponent should circulate the DEIR to those parties who commented on the ENF, to any State Agencies from which the Proponent will seek permits or approvals, to any parties specified in section 11.16 of the MEPA regulations and make a copy available for review at the Boston Public Library (if open). [3] The Proponent should provide translated notices of the availability of the DEIR to Dorchester Bay Economic Development Corporation, Dudley Street Neighborhood Initiative, Cape Verdean Association of Boston, Asian American resource workshop, Codman Square Neighborhood Development Corporation, Chinese Progressive

[3] Requirements for hard copy distribution or mailings will be suspended during the Commonwealth's COVID-19 response, to the extent public facilities remain closed. Please consult the MEPA website for further details on interim procedures during this emergency period: https://www.mass.gov/orgs/massachusetts-environmental-policy-act-office.

Association, Vietnamese American Initiative for development and Higher Ground. Per 301 CMR 11.16(5), the Proponent may circulate copies of the EIR to commenters in CD-ROM format or by directing commenters to a project website address. However, the Proponent must make a reasonable number of hard copies available to accommodate those without convenient access to a computer and distribute these upon request on a first-come, first-served basis. The Proponent should send correspondence accompanying the CD-ROM or website address indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. The DEIR submitted to the MEPA office should include a digital copy of the complete document.

K. Theoharides

December 21, 2020
Date

Kathleen A. Theoharides

Comments received:

10/20/2020 Citizens MA (1)
11/13/2020 Citizens MA (2)
12/02/2020 Citizens MA (3)
12/10/2020 Massachusetts Historical Commission (MHC)
12/11/2020 Boston Harbor Now
12/11/2020 Conservation Law Foundation (CLF)
12/11/2020 Corcoran Jennison
12/11/2020 Office of Coastal Zone Management (CZM)
12/11/2020 Metropolitan Area Planning Council (MAPC)
12/11/2020 Massachusetts Department of Environmental Protection (MassDEP) Northeast Regional Office (NERO)
12/11/2020 MassDEP Water Resources Program (WRP)
12/11/2020 Massachusetts Department of Transportation (MassDOT)
12/12/2020 Massport
12/11/2020 Massachusetts Water Resources Authority (MWRA)
12/11/2020 The Harbor Point Community Task Force/Corcoran Jennison
12/11/2020 WalkBoston
12/15/2020 Boston Water and Sewer Commission (BWSC)
12/16/2020 Department of Energy Resources (DOER)
12/21/2020 Department of Conservation and Recreation (DCR)

KAT/EFF/eff

From: Czepiga, Page (EEA) on behalf of MEPA (EEA)
To: Flaherty, Erin (EEA)
Subject: Fw: Stop uncontrolled excessive private proposal close to public beach and waterfront
Date: Tuesday, October 20, 2020 12:51:50 PM
Attachments: BPDA meetings scheduled.pdf

From: Citizens MA <citizensma3@gmail.com>
Sent: Monday, October 19, 2020 9:13 PM
To: Citizens MA <citizensma3@gmail.com>
Subject: Fwd: Stop uncontrolled excessive private proposal close to public beach and waterfront

Hello,
Are you aware about excessive "Dorchester Bay City" proposal next to UMass public beach and protected Dorchester Shores Reservation waterfront?

Attempt to jam pack would negatively impact public waterfront, protected Dorchester shores reservation and beaches.

Lack of transparency.

No adequate sea level resiliency.

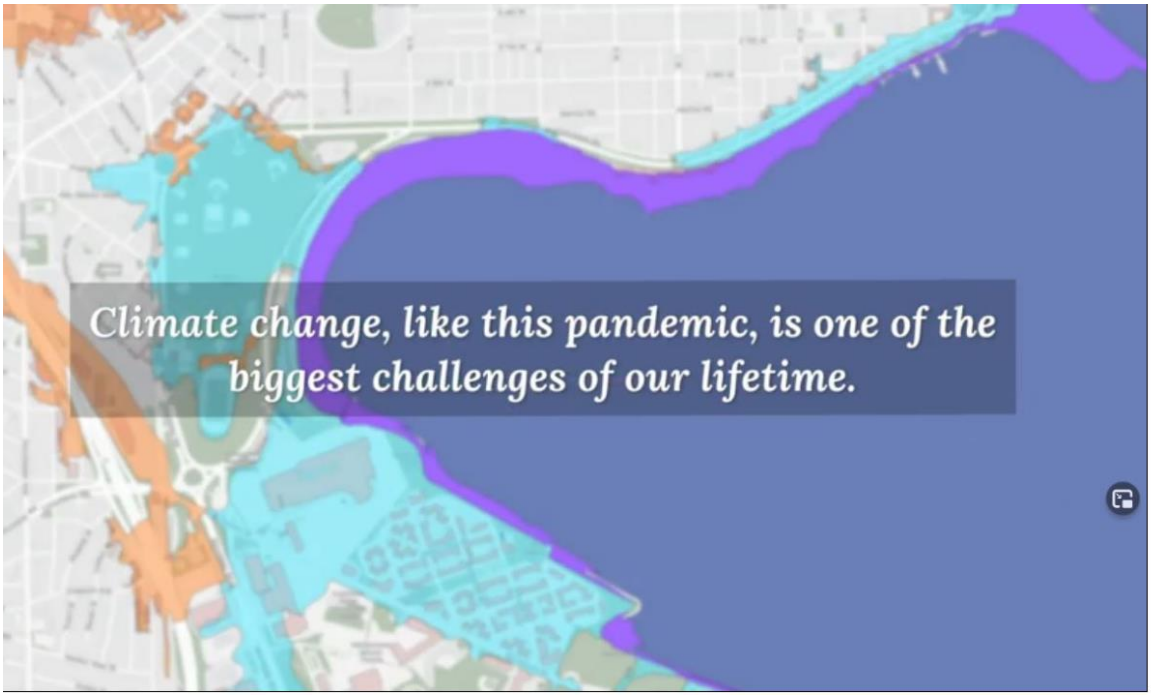
Excessive and too close to public beach and protected Dorchester Shores Reservation waterfront. **It does not fit!**

Please request to remove/scale down buildings A, B and C that would impact public waterfront.

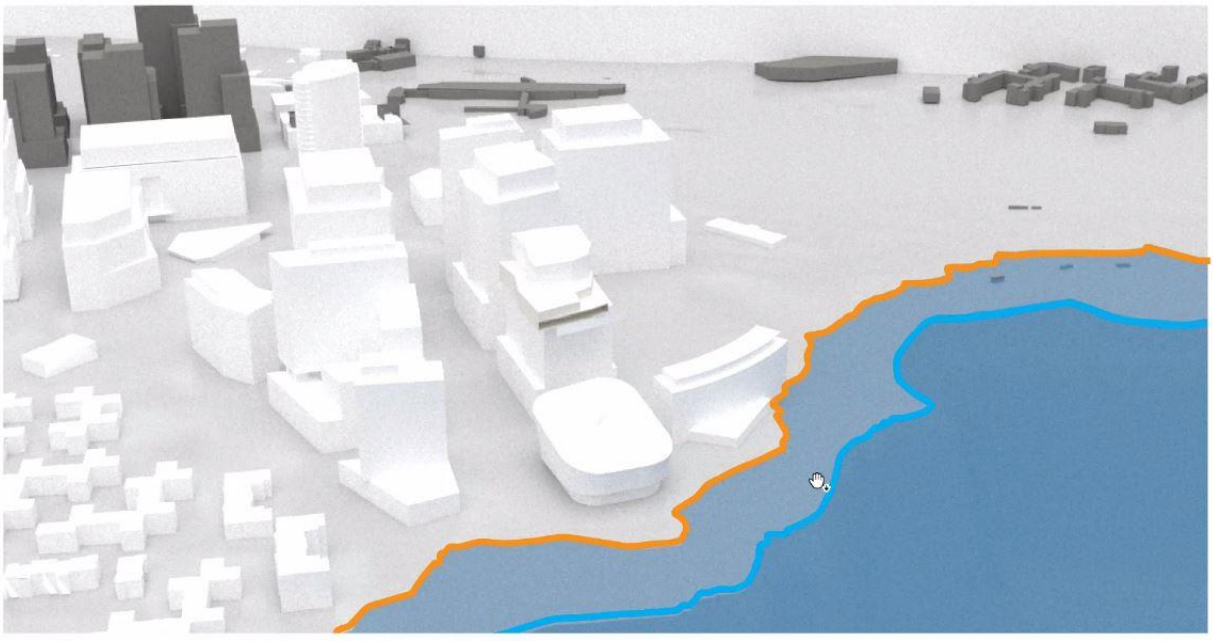
No infrastructure to support excessive proposal.

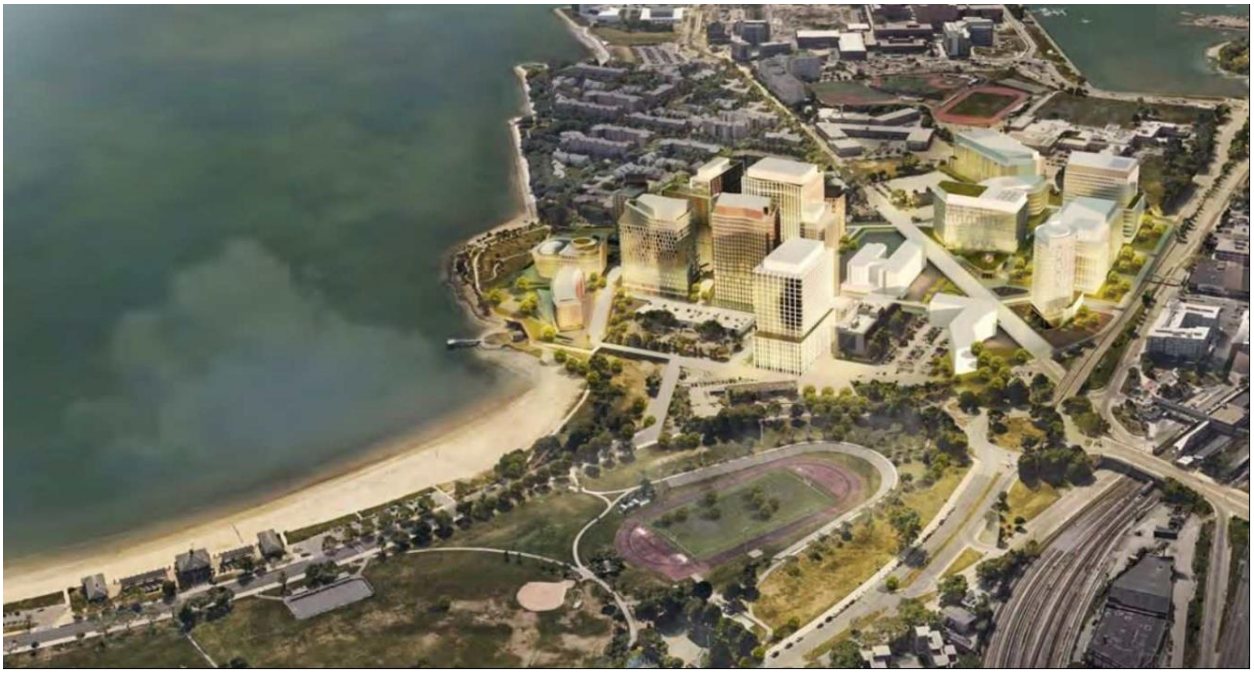
https://www.dotnews.com/2020/dorchester-bay-city-review-process-starts-month

https://www.dotnews.com/2020/next-bayside-site-dorchester-bay-city?fbclid=IwAR07c9P3dIazAoWeg5TVerRWCx519qPZb09FuX5mqGXA7OCduYfy4lqQDpU



RESILIENCY: 2070 STORM SURGE





ster Bay City | Boston, Massachusetts

Figure 1-7
Rendered Site Plan


HARBORWALK
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MORRISSEY
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Mount Vernon Vision
ACCORDIA PARTNERS
ARES
11/24/2020
44

Dorchester Bay City

Article 80 Meeting Schedule

The Boston Planning & Development Agency will be hosting a series of Virtual Community Advisory Committee ("CAC") and Public Meetings in connection with the proposed Dorchester Bay City project. Initial CAC and Public Kick-Off Meetings will be followed by several topic-specific Public Meetings, focusing on particular elements of the Proposed Project.

SEPTEMBER						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	**30**			

OCTOBER						
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18	**19**	20	21	22	23	24
25	26	27	**28**	29	30	31

NOVEMBER						
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29	30					

DECEMBER						
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 30, 2020 | 6:00 PM
Community Advisory Committee
Kick-Off Meeting
Register Here: bit.ly/3cpoE7U

October 19, 2020 | 6:00 PM
Virtual Kick-Off Public Meeting
Register Here: bit.ly/33RjHkt

October 28, 2020 | 6:00 PM
Virtual Public Meeting |Urban Design
Register Here: bit.ly/33VGcVs

November 4, 2020 | 6:00 PM
Virtual Public Meeting | Open Space, Public Realm & Resiliency
Register Here: bit.ly/2G7WaDB

November 16, 2020 | 6:00 PM
Virtual Public Meeting | Transportation & Infrastructure
Register Here: bit.ly/2RQteCH

December 2, 2020 | 6:00 PM
Virtual CAC / Public Meeting
Register Here: bit.ly/3crASgv

Interpretation services and translation of vital documents is available upon request.
Please provide a minimum of 14 days notice to allow for interpretation services and translation.

To submit a comment on this Proposed Project in a language other than English please email bpdawebcontent@boston.gov.

If you have any questions about the BPDA review of the Dorchester Bay City project, please contact:
Aisling Kerr at (617) 918 - 4212 or by email at aisling.kerr@boston.gov

For more information about the proposed Dorchester Bay City Project please visit bostonplans.org

Energy & Environmental Affairs
Public Comments Portal

erin.flaherty@mass.gov

View Comment

Comment Details

EEA #/MEPA ID*	First Name	Address Line 1	Organization
16277	--	--	Carson Beach
Comments Submit Date	**Last Name**	**Address Line 2**	**Affiliation Description**
11/13/2020	--	--	Municipality
Review Due By	**Phone**	**State**	**Status**
12/31/2020	--	--	Accepted
Reviewer	**Email**	**Zip Code**	
Erin Flaherty (617) 874-0589	citizensma3@gmail.com	--	

Comments

Topic: Concern about the proposed Dorchester Bay City proposal next to Carson Beach and DCR Dorchester Shores Protected Reservation; Need to scale it down/remove building "A" next to public beach and public green space

I am writing to express my concern about the proposed Dorchester Bay City proposal project next to Carson Beach and DCR Dorchester Shores Protected Reservation . The Commonwealth and the City of Boston must ensure that any development on this site is climate resilient, publicly accessible and inclusive, and that it appropriately addresses the impacts on the surrounding waterfront and downtown community. The Accoordia proposal does not adequately address these concerns. Climate Resiliency - With new levels of flooding in this area in recent years, more thoughtful, integrated planning is needed to prepare for the realities of climate change and protect the surrounding areas from future flooding. With this building, Boston is adding more exclusive, private uses to the waterfront without having a district-wide plan to create great resilient public space—the kind of waterfront our city deserves. Public Access and Inclusivity - Any proposed project must also maintain and expand upon public access to the waterfront and be welcoming and affordable for all Bostonians . Large building proposed are too close to Carson Beach and DCR Dorchester Shores Protected Reservation and does not fit there. Baseline Chapter 91 regulations would not allow this excessive proposal to dominate the most public portion next to Carson Beach and DCR Dorchester Shores Protected Reservation. Community Impacts - The proposal creates serious concerns including car traffic and negative impacts on the beach and shore areas. for this important public space. The lack of consideration for these significant impacts in the proposal demonstrates that design standards and greater community planning for this area are desperately needed to guide development. The vision for an inclusive, accessible, and climate-resilient waterfront simply cannot be met by this massive proposal. A proposal of this magnitude and so close to public Carson Beach and protected DCR Dorchester Shores Reservation reinforces Boston as a city that is creating a private waterfront, not a public waterfront. We can and must do better.

Attachments

Carson beach.JPG(null)

proposal3.JPG(null)

proposal2.JPG(null)

proposal3a.JPG(null)

Update Status

Status

Accepted

SUBMIT

Share Comment

SHARE WITH A REGISTERED USER

BACK TO SEARCH RESULTS

Figure 1-7
Rendered Site Plan

From:	Citizens MA
To:	Citizens MA
Subject:	Fwd: Excessive Dorchester Bay City new proposal next to Carson Beach and DCR protected reservation?
Date:	Wednesday, December 2, 2020 3:46:49 PM

Hello,
Please what do you think about this proposal?
No resiliency.
Proposed building "A" next to DCR reservation green space and public Carson beach is totally out of character. It is **removing open public space next to water**.
Large buildings are much taller than existing neighborhood and do not fit. Bulding "A" interupts open green space next to waterfront and beach and is next to flood zone.
In proposal "average high tide" was improperly used to justify 91 regulation instead of "Maximum King tide water levels" already flooding nearby areas on November 15-16, 2020.

Thank you,

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

December 10, 2020

Secretary Kathleen A. Theoharides
Executive Office of Energy & Environmental Affairs
Attn: Erin Flaherty, MEPA Unit
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Dorchester Bay City, 200 Mount Vernon Street and 2 Morrissey Boulevard, Dorchester, MA.
MHC #RC.68769. **EEA #16277**.

Dear Secretary Theoharides:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Environmental Notification Form (ENF) and additional information for the project referenced above. The project includes construction of a mixed use development within the Bayside (19.943 acres) and 2 Morrissey (13.6 acres) sites in Dorchester.

Review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that no historic or archaeological resources are recorded in the project impact area. However, review of historical documentation indicates that the Bayside property is the former location of Camp McKay, part of the South Boston Army Base Boston Harbor Port of Embarkation during World War II, and the location of a former Italian Prisoner of War (POW) Camp.

Camp McKay is associated with several aspects of the Second World War history of Boston. The unique Italian Service Units (ISUs) of the US Army Service Corps were first created at Camp McKay during the 1940s to help alleviate homefront manpower shortages in the Boston port and elsewhere in the US. The ISUs were composed of volunteer Italian POWs who worked at multiple jobs within port facilities, including loading cargo for the European Theater. Camp McKay also housed US Army Port Battalions, whose personnel oversaw critical ship-to-shore cargo transfers during amphibious landing activities, including D-Day. Post-war, the former Camp McKay, renamed the Columbia Village Housing project, served as temporary housing for returning veterans.

Review of historical aerial photographs suggests that portions of the original Camp McKay installations may remain underneath paved areas of the Bayside portion of the overall project impact area. If, present, important archaeological information, such as significant artifacts, archaeological features and deposits associated with Italian POWs, and ISU and/or Port Battalion personnel, could assist in the present interpretation of these lesser-known World War II military organizations, installations, and the Boston homefront. Archaeological information could be used to facilitate new conversations with Boston's American and Italian World War II veterans and Italian-American families about their past wartime experiences. The archaeological information may also supplement historical documentation not otherwise currently available because it remains classified in military archives.

The MHC requests that an intensive (locational) archaeological survey (950 CMR 70) be conducted for the archaeologically sensitive portions of the project. The goal of the investigation is to locate and identify any significant archaeological resources associated with Camp McKay that could be affected by the project, well in advance of any project construction. The results of the survey will be considered in consultation to avoid, minimize or mitigate adverse effects to any significant archaeological resources identified in the project impact area.

The MHC also encourage project planners to consider the development and installation of memorial kiosks and signage within the project property and/or virtual media that interpret this location as part of the Boston WWII homefront for a modern audience. Stories about Camp McKay, Italian POWs, the ISUs and Port Battalions could be developed and presented in consultation with veterans, their descendants, and associated communities.

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), M.G.L Chapter 9, Sections 26-27C (950 CMR 70-71), and MEPA (301 CMR 11). If you have any questions or require additional information, then please contact Jonathan K. Patton at this office.

Sincerely,

Brona Simon

Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

xc: Richard A. Galvin, Accordia Partners, LLC
Barbara J. Kroncke, Executive Director, UMass Building Authority
Tammy R., Turley, USACOE-NED
Kathleen Atwood, USACOE-NED
Katie Ronan, MWRA
Joe Bagley, BLC
Patrice Kish, DCR
Ellen Berkland, DCR
Talya Moked, Epsilon Associates, Inc.
Earl Taylor, Dorchester Historical Society
South Boston Historical Society

15 State Street, Suite 1100
Boston, MA 02109
617.223.8671
bostonharbornow.org

December 11, 2020

Via email: erin.flaherty@state.ma.us

Ms. Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Attn: Erin Flaherty

Re: EEA #16277 - Dorchester Bay City

Dear Ms. Flaherty,

On behalf of Boston Harbor Now, thank you for the opportunity to comment on the Environmental Notification Form (ENF) submitted by Bayside Property Owner, LLC and Morrissey Property Owner, LLC regarding the project known as Dorchester Bay City located at 200 Mt. Vernon Street and 2 Morrissey Boulevard in Dorchester. Boston Harbor Now has actively monitored this project. Members of our staff have attended each of the virtual public meetings, including those dedicated to specific topics such as open space, public realm, and resiliency. Additionally, our President and CEO, Kathy Abbott, serves on the Community Advisory Committee to the project. We submit these comments based on the information provided in the PNF as well as the presentations at those meetings.

Boston Harbor Now exists to ensure equitable access to the Boston Harbor waterfront as well as to promote increased coastal resilience in the face of climate change and sea level rise. Because this is our reason for being, it should come as no surprise that we see Dorchester Bay City as a potentially catalytic force for both of these goals given the project's location in close proximity to the shoreline and several important open spaces owned by the City of Boston and the Massachusetts Department of Conservation and Recreation. These open spaces currently serve a diverse group of users while low elevations within them are current and future flood pathways.

Project Description

As described in the ENF, the project involves the redevelopment of approximately 34 acres of land in Dorchester adjacent to Joe Moakley Park, Carson Beach, and the northern extent of Dorchester Shores Reservation. The project site is comprised of two parcels, located at 200 Mt. Vernon Street (the Bayside site – 19.94 acres) and 2 Morrissey Boulevard (the 2 Morrissey site – 13.6 acres). The proposed build out will total approximately 5.9 million square feet of gross floor area. Upon completion, the development will create approximately 1740 residential units, 155,000 square feet of retail/restaurant space, 4,008,000 square feet of office/research/life science or academic uses, and 20 acres of open space, most of which will be publicly accessible.

The scope and scale of this project will have a transformative impact on the neighborhood and, as such, the benefits that accrue from this project must have a similarly transformative impact. As detailed further below, this project must contribute meaningfully to the access to, and resiliency of, the waterfront, as well as to improving the transportation issues that exist in the area.

Open Space and Public Access

As noted above, the ENF indicates that the project buildout will result in 20 acres of open space, including roadways, sidewalks, plazas, and green spaces, most of which will be publicly accessible. This is a considerable amount of open space, appropriate for a site that will serve as a connection from public transit to the publicly owned open space to the north and east of the site. It is unclear in the ENF how much of this site is permeable and park-and how much is paved. We would ask that in future filings the proponent provide a breakdown of the amount or proportion of open space that is publicly accessible versus private, how much is paved, and how much of that is dedicated to roadways. Publically accessible indoor spaces, facilities of public accommodation, should also be shared but delineated separately.

The concept of “T to the sea” presents a laudable goal for making the site more welcoming to people arriving via transit and on foot. In order to deliver on this promise, and to improve the connection between the JFK/UMass station and the shoreline, the project will need to commit to some offsite infrastructure improvements that will increase the safety of this route, allowing pedestrians to get more easily and safely from the Red Line, Commuter Rail, and bus lines to the shoreline. The ENF outlines some of the potential projects that the proponent will support. Future filings should indicate which improvement will be completed as a result of the project and what the impacts of these improvements on the pedestrian experience from the public transit station through the site will be.

Equally important will be the access from the harbor to public transit. We look forward to learning how the site will be experienced when approached from the water side and how users of the Harborwalk will be invited into the site. Increasing the proportion of open space accessible to the public as the blocks get closer to the water, as described in the ENF, is also a good urban design strategy. The narrowness of the Harborwalk and open space between the water’s edge and the footprint of Building A is not consistent with this goal.

Finally, access to the site, the adjacent shoreline, and the surrounding open spaces will depend in large part on the coordination of this project with ongoing and planned infrastructure improvements in the area. The overall project's success hinges on the various proposed transportation projects, including Morrissey Boulevard and Kosciuszko Circle, which will shape the mobility choices of people accessing the area. The project can also attract more visitors to the area and increase the district's resilience by making meaningful contributions to the Moakley Park redesign.

Detailing which projects will be completed and/or moved significantly forward as a result of the project's contributions will be critical to understanding the impact of the project on transportation and accessibility in the area.

Facilities of Public Accommodation

The ENF discusses the Chapter 91 requirement, applicable to this site, that ground floor uses of buildings located on Commonwealth Tidelands be limited to Facilities of Public Accommodation (FPA), excepting 25% of the ground floor which may contain uses that are accessory to upper level services (e.g., lobbies, elevator cores, mechanical equipment). At public meetings for the project, the proponent has consistently committed to working to diversify the uses of these FPA spaces and providing a variety of experiences at different price points in order to serve the community that uses the open spaces adjacent to the site today. This commitment to intentionally attracting an array of FPA uses that are diverse and inclusive is extremely important to creating a welcoming destination for all. We would like to see this commitment detailed in writing to ensure that it remains a long-term obligation of the project.

Further, orienting these ground floor spaces towards the proposed parks, plazas, and other open spaces available to the public will help to activate the site and connect it to its surroundings, including the Harborwalk. In the same way, other amenities that are located on site, such as public restrooms and works by local artists, which serve to activate the site and engage the community, should support existing and new outdoor spaces and be written commitments in future proposals. A long-term management plan for the site would memorialize these commitments, guarantee them for the duration of the project, and create a shared understanding with the community of the public realm that is being created.

Climate Preparedness/Resilience

The recently released *Coastal Resilience Solutions for Dorchester* (October 2020) report has identified this area around the site as one of the most immediately at-risk from inundation pathways due to the low elevation. Addressing this will require the collaboration of city, state, private, and institutional partners. The report states, "[s}pecifically, a critical flood pathway at the Bayside Redevelopment site provides an opportunity to demonstrate how flood protection can be integrated into new development and how public-private partnerships can be leveraged to ensure flood risk reduction and other community benefits." (Coastal Resilience Solutions for Dorchester, p. 87). Indeed, the site is already experiencing impacts from low-probability flooding. The site is at significant risk from frequent and severe coastal flooding in the future, and, if left unchanged, would also act as an inundation pathway to other parts of the neighborhood and city.

It is critical that resilience measures taken here be integrated with measures taken to the north and south of the site to provide a continuous line of protection for the Columbia Point peninsula and parts of South Boston that are linked, through low-lying areas, all the way to the South End. As planning proceeds for Moakley Park, a continuous flood protection system must emerge that ties this site into an elevated Harborwalk along the Harbor Point neighborhood. The project must demonstrate how it will tie in to these existing measures and provide a continuous line of flood protection now and well into the future as the design life of the project will extend past the 2070 flood projections. Specifically, the proponent should provide information on the continued accessibility of the parks and open space along and near the shoreline well into the future. Future filings should overlay existing waterfront conditions onto the site plan to verify the resilience of the project (particularly of Building A, which appears to be quite close to the water's edge) as well as to show the extent of existing high tides (including king tides) and future high tides throughout the design life of the project.

The Coastal Resilience Solutions report also specifies a design flood elevation for this area of 16.2 feet NAVD (Id., page 90). This translates to 22.66 feet BCB. The ENF and the information shared at the public meetings seem to anticipate raising the elevation of the site to 21.5 feet BCB, which appears short of the CRS design elevation. Future filings should clarify the appropriate design flood elevation for the site and indicate both how this elevation will be achieved, and what the mechanisms are for ensuring protection for neighboring communities and assets adjacent to the project site. This type of continuous protection is critical as development proceeds along the coast.

Finally, though the ENF discusses stormwater management on site and indicates that the system will be designed to meet the standards set by the Massachusetts Department of Environmental Protection, there are several instances in the document where the proponent qualifies this by saying "to the greatest extent practicable." Without more information on how the project will incorporate the reduction of impervious surfaces, additional catch basins, Low Impact Development, and green infrastructure, it is not possible to comment on this aspect of the project. Future filings should detail compliance with these standards.

Thank you for your consideration of these comments. We look forward to reviewing upcoming iterations of plans for this project.

Sincerely,

Aaron Toffler
Director of Policy
Boston Harbor Now

clf
conservation law foundation

For a thriving New England

CLF Massachusetts
62 Summer Street
Boston MA 02110
P: 617.350.0990
F: 617.350.4030
www.clf.org

December 11, 2020

By Electronic Mail: erin.flaherty@mass.gov, kathleen.theoharides@state.ma.us

The Honorable Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
ATTN: MEPA Office – Erin Flaherty

Subject: Comments on Dorchester Bay City Environmental Notification Form, EEA # 16277

Dear Secretary Theoharides:

Conservation Law Foundation ("CLF") submits the following comments on the Environmental Notification Form ("ENF") submitted by Bayside Property Owner, LLC and Morrissey Property Owner, LLC c/o the Accordia Company ("Proponent") for the Dorchester Bay City Project ("Project"). The Project proposes redevelopment of two separate parcels of land, labeled as the "Bayside site" and the "Morrissey site," which are adjacent to some of Dorchester's most highly utilized outdoor public spaces. The Project would create seventeen new mixed-use city blocks and encompass over twelve acres of Commonwealth tidelands. We submit the following comments to respond to the ENF and to help inform the scope of the Draft Environmental Impact Report ("DEIR") that the Proponent is required to complete pursuant to Massachusetts Environmental Policy Act ("MEPA").

CLF provides these comments to inform the scope of the DEIR on issues including climate resiliency, open space, transportation, and compliance with the Public Waterfront Act ("Chapter 91") and its associated regulations. Specifically, the ENF certificate should require the Proponent to (1) address potential displacement of existing water-dependent users at adjacent waterfront open spaces, (2) provide additional detail on the proposed resilience measures and formalize any necessary coordination with public agencies, (3) reduce the amount of hardscape on site in favor of increased green space, and (4) propose mitigation measures to address increased congestion and transportation safety issues including infrastructure improvements to Kosciuszko Circle and Morrissey Boulevard. Given the Project's location adjacent to

Dorchester's most cherished and highly utilized green spaces, Carson Beach and Moakley Park, the highest priority should be facilitating access to and maintaining the open and inclusive nature of these public open spaces during and after construction.

We also strongly support the concerns raised by Dorchester residents and community organizations at recent Boston Planning & Development Agency ("BPDA") public meetings including the need for affordable housing and measures to prevent racial profiling at the site and nearby open spaces including Carson Beach. CLF appreciates the Proponent's desire to make Dorchester Bay City as inclusive and forward-thinking as possible on social, environmental, and climate resiliency grounds. The Proponent should work closely with the community to accomplish these goals.

1. Project could Displace Existing Water-Dependent Users at Carson Beach

The Project is located next to Dorchester's most cherished green spaces: Carson Beach and Moakley Park. As the Proponent knows and has often stated, the Project's value is undisputedly increased due to its proximity to these open-space neighbors. While the Project will not directly modify either site, it will inevitably impact the user experience at these locations and could inadvertently displace existing water-dependent users. CLF urges the Proponent to take all necessary steps and precautions to ensure that neither Carson Beach nor its water-dependent users are negatively impacted during or after construction.

As the Proponent has frequently highlighted, Carson Beach is one of the nation's "only urban beaches." Dorchester residents utilize Carson Beach for recreational volleyball, swimming, running, and general community gathering. During public meetings hosted by the BPDA, many commentors expressed concern that the Project would inhibit local access to Carson Beach and the adjacent Dorchester Shores Reservation area.[1] While the Proponent correctly states that no-water dependent uses have existed at the Bayside site for more than fifty years, the ENF fails to provide mitigation measures aimed at protecting the many existing water-dependent users of the land adjacent to the Project.

The Waterways Regulations explicitly protect adjacent water-dependent uses from displacement: "The project shall not significantly disrupt any water-dependent use in operation, as of the date of license application, *at an off-site location within proximate vicinity of the project site*." 310 CMR 9.36(3) (emphasis added). In addition, a proponent is required to mitigate or compensate these water-dependent users for any such disruption as deemed necessary by

[1] There is a long history of residents advocating for their right to access this public space. In the summer of 1975, Carson Beach was at the very heart of the City's racial strife. Six Black men were brutally attacked for simply relaxing on the predominately white beach in South Boston. For more than two weeks, Black activists subsequently gathered at Carson Beach to assert their right to utilize this public space. Forty-five years later, Carson Beach serves a diverse set of users and is an integral part of Dorchester's waterfront. Racial profiling should be a consideration in this process in order to ensure that all residents have access to tidelands consistent with state law. 310 CMR 9.31(1)(i). We point the Proponent in the direction of community-organizations and residents, many of whom have been present at BPDA's public meetings, to identify possible mitigation measures to reduce or eliminate this possibility. *See* Deanna Pan, *Photo essay: The 1975 battle for civil rights on Carson Beach*, GLOBE MAGAZINE (Aug. 7, 2020), https://www.bostonglobe.com/2020/08/07/magazine/photo-essay-1975-battle-civil-rights-carson-beach/.

DEP. *Id.* Accordingly, the Proponent must address the Project's estimated impacts on both Carson Beach and the adjacent Dorchester Shores Reservation area in the DEIR. As detailed below, CLF urges the Proponent to implement a variety of mitigation measures aimed at protecting existing adjacent water-dependent users.

Proposed Mitigation Measures During Project Construction

The Project will take up to fifteen years to complete a full build-out.[2] Construction will occur in phases, starting at the Bayside site and likely finishing at the Morrissey site. As the ENF states, "[c]onstruction of the Project will cause temporary local impacts including construction vehicle traffic, noise, vibration, and potential dust." ENF at 13. Without proper mitigation, adjacent water-dependent users will be negatively impacted by these construction impacts for over a decade.

In addition, the Project's construction impacts will be exacerbated by simultaneous construction and renovation occurring at Moakley Park. MEPA requires that the Proponent's DEIR analysis to "include both short-term and long-term impacts for all phases of the Project (*e.g.,* acquisition, development, and operation) and *cumulative impacts* of the Project, any other Projects, and other work or activity in the immediate surroundings and region." 301 CMR 11.07(6)(h) (emphasis added). The Proponent should include a detailed timeline of the Project's construction and highlight any overlap with Moakley Park's redesign in the DEIR. The Proponent should coordinate the Project's development phases with construction at Moakley Park to minimize cumulative impacts to water-dependent users at Carson Beach. An analysis of cumulative impacts should include, at a minimum, traffic congestion, parking limitations, and noise pollution.

The DEIR should detail all measures the Proponent will employ to mitigate the negative impacts from the Project's construction on existing water-dependent users at Carson Beach or the Dorchester Shore Reservation area. These may include, but are not limited to, any efforts to reduce sound pollution at Carson Beach from construction at the Project site, the timing and coordination of large construction equipment entering or leaving the Project site in order to prevent traffic congestion in the area, and any lane closures at or near Carson Beach throughout the construction process. We urge the Proponent to include measures to reduce or eliminate any construction-related dust from settling on the water's surface at or near the Dorchester Shores Reservation area and Carson Beach. Failure to do so may inhibit recreational swimming or fishing at either site. Lastly, any highly intrusive construction phases should occur during the winter months whenever possible. This will help ensure that Dorchester residents can fully utilize and enjoy Carson Beach when water-based recreation is needed most in the summer months.

In addition to serving as an important site for water-dependent users in Dorchester, the entirety of Carson Beach is designated as Priority Habitat for the piping plover, a threatened species under the Massachusetts Endangered Species Act. Accordingly, the DEIR must include mitigation to minimize species-specific impacts at Carson Beach throughout construction at the

[2] As stated by the Proponent at a BPDA meeting on November 4, 2020.

adjacent Project site.[3] The Proponent should consult with the state's Natural Heritage & Endangered Species Program to ensure the Project's mitigation will adequately protect the piping plover and its habitat.

Proposed Mitigation Measures After the Project's Completion

The Project will bring an influx of visitors to the local waterfront. Accordingly, the DEIR must include an estimate of the increase in waterfront-users the Project will bring to Carson Beach and the adjacent Dorchester Shores Reservation area. To accurately calculate the estimated number of users, the Proponent should contact the City's Park and Recreation Department to include additional visitors from Moakley Park's redesign. This cumulative number will allow the Proponent to analyze whether the existing public infrastructure, including trash and recycling receptacles, pathway width, lighting, and bench seating, will need to be updated to accommodate the new total number of water-dependent users. The Proponent should include this analysis in the DEIR.

The ENF states that the Proponent may "positively contribute to or expand the established public amenities" at the adjacent Dorchester Shores Reservation area. ENF at 8-9. The Proponent should outline these public amenity contributions in great detail in the DEIR and indicate whether they will complete finite infrastructure enhancements or if they will instead provide a monetary contribution to the Department of Conservation & Recreation ("DCR"). If the Proponent will be responsible for infrastructure and public amenity enhancements, the DEIR should include all relevant details regarding the maintenance and long-term care for these improvement measures. These details should be formalized in a memorandum of understanding to be filed with the Secretary before the DEIR.

2. Project is at Risk of Flooding and Requires Greater Climate Resiliency Measures

Flood Vulnerability

The ENF describes a variety of measures the Proponent will employ to increase climate resiliency at the Project site. The City's recently published Climate Ready Report, Coastal Resilience Solutions for Dorchester ("Climate Ready Report"), highlights the immense importance of sufficient flooding protections at Dorchester Bay City in particular:

> The UMass-Boston Expo (Bayside) Redevelopment Site and Morrissey Boulevard are not only at significant risk from both frequent and severe flooding, but also act as critical inundation pathways impacting the Columbia Point peninsula and parts of South Boston and the South End.

Climate Ready Report at 87. While these conditions represent a challenge that the Proponent must meet, and hopefully exceed, the Project also provides a unique opportunity, and

[3] For more information on Priority Habitat for threatened species in the Project's proximity, please see OLIVER: MassGIS's mapping tool at the following link.

responsibility, to protect inland Dorchester communities at a critical point in time.[4] Flood protection must be integrated at the very start of the Project's construction; the Project site already regularly experiences flooding during high-probability floods (those of a ten percent annual chance). Climate Ready Report at 56. Of course, the Proponent should diligently consult and integrate the Climate Ready Report throughout the planning process and reference its analysis within the DEIR.

The ENF states that the Proponent will raise the elevation of most buildings at the Bayside site to 21.5 feet Boston City Base ("BCB"). ENF at 16. The ENF provides other commitments to flood protection, including "exploring potential design strategies" to achieve the site's required elevation and "coordinating with adjacent flood resilience strategies proposed by other parties, which propose flood protection measures (berms or flood management alignment strategies) on the northern and southern sides of the Bayside Site." *Id.* At the MEPA consultation meeting on October 29, the Proponent stated that it would coordinate with the DCR to elevate multiple off-site areas, including Carson Beach and the Dorchester Shores Reservation area, to an unspecified higher grade.

DEIR should include a map which illustrates both proposed elevation contours throughout the Project site and any off-site grading for which the Proponent will be responsible. The Proponent should also include a description of how the open space will function to absorb and buffer flood waters. This description should incorporate an analysis of how the elevation at the Project site may affect flood risk at neighboring sites, including the diversion of any flood waters to the Carson Beach area or the Harbor Point neighborhood. It should also address the anticipated longevity of adaptation measures as compared to sea level rise estimates and flood projection data through the design life of each structure. The Proponent should discuss how any proposed grading would impact existing connections between the site and adjacent public open spaces. In addition, the DEIR should detail the costs associated with off-site grading and list any relevant licenses or permits the Proponent will need to complete this work. Any off-site improvements should be formalized in a memorandum of understanding between the Proponent and DCR to be filed with the Secretary before the DEIR.

Tree Planting and Impervious Surface

In renderings and figures provided within the ENF and at various public meetings, the Project site appears to be encumbered by an excess of hardscaping. Much, if not the majority, of the Project's "linear parks" are paved for vehicular access or pedestrian pathways. At the BPDA meeting on November 4, the Proponent indicated that roughly five of the site's 20 acres of open space will consist of streets or street parking. This estimate does not include other paved open space acreage that is not a vehicular road or parking area. Therefore, more than a fourth of the Project site's open space will be hardscaped. Given the Project's extreme vulnerability to

[4] The Climate Ready Report describes this site as "one of the lowest and most immediately at-risk inundation pathways in the city" as well as "a critical flood pathway at the Bayside Redevelopment site provides an opportunity to demonstrate how flood protection can be integrated into new development and how the public-private partnerships can be leveraged to ensure flood risk reduction and other community benefits." Climate Ready Report at 87.

flooding and position as an inundation pathway to the greater Dorchester area, the Proponent should include more permeable surface throughout the site.

Permeable surfaces help to alleviate two major effects of climate change: flooding due to sea level rise or storm surge and urban heat effects. As discussed above, flooding mitigation at the Project site is critical to both DBC's longevity as well as the resiliency of surrounding Dorchester neighborhoods. In addition to these concerns, Dorchester suffers immense "heat island effects" due to the region's high percentage of impervious surface area.[5] CLF therefore urges the Proponent to significantly reduce the site's hardscaping acreage. In particular, the Proponent should prioritize hardscaping reduction at the Bayside site due to its extreme flooding vulnerability. Climate Ready Report at 87. For that reason, we urge the Proponent to dramatically decrease the hardscaping within the Project's northern "porch" abutting Carson Beach.

The ENF states that some of the hardscaping throughout the site will consist of "permeable paving." ENF at 16. To clarify permeability throughout the site, the DEIR should include a figure which illustrates the portions of the Project site that will be green space, impervious and hardscaped, and permeably paved. We note that while permeable paving may protect the site against flooding to some extent, it will not mitigate heat effects as efficiently as traditional green space. The Proponent should therefore prioritize green space over permeable paving while reducing the amount of proposed hardscaping throughout the Project's open space areas.

Given the Bayside site's current use as an underutilized parking lot, the Proponent has an opportunity to exponentially increase the district's tree canopy coverage. Tree coverage will help insulate the Project from heat effects as well as reduce noise pollution from nearby roadways. Accordingly, we request that the DEIR include a commitment to a specific minimum number of trees to be planted at the site coupled with an integrated climate-resilient landscape design. Trees must be planted in areas where they will have the greatest chance of surviving into maturity. The DEIR should include an analysis and illustration of these locations.

The Proponent should provide firm commitments in the DEIR to green infrastructure measures for sidewalks, landscaped areas, and courtyards which are briefly contemplated in the ENF. These should include an increased amount of pervious cover, open space, rain gardens, bioswales, tree pits, and aforementioned permeable paving throughout the Project. ENF at 16.

3. Open Space and Public Programming

The ENF states that the Project will result in "20 acres of new open space *most of which* will be publicly accessible." ENF at 6 (emphasis added). We appreciate the Proponent's thoughtfulness regarding the placement of open space throughout the Project site. However, we are concerned that the Proponent does not indicate the proportion of this new open space which

[5] *See* Jesse Caldwell and Saritha Ramakrishna, *Opinion: City Neighborhoods are showing the way on climate change response*, DORCHESTER REPORTER (Nov. 19, 2020), https://www.dotnews.com/2020/climate-crises-must-be-dealt-now-city-neighborhoods-are-showing-way.

will be publicly accessible.[6] The DEIR should include a detailed breakdown of open space calculations and an illustration which indicates where open space areas will not be publicly accessible. As a general matter, we urge the proponent to reduce or eliminate any private open spaces proposed on the site, and if there are private open spaces proposed, demonstrate that this does not run afoul of Chapter 91 requirements for the site.

As discussed above, CLF encourages the Proponent to significantly reduce the amount of hardscaped and impervious surface within the Project site. In particular, the Proponent should dramatically decrease the amount of impervious surface on the Project's "porch" in the upper north area near the Dorchester Shores Reservation area. The DEIR should also explicitly state, and illustrate through a diagram figure, the amount of public open public space encumbered by paved paths or roads.[7] Traditional green and permeable public open space should be a priority for the Project. We strongly disagree with the Proponent's assertion that due to DBC's proximity to green open space neighbors, deemed "passive green space," residents and visitors to the Project site will prefer hardscaped public amenities over public green and open space.[8] Due to the flooding and heat concerns addressed above, this speculation is both baseless and irresponsible.

Finally, as discussed above, the Proponent has indicated that a certain portion of the open space on site will be for public right of ways. We request that the Proponent provide additional detail in the DEIR about the percentage of open space that will be dedicated to public right of way versus passive or active recreation. We also request a percentage breakdown of the amount of open space dedicated to vehicular traffic versus bicycle and pedestrian traffic and where open space will be shared amongst users.

4. Project must Mitigate Traffic Congestion and Road Safety Issues

Kosciuszko Circle and Morrissey Boulevard

The Project is in close proximity to one of Boston's most challenging rotaries, Kosciuszko Circle ("K Circle"). At the intersection of Day Boulevard, Columbia Road, and Morrissey Boulevard, K Circle is a frequent point of traffic congestion onto I-93 and presents notable vehicular safety issues. As Dorchester resident Barry Keady stated at the MEPA consultation meeting on October 29, "[y]ou take your life in your own hands every time you enter K Circle." For years, Dorchester residents have pushed for the Massachusetts Department of Transportation ("MassDOT") to redesign the rotary. The Proponent should meaningfully contribute to a solution to renovate this dangerous traffic intersection to address safety concerns while improving pedestrian and cycling access and to detail these plans in the DEIR.

[6] We note that the Proponent indicated that "all of the open space" will be publicly accessible at recent BPDA meetings. Nonetheless, it is essential that this information must be memorialized properly in planning and analysis documents.

[7] The Waterways Regulations prohibits the amount of public open space dedicated to public roadways or surface level parking from exceeding the open space devoted to public pedestrian use. 310 CMR 9.53(b)(1). The DEIR should clarify whether the Proponent violates this ratio.

[8] As stated by the Proponent at a BPDA meeting on November 4, 2020.

Dorchester Bay City is expected to bring roughly 12,000 (adjusted) to 45,000 (unadjusted) new vehicle trips to the nearby Project Site. ENF at 44. The Proponent cites two ways in which the Project will aid traffic congestion at K Circle: First, DBC will "enhance local access to and within Columbia Point and reduce reliance on Kosciuszko Circle for regional access" through the creation of new roadways within the Project site. ENF at 24. Second, the Proponent provides a loose commitment toward "work[ing] with the community and local and State agencies on the advancement of construction, and advocacy for local and area-wide transportation infrastructure initiatives," which include K Circle. ENF at D-2. At the MEPA consultation meeting, the Proponent indicated that this contribution would take the form of capital funding to MassDOT.

The ENF additionally commits to off-site infrastructure improvements to Morrissey Boulevard. Connectivity within the Project's Morrissey site hinges upon this roadway. *See* ENF at Figure 9. As any Dorchester resident knows, Morrissey Boulevard frequently floods, even on "beautiful, sunny days" as stated recently by City Councilor Michelle Wu.[9] This inundation causes both significant traffic congestion and damage to the underlying roadbed. Dorchester Bay City is projected to bring 3,718 additional vehicles to Morrissey Boulevard per day. ENF at 44. As evidenced by the recent flooding, Morrissey Boulevard cannot handle the Project's additional traffic until it is equipped to withstand current environmental conditions, such as storm surge flooding and sea level rise, which will only intensify in the near future. DCR has begun a process to redesign this significant roadway. ENF at 15. However, the redesign is still in its early phases: the agency recently indicated that the design phase was only a fourth completed will require an estimated $87 million in funding.[10]

The Project should not move forward until there is explicit coordination with K Circle's redesign and substantial improvements to Morrissey Boulevard. Without such synchronization, the Project will dramatically increase traffic congestion in the area which is likely to limit meaningful access to the local waterfront and Commonwealth tidelands. Accordingly, we request that the Proponent detail the Project's potential traffic-related impacts and provide a variety of mitigation measures specific to K Circle and Morrissey Boulevard in the DEIR. These include:

- A traffic study that analyzes the projected number of vehicular trips attributed to the Project site on K Circle congestion as already outlined in the ENF. This analysis should build upon the 2016 traffic flow study conducted by MassDOT and the Massachusetts Bay Transportation Authority ("MBTA"). [11]
- Details regarding the total funding required to complete MassDOT's redesign of K Circle and a firm commitment by the Proponent to the proportion of that funding it will contribute as a mitigation measure.

[9] Michelle Wu, *Morrissey Boulevard is flooded on a sunny day*, FACEBOOK (Nov. 16, 2020, 8:32 AM), https://www.facebook.com/michelleforboston/videos/vb.378882682204996/365468847848241/?type=2&theater.
[10] Katie Trojano, *Wu wades into Morrissey discussion, calls for more urgency on climate woes,* DORCHESTER REPORTER (Nov. 18, 2020), https://www.dotnews.com/2020/wu-wades-morrissey-discussion-calls-more-urgency-climate-woes.
[11] Jennifer Smith, *Kosciuszko Circle targeted for $700k state traffic study,* DORCHESTER REPORTER (Oct. 20, 2016), https://www.dotnews.com/2016/kosciuszko-circle-targeted-700k-state-traffic-study.

- A firm commitment to fund a portion of the estimated $87 million capital cost required to complete DCR's redesign of Morrissey Boulevard.
- That the redesigned rotary will be climate resilient and raised to an adequate elevation in conjunction with the Project's existing flooding strategies.
- A dedicated amount of funding to increase the safety of pedestrian crosswalks at both Morrissey Boulevard and the rotary or any future redesigned intersection in its place. The current crosswalk is difficult for pedestrians to navigate during rush hours.
- A commitment to tree planting near K Circle to insulate public spaces from noise pollution at the rotary. As discussed in more detail in Section 2 above, the Proponent should include additional tree planting as a mitigation measure for climate resiliency.
- All off-site mitigation or contribution to MassDOT and DCR or related agencies should be formalized in a memorandum of understanding to be filed with the Secretary before the DEIR. The details of these agreements must be included in the final DEIR.

Lastly, The Proponent must consult with both MassDOT and the Massachusetts Historical Commission, as well as any other state or federal agency required by the rotary's designation on the National Registry of Historic Places, to insure appropriate timing between any construction at the DBC site and the redesign of K Circle. We further encourage the Proponent to schedule a meeting with community-based organizations and small businesses to get input on mitigation measures.

Public Transportation and Transit-Oriented Development

A key feature of the Project's future success is its proximity to a variety of public transit options, including the MBTA's Red Line via the JFK/UMass Station. Given the Project's location, the DEIR must incorporate Transit-Oriented Development ("TOD") principles to "transform this underutilized site into a truly sustainable, environmentally friendly development." ENF at 15.

While the ENF includes a variety of measures aimed at decreasing reliance on vehicular travel, the Project can and should go further to reduce the number of available on-site parking spaces. Despite the fact that the majority of the Bayside site currently serves as a parking lot, the Project's proposed design will result in an additional 450 parking spaces. First and foremost, the Proponent must analyze an alternative in the DEIR that drastically decreases the number of available on-site parking spaces. The Proponent could accomplish this by committing to unbundled parking for on-site residential units, as well as cash-out alternatives and no-cost monthly transit passes for employees at the site. Additionally, the Proponent should provide funding to construct or improve covered bus shelters at all bus stops around the Project site, specifically those near K Circle.

The Project should incentivize multimodal travel to the site, including bicycle and pedestrian access. The DEIR should include a traffic study which analyzes the Project's impact on pedestrian and cyclist travel to the Project site and surrounding areas, including Carson Beach, in light of projected increased traffic. This analysis should pay careful attention to any

congestion which may hinder pedestrian or cyclist travel at peak rush hours. If necessary, the Proponent should consult with MassDOT and the MBTA to create bicycle lanes in the surrounding vicinity. In addition to the Project's 3,000 indoor bicycle parking stations, we suggest the Project include covered outdoor bicycle cages within the site's publicly available open space. To further encourage employees to bicycle to the Project site, Proponent should provide employee access to shower facilities.

Given the Proponent's reliance on public transit, the DEIR must include a robust analysis of the Project's projected impact on the nearby JFK/UMass station and the Red Line, Route 8 bus, Route 16 bus, Route 41 bus, Greenbush Line, Kingston/Plymouth Line, and Middleborough/Lakeville Line. Specifically, the DEIR should include a study of the Red Line's capacity given the Project's projected increase of visitors to the area. The Proponent should also work with the MassDOT Planning Division and the MBTA to assess the need for additional frequency of bus and commuter rail service along Routes 8, 16, 41, and the commuter rail lines that travel through JFK/UMass Station. The Proponent should assess the flooding vulnerability and signal upgrades at the JFK/UMass Station and contribute funding to any essential infrastructure updates.[12] We note that passenger capacity concerns at the JFK/UMass Station and throughout the Red Line are not merely a matter of convenience, the Red Line may serve as a critical evacuation point for the Dorchester area during storm surge, flooding, or other natural disasters. *See* Climate Ready Report at 66. Depending upon the outcome of this analysis, it may be necessary for the Proponent to provide additional funding to update multiple MBTA stations along the Red Line.

CLF opposes the use of private shuttles unless coordination with the MBTA results in a decision that public bus routes cannot serve the Project. In lieu of a private shuttle service, CLF encourages the Proponent to provide an annual payment to the MBTA at an amount equivalent to the cost of running a private shuttle system to fund increased frequency of public transit service to serve the Project. If the Secretary disagrees with CLF's recommendation to direct the Proponent to abandon plans for a private shuttle system and instead invest in additional public transit, then the Secretary should require specific metrics pertaining to the shuttle service regarding a minimum level of frequency. If the Project includes a private shuttle system to the JFK/UMass Station, as briefly mentioned in the ENF, the entire shuttle fleet should be electric. We further suggest that all energy required to maintain and run the shuttle system be produced at the Project site through solar panels and onsite energy storage systems.

CLF requests that the Proponent invest in additional electric vehicle ("EV") charging infrastructure. Relatedly, a large proportion of onsite parking should be dedicated to electric vehicles and equipped with appropriate charging stations. We urge the Secretary to require the Proponent to equip off-street parking spaces with additional EV charging stations similar to the requirements for projects subject to Boston's EV infrastructure requirements.[13] The City of Boston requires, for certain projects, that 25 percent of parking spaces in new off-street parking

[12] We note that the JFK/UMass station is already in a state of dangerous disrepair. *See* David Mello, *Viral Image Shows Massive Gap in JFK Station Staircase*, UP TO BOSTON (Jan. 30, 2020), https://www.uptoboston.com/viral-image-shows-massive-gap-in-jfk-station-staircase/.

[13] City of Boston, "How-To Guide: Electric Vehicle Charger Installation," page 3, https://www.boston.gov/sites/default/files/file/2019/12/How%20To%20Install%20an%20EVSE.pdf.

areas shall be equipped with EV charging stations, and the remaining 75 percent shall be electric vehicle supply equipment ready. At a minimum, the Proponent's infrastructure should increase the number of parking spaces to accommodate EV infrastructure expansion.

The Proponent should also be required to prioritize parking options for EV and zero-emission vehicles by making those spaces closer to buildings and in more desirable locations by a date certain. EVs are much cleaner than their conventional gasoline and diesel counterparts, even when accounting for power plant emissions associated with charging EVs. These vehicles are also unique in their ability to become even cleaner as the electricity grid is increasingly powered by low- and zero-emissions power. EVs also do not emit particulate matter or nitrogen oxides from tailpipes, directly impacting and improving local air quality.

5. Project must Increase Emissions Reduction and Mitigation Measures

We appreciate the Proponent's dedication to a variety of emission mitigation measures. Given the Project's immediate proximity to heavily utilized open space, we urge the Proponent to commit to more stringent emissions controls. The Proponent should analyze the feasibility of Net-Zero development. To truly benefit and positively impact to the Dorchester region, consistent with the stated goals of the Proponent, the Project must eliminate or reduce to the maximum extent practicable greenhouse gas emissions which will only serve to intensify existing flooding inundation concerns at the Project site and surrounding area.

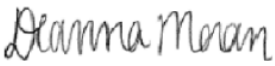
The Proponent should detail the feasibility of adopting Passive House Construction Standards throughout the site in the Project's DEIR. Although the Proponent pledges to adopt LEED rating system, we note that Passive House Standards are far more stringent with regard to energy sustainability and resilience. Relatedly, we support the Proponent's commitment to study on-site clean energy generation through rooftop PV arrays. ENF at 33. CLF urges the Proponent's DEIR to include robust feasibility studies of these measures and if applicable, commit to these elements wherever possible.

The Proponent states that they will require construction vehicles to use after emission controls "to the extent feasible." ENF at 22. These requirements should be a firm commitment, not a vague pledge, to protect the air quality of the surrounding area.[14] As outlined in Section 1, the Project must not displace or disrupt adjacent water-dependent users. Particulate emissions from construction vehicles will hinder both the experience and health of these users. Of course, a large way in which the Project may reduce or eliminate carbon emissions is through the reduction of on-site parking. As discussed above, the DEIR should undertake a thorough alternative analysis which assesses a drastic reduction in on-site parking and actively promotes public transportation through all possible avenues.

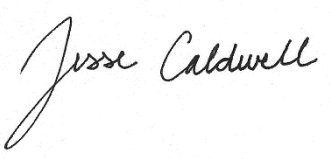
Thank you for your consideration of these comments. CLF looks forward to continued dialogue with your office, the proponent, and community stakeholders throughout the MEPA process.

[14] If the Project receives any funding from the City, it is subject to *An Ordinance to Protect Air Quality throughout the City of Boston by Reducing Fuel Emissions*, which requires the use of emission control technology on diesel powered construction equipment. Ord. 2015 c. 5, § 7-2.3.

Sincerely,



Deanna Moran
Director, Environmental Planning
Conservation Law Foundation



Jesse Caldwell
Legal Fellow
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CORCORAN
JENNISON
Companies

December 11, 2020

Erin Flaherty
Environmental Analyst
MEPA Office
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Boston, MA 02114

Aisling Kerr
Project Manager
Boston Planning and Development Agency
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Re: Comments on the Environmental Notification Form and Project Notification Form for Dorchester Bay City, 200 Mount Vernon Street, Dorchester, MA; MEPA EEA No. 16277

Dear Ms. Flaherty and Ms. Kerr,

Corcoran Jennison aspires to be supportive of the Dorchester Bay City project proposed in the above referenced Environmental Notification Form and Project Notification Form. Among its many potential benefits to the community, the project would activate the long vacant Bayside Expo Center site, create numerous and varied job opportunities, add significantly to the supply of affordable and market rate residential units, and enhance the vibrancy Columbia Point. However, before proceeding there are a number of essential and significant modifications to the project, and to the proposed mitigation of its impacts, that must be further studied and implemented for the project to achieve its potential to bring positive, transformative change to the peninsula. In an effort to improve and advance this project, Corcoran Jennison respectfully submits the comments set forth in the attached memorandum dated December 10, 2020 from Jamie Fay and Katie Moore of Fort Point Associates and the attached letter dated December 10, 2020 from Robert Woodland, PE, of Tetra Tech. A few of these comments are expanded upon below.

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Background

Corcoran Jennison Company, Inc. and its affiliated companies own more than 50 acres of land immediately adjacent to the 20-acre site of Dorchester Bay City (the "Project Site"). Our properties currently includes the 1,284 unit Harbor Point Apartments (owned in partnership with the Harbor Point Community Task Force), the 197-room Doubletree Bayside Hotel, and the 130,000 square foot Bayside Office Center. The Bayside Office Center is occupied by the Massachusetts State Lottery, the Massachusetts Registry of Vital Records and Statistics, VNA Care, the Dorchester Reporter, the University of Massachusetts, and our own company headquarters.

Additionally, we have been granted approvals for two development projects on our adjacent properties. One project is a 184-unit mixed use apartment building known as "University Place," which will include 10,000 square feet of retail space. The other project is a 97-room addition to our existing 197-room Doubletree Bayside Hotel, which will include a restaurant and additional conference and meeting space.

Lastly, through a series of longstanding cross easement rights (see easements recorded with the Suffolk County Registry of Deeds in Book 11040, Page 134; Book 11080, Page 172; and Book 22394, Page 253; each as amended), our property and the Project Site are fundamentally connected to, dependent upon, and entangled with each other. For example, our properties share a party wall, utilities, roadways, access drives, and storm water drainage systems, and each party is entitled to use certain parking spaces located on the property of the other.

Corcoran Jennison's properties will be uniquely impacted by Dorchester Bay City. Corcoran Jennison's comments are set forth in the attached correspondence from Tetra Tech and Fort Point Associates and are supplemented as follows.

Resolution of Cross-Easement Issues

Dorchester Bay City creates challenges for maintaining the above-described cross-easements and avoiding issues of overburdening and material interference. The attached letters from Tetra Tech and Fort Point Associates point out some of these issues, including the proposed elimination of Corcoran Jennison's 25 ft. right of way along the perimeter of the Project Site, the need to separate shared utilities without interruption of service, and the matter of cross-parking rights, particularly in light of the project's minimization of parking.

Our prior attempts to resolve cross-easement issues with the owner of the Project Site, the University of Massachusetts Building Authority, have been unsuccessful. As an example, the University refused to permit Corcoran Jennison to relocate a stormwater line serving the University under a shared driveway as recommended by engineers, in order to accommodate Corcoran Jennison's proposed addition to its Doubletree Bayside Hotel. Corcoran Jennison was forced to relocate this line in an inefficient and costly manner underneath the proposed addition.

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The Dorchester Bay City project conflicts with these existing easement rights and could not be constructed without substantial modifications to these rights. The Draft Environmental Impact Report/Draft Project Impact Report, with input from the University, should analyze and address how these cross-easements issues will be timely resolved.

Expedited Removal of The Bayside Expo Center Sign

The Project Site currently houses the unsafe, unsightly, and misleading 100 ft. tall Bayside Expo Center sign. The Bayside Expo Center was closed over a decade ago and its structures were demolished in 2016. Nevertheless, the University of Massachusetts Building Authority has refused to remove or relocate this outdated sign despite many requests by Corcoran Jennison. The University's refusal has impeded construction of Corcoran Jennison's 184-unit University Place. Additionally, its refusal hampered Corcoran Jennison's ability to remediate a release of petroleum hydrocarbons at the sign's base (RTN 3-30851). This release likely extends onto the Project Site. Lastly, this old and poorly maintained sign endangers pedestrians walking underneath and nearby it. Rusted pieces of the structure have been observed falling off on windy days.

The plans for Dorchester Bay City do not refence the Bayside Expo Center sign. In order to ensure that this obsolete, dangerous, and obstructive sign is removed, the Draft Environmental Impact Report/Draft Project Impact Report should include an explicit commitment to its removal at the project's outset. Further, to to ensure the safety of the many individuals who will continue to walk by this sign between now and completion of construction of Dorchester Bay City, including tenants of the Bayside Office Center, guests of the Doubletree Bayside Hotel, residents of Harbor Point Apartments, and the many tradesmen who will work at the Project Site, the project proponent and the University should commit to removing this sign immediately.

Offsite Infrastructure Improvements

Dorchester Bay City has committed to supporting various offsite infrastructure improvements, including Mt. Vernon Street Compete Streets, Kosciuszko Circle Re-Design, Morrissey Boulevard Re-Design, and JFK/Umass MBTA station Re-Design. Also, Figure 5-11 in the Project Notification references "Future Columbia Point Protection by Others."

These offsite improvements are necessary for the success of Dorchester Bay City and for prevention and mitigation of area-wide adverse impacts. However, the Environmental Notification Form and Project Notification Form indicate that many of these offsite improvements will be funded and constructed by others. The Draft Environmental Impact Report/Draft Project Impact Report should analyze and describe specifically how and when such off-site improvements by others will be funded and constructed, so that their timely completion can be assured.

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The current planning and impact study process for the Dorchester Bay City proposal presents a watershed moment for the Columbia Point peninsula. As one of the longest standing stakeholders in this community, Corcoran Jennison is keenly aware of the project's potential, but also recognizes the challenges and hurdles that must be addressed for the project to deliver on its vision and promise. The issues identified above and in the attached correspondence from Tetra Tech and Fort Point Associates require thorough study and response to ensure that the project may achieve its full potential for this community.

We look forward to receiving responses and working through any outstanding issues with the project proponent and the University of Massachusetts Building Authority during the MEPA and Article 80 processes.

Respectfully,

Corcoran Jennison Company, Inc.
By:

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Enclosures

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Fort Point Associates, Inc.
Urban Planning Environmental Consulting Project Permitting
A TETRA TECH COMPANY

MEMORANDUM

TO: Harbor Point Community Task Force and Corcoran Jennison
FROM: Jamie Fay and Katie Moore, Fort Point Associates
RE: Dorchester Bay City Project Notification Form
DATE: December 10, 2020

On behalf of the Harbor Point Community Task Force and Corcoran Jennison, Fort Point Associates has reviewed the Project Notification Form (PNF) for the Dorchester Bay City (DBC) project and offers the following comments. Additional comments regarding transportation considerations can be found in the attached "Project Notification Form – Transportation Review" developed by Tetra Tech.

Project Description

This Project will redevelop more than 33 total acres on two parcels of land at 200 Mt. Vernon Street (19.9 acres) and 2 Morrissey Boulevard (13.6 acres) in the Dorchester neighborhood of Boston. Abutters include the Bayside Office Center, University Place Residences Site, and Doubletree Club by Hilton Hotel Bayside along Mt. Vernon Street, and Harbor Point on the Bay Apartments to the southeast. These properties are owned in by Corcoran Jennison and its affiliates. The Harbor Point Community Task Force is a non-profit organization representing the approximately 3,400 residents of Harbor Point Apartments.

The Project proposes 5.9 million square feet (sf) of retail and restaurant use (155,000 sf), residential use (1,460,000 sf and 1,740 units), and office, research and development, life sciences and/or potentially academic uses (4,008,000 sf). In addition, 2,650 parking spaces and 20 acres of open space are proposed.

Open Space

The PNF indicates 20 acres of the 33 acres onsite would be open space. However, this includes a significant amount of space for roadways. Future regulatory filings should provide more detail regarding the amount of open space dedicated to roadways and what is publicly accessible. The "Boardwalk" provides a good view corridor from Mt. Vernon Street to the water, but a linear park may struggle to activate and engage visitors. Except for the "Porch" area at the transition to the Dorchester Shores Reservation and Carson Beach, open space is generally limited to the immediate vicinity of the proposed buildings. The Proponent should increase the area of open space near the water and Dorchester Shores Reservation to create a signature open space that serves as a destination for a wide variety of visitors.

Civic Space

The Project is proposing nearly 6 million square feet of residential and commercial uses. No civic buildings or spaces were proposed to serve the development and surrounding neighborhood. The Proponent should incorporate a premier cultural facility located along the waterfront as a destination and to serve the greater community. A field for organized sports should also be incorporated into the Project for use by the surrounding neighborhood.

Roadway Capacity

The PNF notes the Project hopes to attract other investments in the area. However, the vehicular trips and parking associated with the Project will reduce roadway capacity for potential future projects in the area. The Project's Draft Project Impact Report (DPIR) anticipates inclusion of a detailed traffic impact study. Such study should include a comprehensive assessment of the existing roadway network's capacity, the capacity used by the Project, and remaining capacity following buildout of the Project. The Proponent should make sure the transportation mitigation is sufficient to accommodate not only the DBC development, but also future growth in the area. Additional comments regarding vehicular access are found in the attached "Project Notification Form – Transportation Review."

Offsite Improvements

The PNF indicates the DPIR will include an examination of key intersections in the area of the Project, including Kosciuszko Circle. The Proponent has been in discussions with the community regarding potential off-site improvements, including transportation infrastructure. However, the PNF did not provide any specificity regarding the Proponent's commitment for such transportation infrastructure improvements. The Proponent should commit to supporting the ongoing transportation-related studies of nearby locations, such as the Kosciuszko Circle Re-Design and JFK/UMass MBTA station Re-Design, and funding the subsequent implementation of offsite infrastructure improvements to ensure access is safe and efficient for all users. The Proponent should phase Project construction to decrease Project-related impacts during the study period and construction of the resulting plans. Additional comments regarding transportation are found in the attached "Project Notification Form – Transportation Review."

Climate Change Preparedness

The PNF notes a goal of the Project "is to be part of the solution in protecting the Project Site and nearby residential communities from rising sea levels." It is crucial that the resiliency measures are designed and integrated with measures along the greater waterfront area shown in Figure 5-1 of the PNF, not limited to the area fronting DBC. The Proponent has committed to improvements and maintenance assistance to DCR property in front of the Site. Such commitment should include extending and funding improvements to the DCR property south of the project site, along the Harbor Point neighborhood. Future regulatory filings should

provide additional detail regarding proposed flood protection measures and connections to adjacent properties. The Project must demonstrate how the proposed connections to adjacent properties interact with flood protections, such as how the vehicular connection to Day Boulevard relates to Moakley Park Berm.

Tidelands/Chapter 91

The nonwater-dependent Project is located in part on filled tidelands within Chapter 91 jurisdiction which are owned by the Commonwealth of Massachusetts. As a result, the standards at 310 CMR 9.51 through 9.52 for conserving and utilizing the capacity of the project site to accommodate water-dependent use, as well as the standards for activating such tidelands for public use at 310 CMR 9.53 should be addressed in future Chapter 91 regulatory filings. The PNF indicates the Project was designed such that the Facilities of Public Accommodation (FPA) are located near or along open spaces but does not specify the proposed FPAs. The Proponent should work with the community to develop a variety of suitable FPAs and proposed locations. The listing and locations of proposed FPAs should be included in future regulatory filings.

Shadow Impacts

The PNF indicates the Project has considered the impact of building shadows, especially to park areas. The buildings are proposed to vary in height and massing, with the tallest building as 294 feet above grade. A significant height difference is proposed between Buildings I and H2 and the immediate vicinity. Consistent with Boston Planning & Development Agency requirements, a shadow study should be conducted. The shadow study needs to include the impact of shadows on abutting properties and parklands.

Construction Impacts

The PNF briefly discusses the open MCP Release Tracking Number 3-29510 on the Bayside Site and notes that waste and soils will be managed in accordance with Massachusetts Department of Environmental Protection regulations and policies. In addition, possible measures for mitigating construction impacts are provided. A project of this size can have significant construction impacts that need to be managed in a way that does not affect the ongoing operations and interests of abutters. The Proponent should include a draft construction management plan in the next filing that shows the phasing of the Project and how impacts on abutters will be avoided.

Vehicular Access

The Project relies upon the use of a 25-foot right-of-way easement shared by University of Massachusetts Building Authority, Corcoran Jennison Companies, and BTUHWF Building Corporation properties for vehicular access and circulation. The proposed road network

design prevents access to abutting properties. The Project needs to demonstrate within the DPIR that the road network can accommodate the anticipated traffic while ensuring no interference with the shared right-of-way easement. In addition, the Proponent must ensure that vehicle queues do not extend past the driveway serving the Bayside Office Center/University Place Residences properties or the driveway serving the Doubletree Club by Hilton Hotel Bayside. Additional comments regarding vehicular access are found in the attached "Project Notification Form – Transportation Review."

Bayside Expo Center Sign

Rendered plans of the Project do not show the Bayside Expo Center sign located near the proposed entrance from Mt. Vernon Street onto 3rd Street. The developer should commit to removal of the sign and any remediation as a part of the development plans.

The developer should also note that remediation at the base of the sign likely will be required. According to Corcoran Jennison, the release of petroleum hydrocarbons at the base of the sign associated with MCP Release Tracking Number 3-30851 likely extends onto the Project Site but could not be addressed on the Project Site due to refusal of the University of Massachusetts Building Authority to remove the sign or permit access for further testing.

Building Setbacks

As the Project hopes to attract future development in the area, building setbacks must be sufficient to avoid any future issues with building code compliance.

Utilities

The existing shared utilities on the Project Site, including water, sewer, drain, gas, communications, and electric services are not mentioned within the PNF. The Proponent must resolve the status of the existing and proposed utilities with other users.

The PNF provided conceptual plans for proposed onsite stormwater and sanitary sewer infrastructure. Future regulatory filings should provide detailed stormwater management plans.

Several inaccuracies were identified in the PNF's existing infrastructure plans:

- The existing sewer service for the Bayside Office Center and the Project Site runs through the hotel property but is not shown on the PNF's existing sewer system plan.
- There is presently one water line servicing the Bayside Office Center, Doubletree Club by Hilton Hotel Bayside, and the proposed Project Site. This service line is from the 16-inch main in Mt. Vernon Street and runs through a Boston Water and Sewer Commission (BWSC) master meter on the hotel property. The existing water system

plan shown in the PNF incorrectly shows two water service connections from Mt. Vernon Street.

- The storm drain for most of the southerly portion of the Project Site runs through the Doubletree Club by Hilton Hotel Bayside property where there is a water quality device. This drain lie connects to Mt. Vernon Street. The existing storm drainage system and combined sewer main system plan within the PNF did not indicate the correct flowing to the Massachusetts Water Resources Authority (MWRA) system on the north side of the Site.

TETRA TECH

December 10, 2020

Ms. Aisling Kerr, Project Manager
Boston Planning and Development Agency
One City Hall Plaza, 9th Floor
Boston, MA 02201

Re: Dorchester Bay City
Project Notification Form – Transportation Review
Boston, Massachusetts

Dear Ms. Kerr:

On behalf of our clients, The Harbor Point Community Task Force and Corcoran Jennison, Tetra Tech (TT) has reviewed the transportation section of the Project Notification Form (PNF) prepared by Vanasse Hangen Brustlin, Inc. (VHB) (Dated September 23, 2020) for the proposed Dorchester Bay City (DBC) mixed use development located at 200 Mt. Vernon Street and 2 Morrissey Boulevard in the Dorchester neighborhood of Boston, Massachusetts.

The Harbor Point Community Task Force is a non-profit organization representing the approximately 3,400 residents of Harbor Point on the Bay Apartment which abuts the DBC project site and which is expected to be impacted by the DBC project. Corcoran Jennison has an ownership stake in several properties abutting the DBC project sites which are expected to be impacted by the proposed DBC project including the following:

- Bayside Office Center at 150 Mt. Vernon Street
- Proposed University Place Residences site at 140-144 Mt. Vernon Street
- Doubletree Club by Hilton Hotel Bayside property at 236 Mt. Vernon Street
- Harbor Point on the Bay Apartments property at 400 Mt. Vernon Street

The DBC project calls for the redevelopment of the Bayside site on the eastern side of Mt. Vernon Street and the 2 Morrissey site on the western side of Mt. Vernon Street to include a total of 5.9 million square feet (sf) of mixed uses consisting of 1,740 apartment units, 155,000 sf of retail/restaurant space and 4,008,000 sf of office/research and development/life science/academic space. As part of the project, a new vehicle, pedestrian and bicycle circulation system within the DBC site will be provided.

The PNF states that a detailed traffic impact study will be prepared as part of the project's Draft Project Impact Report (DPIR). Tetra Tech offers the following comments on the preliminary transportation assessment and planned DPIR transportation evaluation scope provided in the PNF:

Study Area Intersections

The Proponent proposes to study 11 intersections in the vicinity of the DBC site. However, several intersections are not included in the proposed study area that are expected to be impacted by the proposed DBC project. Tetra Tech recommends that the Proponent consider including the following additional intersections in their DPIR Transportation study area:

- The Bayside Office Center and Doubletree Club at Hilton Hotel Bayside driveways with the DBC Bayside internal roadway (proposed 3rd St.)
- Morrissey Blvd./Proposed Northerly DBC 2 Morrissey Site Driveway
- MBTA station unsignalized driveway on Old Colony Ave.
- Harbor Point on the Bay Apartment intersections on Mt. Vernon St.
  - Mt. Vernon St./Harbor Point Blvd. (north)
  - Mt. Vernon St./Harbor Point Blvd. (central)

Infrastructure Northeast
Marlborough Technology Park 100 Nickerson Road, Marlborough, MA 01752
Tel 508.786.2200 Fax 508.786.2201 tetratech.com

        - Mt. Vernon St./Harbor Point Blvd. (south)
        - Mt. Vernon St./S. Point Dr.
    - Major intersections to the south on Morrissey Blvd., including the Morrissey Blvd./Bianculli Blvd. interchange and the Morrissey Blvd./I-93 interchange
    - Intersections of proposed DBC site roadways (primary internal intersections)

Trip Generation/Mode Share

The PNF included preliminary trip generation estimates associated with the project including a summary of the assumed mode shares for vehicle, transit and walking/biking to the site. The PNF states that the modes shares were based on travel characteristics for other area developments, US Census data and the Columbia Point Master Plan. The mode share assumptions for the proposed project trips will be crucial in the evaluation of potential transportation impacts. Therefore, it is recommended that sufficient background data and documentation supporting the mode share assumptions be included in the DPIR.

It is also expected that a significant portion of project trips will utilize transportation network companies (TNCs). The Proponent should consider separating the TNC mode share from other vehicle trips to ensure that adequate TNC pick-up/drop-off areas will be provided in designated areas throughout the site to accommodate the anticipated demand.

Traffic Impacts to Corcoran Jennison Sites

Bayside Office Center/University Place Residences (150 and 140-144 Mt. Vernon St.)

The Bayside Office Center currently has two vehicular access points – i) a controlled (gated) driveway to the southwest of the Bayside Office Center that connects to the DBC site driveway on Mt. Vernon St. (proposed 3rd St.) and ii) via a controlled (gated) driveway to the parking lot area to the north of the Bayside Office Center which provides a more direct connection to the DBC access driveway on Day Blvd. The DBC project proposes to eliminate the second access point to the Bayside Office Center located to the north. The Proponent should consider maintaining a second vehicular access point for the Bayside Office Center to preserve current access to the Day Blvd. access driveway and adequate emergency vehicle access to this property.

Existing loading to the Bayside Office Center is currently provided on the north side of the building and accessed via the shared parking field with DBC to the north of the building. The currently proposed DBC site plan indicates that access to this loading area will be eliminated. The Proponent should ensure that adequate access will continue to be provided to the Bayside Office Center loading area.

Tetra Tech recommends that the Proponent ensure that vehicle queues do not extend past the driveway serving the Bayside Office Center/University Place Residences properties which is located approximately 125 feet from the DBC driveway intersection with Mt. Vernon Street.

Doubletree Club by Hilton Hotel Bayside (236 Mt. Vernon St.)

Tetra Tech recommends that the Proponent ensure that vehicle queues do not extend past the driveway serving the Doubletree Club by Hilton Hotel Bayside which is located approximately 200 feet from the DBC driveway (proposed 3rd St.) intersection with Mt. Vernon Street.

Existing access to the trash storage area for the Doubletree Club at Hilton Hotel Bayside is located off the existing DBC driveway on Mt. Vernon Street (proposed 3rd St.). The Proponent should ensure that access to this trash storage area is maintained and will not be restricted or obstructed as part of the DBC project. While the hotel's proposed expansion project proposed to relocate the trash storage, the construction on that project has halted indefinitely due to the COVID19 pandemic and, therefore, the existing trash storage access may remain in its current location.

Harbor Point on the Bay Apartments (400 Mt. Vernon St.)

This residential development has several vehicular and pedestrian access points on Mt. Vernon Street and is proposed to have pedestrian access directly to the DBC site. The Proponent should ensure that the proposed DBC site layout will continue to restrict vehicular access through the Harbor Point on the Bay Apartments property. Additionally, the Proponent should ensure that the operations at the Harbor Point on the Bay Apartment driveways on Mt. Vernon Street will not materially deteriorate as a result of the proposed DBC project.

Parking Impacts

The DBC Bayside site currently has a shared parking agreement with the Bayside Office Center where the tenants can share parking where available. The Proponent proposes to conduct a detailed shared parking analysis of the DBC site in the DPIR. Any abutting properties that currently have a shared parking agreement with the DBC Bayside site and are anticipated to continue sharing parking with the DBC site should be included in this analysis to ensure that adequate parking will continue to be provided.

It is recommended that the Proponent discuss the planned construction phasing to ensure that adequate parking and access will be provided for each phase of development. The discussion should include a description of how the parking will distributed throughout the site and managed, especially during the various phases of development.

Pedestrian/Bicycle Accommodations

The project is estimated to generate a significant number of pedestrians and bicyclists. A pedestrian/bicycle analysis should be included in the DPIR. The Proponent should ensure that the existing and proposed sidewalks within the study area can adequately accommodate the additional pedestrian/bicycle activity.

Transit Impacts

The project is estimated to generate a significant number of transit trips. The DPIR should include an assessment of impacts to the local transit system.

Additionally, it is recommended that the Proponent ensure that the pedestrian connection between the nearby JFK MBTA station and the DBC site can adequately accommodate future pedestrian activity including implementing improvements where sidewalk width and pavement quality are deficient and where pedestrian handicap ramps are not in accordance with current ADA standards.

These comments are offered as guides for use during the City's review. If you have any questions, please feel free to contact us at (508) 786-2200.

Very truly yours,

Robert I. Woodland, PE
Senior Project Manager

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street, Suite 800, Boston, MA 02114-2136
(617) 626-1200 FAX: (617) 626-1240

MEMORANDUM

TO: Kathleen A. Theoharides, Secretary, EEA
ATTN: Erin Flaherty, MEPA Office
FROM: Lisa Berry Engler, Director, CZM
DATE: December 11, 2020
RE: EEA #16277, Dorchester Bay City – Boston

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 October 7, 2020 and offers the following comments to inform the development of the mandatory Environmental Impact Report (EIR).

Project Description

With this ENF, Accordia Partners LLC, on behalf of Bayside Property Owner LLC and Morrissey Property Owner LLC, proposes to redevelop an approximately 33.55-acre project site comprising the 19.94-acre Bayside site and the 13.61-acre 2 Morrisey site into Dorchester Bay City, a 5.9-million gross square foot (GSF) mixed-use project with 1,740 housing units, approximately 155,000 GSF of ground floor retail/restaurant space, and approximately 4,008,000 GSF of office, research & development/lab, and academic uses. The project site, located on Columbia Point adjacent to part of the Dorchester Shores Reservation, includes 12.35 acres of filled tidelands, all of which are within the area of the City of Boston's Harborpark Plan and some of which are landlocked, and more than 29 acres of land subject to coastal storm flowage. According to Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), portions of the Bayside site are within the extent of the flood zone associated with a 1% chance annual storm (Zone AE elevation 11), with a small section adjacent to the Limit of Moderate Wave Action within Zone VE (elevation 14). The project, which entails buildings on seventeen blocks, proposes to elevate the project site to elevation 15 NAVD88 in coordination with the plans of the City of Boston and Department of Conservation and Recreation (DCR) for their respective properties adjacent to the site. Approximately 18.66 acres of the project site will remain impervious – a decrease of nearly 13 acres – and the first 1.25 inches of rainfall stormwater runoff will be retained through a combination of increased pervious area, green infrastructure, low-impact development techniques, stormwater treatment, and infiltration systems. The project will increase the number of parking spaces by 450 to 2,650 spaces and generate 11,712 new adjusted daily trips after a 10-15-year construction period.

Project Comments

Climate Resilience

The ENF identifies the project site's flood zones based upon the current FEMA FIRM and indicates that the project is being designed for future sea level rise. The EIR should include the projected flood zones with sea level rise based on the Boston Harbor Flood Risk Model, as shown on

the Climate Ready Boston Map Explorer, and describe how the project is designed to address these potential hazards. In addition to plan views, the EIR should include cross-sections showing the existing grades, proposed grades, proposed buildings and structures, FEMA flood zone elevations, and future flood zone elevations.

Though developed, the site does possess functional characteristics of a coastal floodplain, as outlined 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*. Redevelopment projects should improve these functions. In addition, FEMA's post-storm damage assessments (i.e. Mitigation Assessment Team Reports) have cited flow channelization as one of the causes of damage to buildings and infrastructure during storm events. To identify the potential impacts of the proposed project on future stormwater and coastal floodwater flow and drainage patterns, the proponent should conduct a topographic analysis indicating changes to these patterns within and adjacent to the site as a result of the proposed fill, grading, and solid project components (e.g. solid foundations, retaining walls). This analysis should include rain events and coastal storm events with a combination of rain and coastal flooding. To support this analysis, the EIR should provide a detailed description and plans depicting topography and the sources, flow direction, and pathways of coastal and inland flooding onto, through, and off the site during a coastal storm event for the existing conditions; for the proposed project through its design life incorporating the likely impacts of climate change and sea level rise; and for alternative designs that avoid, minimize, and mitigate impacts to the functions of the current and future floodplain. The proponent should consider changes in velocity, direction, depth, and extent of coastal floodwater and resulting impacts on the project and adjacent sites, especially public streets and properties that are not proposed to be filled to a matching elevation. Any proposed fill, grading, or solid project components should not adversely impact existing wetland resource areas (e.g., DCR's Dorchester Shores Reservation). Alternatives that evaluate different amounts of fill should be analyzed to assess potential impacts to rain and coastal flooding patterns including an alternative that fills the site to match adjacent grades to address the existing coastal inundation pathway and an alternative that evaluates elevating the site grades higher to avoid flooding during future sea level rise conditions.

In addition, the EIR should provide detailed information regarding the proposed flood protection control measures along the waterfront edge of the project site, including delineations of resource areas, elevations, cross-sections, composition, and a monitoring and maintenance plan, as necessary and applicable. A nature-based measure may be able to accommodate the landward migration of adjacent resource areas. This would require the eventual relocation of the Harborwalk, so the EIR should discuss how continuous public access seaward of any structure on the project site will be ensured for the design life of the project. An analysis of shoreline erosion rates that considers the likely landward migration of coastal resource areas due to rising sea levels and increased storms over the life of the project may inform the selection of the flood control or protection component. Any such improvement should be designed and implemented in coordination with DCR.

The project site's likely soil composition of fill material with urban debris underlain by impervious peat (former salt marsh) and potential contamination may limit its capacity for stormwater infiltration. Because portions of the project site are subject to an Activity and Use Limitation, the proponent should mitigate the risk of groundwater contamination from infiltration on the site during and after the completion of the project and complete the project in accordance with the procedures of the Massachusetts Contingency Plan. Further, Dorchester Bay is identified as an impaired

waterbody; the EIR should include additional information regarding the proposed project's compliance with the Massachusetts Department of Environmental Protection's (MassDEP) Stormwater Regulations.

Tidelands

Nearly all the project site's filled tidelands are Commonwealth tidelands, while approximately 285 square feet are landlocked tidelands. Nonwater-dependent projects on Commonwealth tidelands are required to attract and maintain substantial public activity on the site on a year-round basis, including exterior open spaces for active or passive public recreation and interior space for facilities of public accommodation (FPAs). The EIR should quantify the amount of Commonwealth tidelands dedicated to open space for active or passive public recreation (i.e., exclusive of roadways) and ensure that these open spaces and required FPAs are located nearest to the waterfront. The proposed project does not include a water-dependent use zone and therefore is not required to provide pedestrian access parallel to the shoreline. However, the increasing frequency and intensity of coastal storm events may inundate the Harborwalk on Dorchester Shores Reservation, which is seaward of the project. The proponent should consider a parallel shoreline access path across the entirety of its project site seaward of any proposed structures in coordination with DCR to ensure an alternative public access route at a higher elevation. The landward migration of the shoreline would necessitate the relocation of the existing Harborwalk; the proponent should ensure sufficient space seaward of all proposed structures for this possibility to ensure continued public access over the design life of the project. Wayfinding and interpretive signage should be installed throughout the project site and along public walkways or other pedestrian connections from the public rights of way, including Mt. Vernon Street, to the waterfront and Dorchester Shores Reservation. A draft management plan for the publicly accessible areas of the project site should be developed and submitted to relevant stakeholders for public comment prior to licensing. Phased developments with shared infrastructure may benefit from a Consolidated Written Determination (CWD) to coordinate the delivery of public benefits with the phases of the project; the proponent should consult with MassDEP to determine if a CWD is necessary or appropriate.

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 robert.boeri@mass.gov or visit the CZM website at www.mass.gov/czm/fcr.

LBE/ts/elh/rh

cc: Amelia Croteau, Executive Secretary, City of Boston Conservation Commission
Joy Duperault, Director, Department of Conservation & Recreation Flood Hazard Mitigation Program
Daniel Padien, Program Chief, MassDEP Waterways Regulation Program
Jill Provencal, Wetlands Section Chief, MassDEP-NERO
Richard McGuinness, Deputy Director for Climate Change & Environmental Planning, Boston Planning & Development Agency

December 11, 2020

Kathleen Theoharides, Secretary
Executive Office of Energy & Environmental Affairs
Attention: MEPA Office – Erin Flaherty, MEPA #16277
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Dorchester Bay City, MEPA #16277, ENF

Dear Secretary Theoharides:

The Metropolitan Area Planning Council (MAPC) regularly reviews proposals deemed to have regional impacts. The Council reviews proposed projects for consistency with MetroFuture, the regional policy plan for the Boston metropolitan area, the Commonwealth's Sustainable Development Principles, consistency with Complete Streets policies and design approaches, as well as impacts on the environment.

MAPC has a long-term interest in alleviating regional traffic and environmental impacts, consistent with the goals of MetroFuture. Furthermore, the Commonwealth encourages an increased role for bicycling, public transit, and walking to meet our transportation needs while reducing traffic congestion and vehicle emissions. Additionally, the Commonwealth has a statutory obligation to reduce greenhouse gas emissions (GHG) by 25% from 1990 levels by 2020 and by at least 85% from 1990 levels by 2050.

MAPC has reviewed the Environmental Notification Form for the Dorchester Bay City project and offers comments in the attachment below. The Project Site includes two parcels in the Dorchester neighborhood of Boston – the Bayside Site and the 2 Morrissey Site – which are separated by Mt. Vernon Street. The Bayside Site is a 19.94-acre parcel of land bounded by the Dorchester Shores Reservation to the east, Harbor Point Apartments to the south, and Mt. Vernon Street to the west. The Bayside Site will be redeveloped by Bayside Property Owner, LLC (the Bayside Proponent). The 2 Morrissey Site is a 13.61-acre parcel of land bounded by Mt. Vernon Street to the northeast, Morrissey Boulevard to the west, and Boston College High School to the south. The 2 Morrissey Site will be redeveloped by Morrissey Property Owner, LLC (the 2 Morrissey Proponent).

Combined, the Bayside Proponent and the 2 Morrisey Proponent (the Proponent) propose a mixed-use redevelopment totaling approximately 5.9 million sf of building program across two parcels - the Bayside Site and the 2 Morrissey Site (the Project). The proposed Project includes approximately 1,740 residential units (1,460,000 sf), approximately 4,008,000 sf of office, research and development, life sciences and/or potentially academic uses (referred to as office/research), and approximately 155,000 sf of retail/restaurant uses.

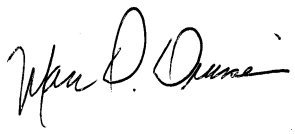
The Project will include 17 new development blocks, and approximately 2,650 parking spaces, which will be supported by a new street circulation system to accommodate vehicles, pedestrians, and bicyclists within the Project site. At full build-out, the Project is projected to generate 16,692 (adjusted)/50,986 (unadjusted) vehicle trips per day. Full build-out of the site is anticipated to occur over a period of 10-15 years.

The Project has excellent access to both public transportation and the regional roadway network. Specifically, the Project site is proximate to the MBTA JFK/UMass Red Line station, the MBTA commuter rail, and local MBTA bus routes. Due to its local connections to Morrissey Boulevard and Day Boulevard, as well as the I-93 ramps at the Columbia Road interchange, the Project site has strong access to the regional roadway network.

MAPC has reviewed the Environmental Notification Form (ENF) and has comments that address coordination with proximate roadway projects, access to JFK/UMass Station, advancing a parking program, implementing a robust Transportation Demand Management (TDM) program, and developing a mode share and monitoring program. These comments, proposed recommendations, and questions are detailed as an attachment to this letter. MAPC respectfully requests that the Secretary incorporate our comments as part of the Certificate issuance for the Environmental Impact Report (EIR).

Thank you for the opportunity to comment on this Project.

Sincerely,



Marc D. Draisen
Executive Director

cc: Gregory Rooney, Boston Transportation Department
Tad Read, Boston Planning and Development Agency
David Mohler, MassDOT

Metropolitan Area Planning Council (MAPC) comments on
Dorchester Bay City, Environmental Notification Form, MEPA #16277

Development Program

The Proponent states that the phasing strategy is still being developed. As part of the EIR submission, the Proponent needs to clearly identify how the sequencing of the proposed Project's overall phasing strategy will be implemented. The EIR must also outline commitments to provide impact analysis at key build-out thresholds, along with identifying parking supply and mitigation for each phase.

We note that the Proponent has indicated that development on the 2 Morrissey Site will occur at a later stage of the Project, after the existing tenancy at that property has expired. The timing of that portion of the development, which comprises 40 percent of the total built square footage of the site, must be identified in the EIR.

There are several significant nearby transportation infrastructure projects that have been initiated by the City of Boston, MassDOT, the Department of Conservation and Recreation, and the MBTA. These projects are the re-design of Morrissey Boulevard, Mt. Vernon Street[1], Kosciuszko Circle, and JFK/UMass Station. It is critical that the programming of these projects be identified as part of the Proponent's phasing strategy. The extent to which these transportation infrastructure projects may impact the Project's phasing strategy, traffic conditions, and design at the Project site needs to be identified.

The Proponent also needs to indicate how they will coordinate with other large scale development projects in the vicinity of the Project site. These projects include but are not limited to: the Mary Ellen McCormack Public Housing Development, 135 Morrissey Boulevard (former Boston Globe Headquarters), and 75 Morrissey Boulevard (residential development).

Monitoring Program and Mode Share Goals

Mode Share Goals
The Proponent needs to define mode share goals clearly (vehicular, commuter rail, bus, bicycling and walking) for residents and employees as part of their commitment to conduct monitoring and reporting, and to adjust the project's Transportation Demand Management (TDM) program as necessary. Mode share goals should specify a numerical target for increased use of public transportation, walking, and bicycling, and a decrease for Single Occupancy Vehicle (SOV) use. The monitoring and reporting program needs to include details of how mode share goals will be attained, as well as steps that will be taken if goals are not met. MAPC recommends that a full assessment based on the data gathered take place annually and for at least five years after full occupancy.

Developing and monitoring mode share goals is a central component of TIA preparation as outlined in the EOEEA/MassDOT Guidelines for Traffic Impact Assessments (TIAs). Specifically, the TIA Guidelines state: *The TIA should include an assessment of the mode split assumptions, as well as the Proponent's plan to maximize travel choice, promote non-SOV modes, and achieve the assumed mode shares*. (page 17)

Monitoring and Reporting
It is imperative that the Proponent outline an extensive and thorough monitoring and reporting program. The monitoring and reporting program should include annual data collection for vehicular trips, parking usage, public transportation, bicycling, and walking. This program must be well defined, and committed to in the Section 61 findings. The intent of the monitoring and reporting program is to confirm that actual changes are consistent with forecasted changes. With a monitoring and reporting program, the actual impacts of a project can be determined and additional mitigation measures identified, if necessary.

[1] The BPDA has completed a 25% Design of Mt. Vernon Street with the intent to beautify the street and make it safe and comfortable for all users: walkers, bikers, drivers, and transit passengers.

Transportation Analysis

CTPS Regional Model
MAPC recommends that the Proponent use the services of the Central Transportation Planning Staff (CTPS) to estimate future traffic volumes for the study area based on the CTPS regional model. The modeling effort can be designed to depict the actual transportation network as closely as possible, including attributes such as capacity and travel speeds along with roadway links. Based on many factors in the model, including socio-economic projections, CTPS will be able to estimate as accurately as possible the likely number of vehicle trips to be generated by the project, and assign vehicle routes based on roadway capacity and travel speeds. In addition, the model will be able to derive an internal capture rate for the site and to make assumptions for transit and non-motorized trips. The Proponent should also use the model to quantify the effectiveness of the TDM plan. There is precedence for utilizing the regional travel model as it was applied for the Suffolk Downs Redevelopment in Boston/Revere and Union Point development in Weymouth.

The ENF proposes Medium- and Long-Term scenarios for 2025 and 2030 respectively, yet also notes that the Project will likely be built out over 10 to 15 years. MAPC respectfully requests that the Proponent use the forecasting years of 2030 and 2040 for the Medium- and Long-Term scenarios.

Kosciuszko Circle
The Proponent states that the new roadway system will allow movement from Morrissey Boulevard through the 2 Morrissey and Bayside Sites over to Moakley Park and Day Boulevard, increasing access to civic open spaces while decreasing congestion points around Kosciuszko Circle. The reduction of traffic impacts to Kosciuszko Circle need to be detailed in the EIR.

Water Transportation
The EIR does not mention of the use of water transportation for the Project's residents, employees, and visitors. MAPC respectfully requests that the EIR address the viability of including water transportation (e.g., ferry service) at the Project site to provide access to/from downtown Boston.

Access to JFK/UMass MBTA Station

The EIR should outline the approach of how the Project will leverage proximity of the Red Line. Utilization of the Red Line will be a critical component to minimize vehicular use to/from the Project site as well as meeting mode share goals. Major effort in design, configuration and amenity must be focused on minimizing the perceived and real gap in distance from the Red Line to the Project site.

Public Transportation

The Proponent has indicated that they will examine the impact of Project trips assigned to the MBTA Commuter Rail, Red Line, and local bus services, that serve both the Project site and JFK/UMass MBTA station. MAPC's comments addressing impacts to the MBTA Red Line and MBTA bus routes are as follows:

MBTA Red Line Impacts
The EIR needs to analyze the extent to which the Project will impact service on the Red Line, especially during the peak morning and evening commute hours. The Proponent should work with the MBTA to determine whether service may need to be augmented in order to maintain appropriate levels of peak hour service (e.g., signalization).

MBTA Bus Impacts
The EIR needs to include a summary of the specific MBTA bus routes that will be impacted by the Project, the estimated increase in trips by route, and whether those routes will experience over-crowding. The Proponent should work with the MBTA to determine whether service levels need to be increased to address crowding, and if so, those efforts should be added to the mitigation plan.

The EIR should also study the need for new MBTA bus stops, either within or adjacent to the Project site, to provide enhanced access. This should include improved bus connections between the Project site and the JFK/UMass MBTA station.

In conducting these analyses, the Proponent should assume that, over the long period of development and occupancy, MBTA service levels will return to and perhaps exceed pre-COVID levels, rather than assuming that MBTA service will remain at the levels of the pandemic emergency.

Parking

Allocation and Phasing of Parking Spaces
MAPC respectfully requests that the Proponent provide information regarding the allocation of the 2,650 proposed parking spaces to land use for each Project phase, preferably in a matrix format along with an explanation of the methodology used to determine the total parking proposed. The methodology should include an analysis that quantifies the anticipated parking usage based on the different types of parking demand (e.g., market residential, affordable residential[2], employee, retail/restaurant customer) and projected parking demand. The Proponent should provide the total number and allocation of proposed parking spaces by land use type as a baseline for full build-out.

Shared Parking
MAPC was pleased to read that the Proponent will explore opportunities to control parking demand through sharing of parking spaces for different users by time of day (e.g., between the Project's residential and commercial components). A shared parking program that does not overbuild parking would encourage and reinforce the use of available alternative modes of transportation to access the Project, including Red Line, bus, shuttle service, as well as walking and bicycling and minimize dependence on auto travel. MAPC looks forward to reviewing a quantitative shared parking plan that addresses how these parking spaces will be assigned to different users, which include the Project tenants, residents, and visitors, in the EIR.

Underground Parking
While the ENF mentions that the majority of proposed parking will be underground, the EIR needs to identify the number of spaces and where these spaces will be located. The distinction between below-grade and at-grade parking needs to be clearly outlined in the EIR. Also, plans for future adaptability of underground parking should be explored for the potential productive reuse of the space, should parking demand decrease in the future due to emerging technologies.

Current Parking
Along with a quantitative description of the level of use, the EIR should identify when and where the existing estimated 2,200 parking spaces at the Project site will be reallocated. The Bayside Site currently contains approximately 1,300 surface parking spaces used by UMass Boston and the 2 Morrissey Site contains approximately 900 accessory parking spaces.

Shuttle Service

According to the ENF, the Proponent is evaluating the viability of a private shuttle system to connect the Project to the JFK/UMass MBTA station to supplement and/or integrate with existing shuttle services in the area. Beyond evaluation, the Proponent should commit to operating a shuttle service for the Project's employees, residents, and visitors to, from, and within the site. Specifically, the on-site shuttle should run as a continuous connection providing access to the various buildings within the Project and most importantly to and from the JFK/UMass MBTA station, which is challenging to access either on foot or by bicycle.

[2] Please note the importance of distinguishing between market and affordable residential, since the residents of affordable units may own fewer cars and take fewer auto trips.

The shuttle service should be designed to enhance connectivity with existing MBTA subway, bus, commuter rail, and potential integration with other existing shuttle services at JFK/UMass MBTA station. To ensure significant mode shift, strong connectivity among these transportation options is critical. The EIR should include a conceptual map of the shuttle service area and provide information about anticipated routes, stops, connectivity to existing services (subway, bus, and rail), and schedules. MAPC recommends the shuttles use alternative fuels (e.g., Compressed Natural Gas, Liquefied Natural Gas) or be electric. The EIR should outline the commitment to a shuttle service.

Transportation Demand Management
MAPC is pleased that the Proponent proposes to implement a robust Transportation Demand Management (TDM) program, which will include a new Transportation Management Association (TMA) to encourage active and sustainable modes of transportation and minimize vehicle use. According to the Proponent, the new TMA will be created in conjunction with other area landowners and nearby institutions, such as UMass Boston.

Parking Management Strategies
In addition to shared parking, we respectfully request the Secretary to require the Proponent to evaluate the following parking management strategies with the goal to reduce and better manage parking:

- Unbundle residential parking from tenant leases;
- Charge market rate for parking spaces through tenant lease agreements;
- Implement short-term parking lease agreements;
- Require tenants to offer short-term parking lease options to employees, such as month to month;
- Require tenants to charge employees market rate for on-site employee parking;
- Implement demand-responsive pricing, which adjusts hourly rates for public and customer parking to manage parking availability;
- Charge to park on a daily, not monthly, basis; and
- Offer parking cash-out incentives for employees.

In order to develop a robust TDM program, MAPC recommends the following TDM measures for the Project, which include but are not limited to:

Transit Pass Programs and Bikeshare Memberships
Foster employee use of transit by promoting 100% employer subsidized transit passes (e.g., through tenant lease arrangements). Consider reimbursements for resident transit passes and/or bikeshare memberships.

Car Sharing
Allocate reserved parking spaces for car sharing services such as ZipCar.

Pick-Up/Drop-Off Locations
Designate pick up/drop off areas and accommodate on-demand car services, such as Uber and Lyft, and taxis.

Tenancy Lease Agreements/Tenant Manual
Address how tenancy lease agreements or a tenant manual will be used as a mechanism to ensure implementation, maintenance, and success of TDM measures.

Provide Infrastructure for Electric Vehicle Charging
MAPC supports the Boston Transportation Department's (BTD) Electric Vehicle (EV) Readiness Policy for New Developments[3], which requires large project review developments to equip 25% of their total parking spaces to be EVSE (electric vehicle supply equipment) installed and the remaining 75% of the total spaces to be EV ready. As the

[3] https://www.boston.gov/departments/transportation/recharge-boston-electric-vehicle-resources

Proponent may be aware, Massachusetts is party to a multistate Memorandum of Understanding for an action plan facilitating implementation of zero-emission vehicle (ZEV) programs. The goal is to ensure that 3.3 million ZEVs are on the roads by 2025, which requires adequate infrastructure[4]. Largescale projects such as Dorchester Bay City should help us to meet this commitment.

Pedestrian/Bicycle Access

The Project will result in the construction of an extensive system of new on-site roadways to accommodate pedestrians, bicycles, and vehicles. MAPC is pleased the Proponent intends that the new street circulation system will accommodate pedestrians and bicyclists in addition to vehicles.

Proposed bicycle and pedestrian access, both within and connecting the site to nearby areas, should be clearly identified in the EIR. To promote pedestrian and bicycle usage, the Project should include appropriately placed crosswalks, signage, short and long-term bicycle parking spaces, Bluebikes stations, as well as amenities such as benches, lighting, and landscaping. The location and number of these amenities need to be clearly indicated in the EIR. The EIR needs to clearly indicate how pedestrian and bicycle connections will be provided to safely access JFK/UMass Station, the Dorchester Shores Reservation, the Harborwalk, Moakley Park, UMass Boston, and the Harbor Point Apartments.

Open Space

The project will include approximately 20 acres of new open space, most of which will be publicly accessible. The Proponent has indicated that a public benefit would be the ability to access the open spaces within and proximate to the proposed development. The EIR should include details of the guarantee that the open spaces within and proximate to the Project site will be open to the general public, and that the access to and connections within the Project will be designed in a welcoming fashion.

Climate Mitigation and Building Resilience

The ENF states that the project will adhere to the City of Boston's guidelines pertaining to climate resilience and refers to the BPDA Coastal Flood Resilience Design Guidelines approved in September 2019, which may have been the most current city document at the time the ENF was prepared. However, the EIR should refer to the City of Boston's recently published "Coastal Resilience Solutions for Dorchester" (October 2020)[5]. This report provides detailed flood risk analyses and resilience recommendations specifically for the Dorchester shoreline, including the Project site. It documents areas at risk of flooding from a 1% storm (commonly referred to as a "100 year storm") under three scenarios: existing conditions, the 2030s, (assuming 9" of sea level rise), and 2070s (assuming 40" of sea level rise). For the Bayside site specifically, the report shows that a portion of the site is currently subject to flooding from a 1% storm, and by the 2030s the entire site would be subject to flooding from a 1% storm. By the 2070's, the report shows that a portion of the site would also be subject to much more frequent monthly tidal flooding. The projected 2070 depth of flooding on the Bayside site ranges from 3.5 to 5.0 feet.

Based on these flooding projections, the Dorchester coastal resilience report establishes a Design Flood Elevation (DFE) for the Bayside section of the shoreline of 16.2 feet, measured as North American Vertical Datum of 1988 (NADV88). It should be noted that the City of Boston has its own elevation reference system, Boston City Base (BCB), which is 6.46 feet higher than NAVD88. The DFE of 16.2 feet NAVD88 would equate to approximately 22.7 feet Boston City Base. The difference between these two elevation reference systems is noted because the elevations discussed in the ENF are BCB, whereas the DFE of 16.2 feet in the Dorchester flood resilience report is NADV88. For clarity's sake, the EIR should express all elevations in one format, preferably NAVD88, since that is how the city's DFE for Dorchester is measured.

[4] State Zero-Emission Vehicle Programs, Memorandum of Understanding, October 24, 2013. https://www.zevstates.us/
[5] https://www.boston.gov/departments/environment/climate-ready-boston/climate-ready-dorchester

The ENF states that portions of the Bayside site will be elevated to 21.5 feet BCB, which it states would provide 2 feet of freeboard above the base flood elevation of 19.5 feet BCB. However, this base flood elevation from the 2019 guidelines is lower than the DFE in the more recent Dorchester flood resilience document. As noted above, the DFE of 16.2 NAVD88 would equate to 22.7 feet BCB, which is 1.2 feet higher than the 19.5 feet BCB base flood elevation referred to in the ENF. The EIR should evaluate the proposed site design in relation to the DFE of 16.2 NAVD88, and ensure that the final design will meet that standard. It is possible that elevating the perimeter of the site along the shoreline to the DFE of 16.2 feet NAVD88 would accomplish this without the need to elevate the entire site. The EIR should review this and propose the most effective way to ensure the site and its connections to neighboring sites will maintain an elevation consistent with the DFE of 16.2 NAVD88.

Housing

The ENF mentions the project will be consistent with the City of Boston's Inclusionary Development Policy. The City's Inclusionary Development Policy can include a combination of on-site affordable units, off-site affordable units, and/or a monetary contribution to an affordable housing fund. MAPC strongly encourages that all affordable units be on-site and recommends the Proponent incorporate the following into the EIR for the Project:

- Include the number of affordable units, their level of affordability, tenure (ownership v. rental), and the bedroom distribution.

- In addition to meeting the Inclusionary Zoning requirements of the City of Boston (13% of total proposed units), the Proponent should commit to increasing the total number of affordable units through use of linkage payments or by other means. MAPC feels that a higher goal of 20% or 25% is more appropriate for a development of this scale.

- The affordable units should be constructed on site and incorporated into structures throughout the proposed development in such a way as to prevent the segregation of lower-income households.

- The development should include a mix of 1-, 2-, and 3-bedroom units, to ensure that there is housing for all types of households, including families, and these units should be distributed throughout the site. The bedroom mix in the market and affordable units should be the same.

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

December 11, 2020

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

Attn: MEPA Unit

RE: Boston
Dorchester Bay City
EEA # 16277

Dear Secretary Theoharides:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Environmental Notification Form (ENF) for the proposed Dorchester Bay City in Boston. MassDEP provides the following comments.

MCP/21E

The area of the proposed project involves two properties which the ENF submittal refers to as "200 Mount Vernon Street" and "2 Morrissey Boulevard", with a combined area totaling approximately 33.5 acres. The surrounding vicinity is generally classified as commercial and residential. The proposed project would involve the building of a mixed-use development to include residential, office and research blocks.

The proposed project area is within a portion of what historically was an extended marshy area impacted by regional fill/solid waste dumping activity between the late-1800s and the mid-1900s, and became known as the Columbia Point Dump. The regional dumping area reportedly covered most potions of the Columbia Point Peninsula, including the locations of the Bayside Expo Center and the proposed project area, as well as nearby areas currently occupied by the JFK Library and UMass Boston Campus. The historical "urban" fill material and solid wastes represent a general source of contaminants in the former dumping area.

Prior to the 1900s, the "200 Mount Vernon Street" property included calf pasture and a tidal marshland which was later filled. By 1923, a portion of the property was occupied by the American Radiator Co. warehouse and associated railroad easements. Prisoner of War (POW) barracks existed at the property during World War II, which were replaced by 1950 with the Columbia Villa's 221 residential units (a Boston Housing Authority project). The Bayside Shopping Mall was constructed at the property between approximately 1964 and 1968, and was later converted to the current Bayside Expo Center in the mid-1980s. The warehouse formerly occupying a portion of the property was demolished between 1979 and 1988.

The subject property is bordered north by City of Boston Park space, the Boston Teachers Union office and the State Police Barracks; northeast and east by Dorchester Bay; southeast and south by Harbor Point Apartments, residential apartments units and Mount Vernon Street; southwest by the Doubletree Bayside Hotel; and west by an office building. The ENF for the proposed project states "The Bayside Site formerly housed the Bayside Exposition Center, is vacant, and currently contains approximately 1,300 surface parking spaces used by UMass Boston".

The "2 Morrisey Boulevard" property encompasses the contiguous parcels at 2, 40 and 50 Morrisey Boulevard and 245 Mount Vernon Street, and is bordered west by Morrisey Blvd., north by Mt. Vernon St., east by Saint Christopher's church, and south by the Boston College High School. The Bay Side Expo Center property is located to the N/NW, immediately across Mt. Vernon Street (specifically, at 200 Mount Vernon Street). The property consists of five buildings, landscaped areas, and paved parking. The buildings were constructed in stages between 1964 and 1994, and their historical uses have included manufacturing, television broadcasting, storage and, since at least 1990, banking computer operations center and commercial offices.

Status of each RTN under the Massachusetts Contingency Plan – Detailed Description

A summary of the current MCP regulatory status of each of the Release Tracking Numbers (RTNs) associated with the area of the proposed Dorchester Bay City Project is presented below.

- RTN 3-29509 has a Permanent Solution with No Conditions. Specifically, on January 20, 2011, a Class B-1 Response Action Outcome Statement (RAO) was submitted to MassDEP for this RTN. RTN 3-29509 was issued on September 14, 2010 for the Bayside Expo Center property at 200 Mount Vernon Street, in relation to the presence of petroleum-related compounds in soils. The 2011 RAO indicates that some soil and groundwater assessment was conducted, but no remedial response actions were conducted; a Condition of No Significant Risk was determined to exist without the need for an Activity and Use Limitation (AUL). Based on a 1988 investigation at the 200 Mt. Vernon St. property, an underground storage tank (UST) of unknown capacity and contents reportedly existed by the building's north side, which potentially was still present and had been cleaned and filled with sand. However, results of Ground-Penetrating Radar and Electromagnetic surveys conducted under RTN 3-29509 in July 2010 at the northeast corner of the building did not indicate the presence of underground structures indicative of a UST (although the Electromagnetic survey identified five areas with data likely indicative of metals). A follow-up subsurface investigation in September 2010 indicated that an uncontrolled petroleum source or a UST were not believed to exist at the property.

• RTN 3-29510 has a Temporary Solution status, submitted to MassDEP on October 2, 2018. The (Revised) Temporary Solution Statement was prepared to include an Operation, Maintenance, and Monitoring (OMM) Plan for periodic inspection and maintenance of the perimeter fence and the Temporary Cap that was installed as part of a Building Demolition. RTN 3-29510 was issued on September 14, 2010 for the Bayside Expo Center property at 200 Mount Vernon Street, in relation to the presence in soil of polycyclic aromatic hydrocarbons (PAHs), metals, petroleum, and asbestos-containing materials, generally attributable to urban fill. A marker barrier was placed over urban fill soil within the building footprint and new utility areas, followed by approximately 6-inch thickness of clean cover consisting of crushed concrete from the former building slab and imported crushed concrete. Per the MCP, a Periodic Review shall be conducted of a Temporary Solution every fifth year after the filing date of said Temporary Solution, until such time that a Permanent Solution is submitted (see further details at 310 CMR 40.1051(3)(b)). The 2018 Temporary Solution states: "A condition of No Significant Risk exists at the Site under current conditions and there are No Substantial Hazards at the Site. … implementation of a Permanent Solution is feasible; however, steps towards achieving a Permanent Solution will require the placement of an additional 18 inches of clean cover and the implementation of an AUL." In 2018 and 2019, MassDEP conducted inspections of the perimeter fencing at the site. In brief, the reports from the two inspections (on 10/11/2018, and 8/16/2019) indicated that perimeter fencing was in acceptable condition, secure in all areas and with posted signs; the site was deemed to be secure from trespass.

• RTN 3-11601 has been "CLOSED", since September 5, 2003, via linkage to Tier Classified Site RTN 3-19461. RTN 3-11601 was assigned on September 16, 1994 for the parcel at 245 Mt. Vernon Street, owned and occupied then by The First National Bank of Boston. The RTN was issued for lead and PAHs detected in soil. The small parcel formerly known as 245 Mount Vernon Street became the northeastern corner of the adjoining property at 2, 40 and 50 Morrissey Boulevard. Further detail is presented below under RTN 3-19461.

• RTN 3-19461 has a Permanent Solution with Conditions. Specifically, on July 30, 2003, a Class B2 RAO was submitted for this RTN together with the filing of an Activity and Use Limitation (AUL). RTN 3-19461 was assigned on April 12, 2000 to Fleet National Bank, as owner of the "2 Morrissey Boulevard" property at that time. The property was later acquired by Santa Fe Hotel, Inc. on March 2, 2001, and Sovereign Bank New England became the tenant and operator under a long-term lease. RTN 3-19461 was issued for the presence of soil and groundwater contamination at the subject property, involving: metals, PCBs, PAHs and other petroleum-related compounds. On September 5, 2003, RTN 3-11601 was "closed" and linked to RTN 3-19461. A Revised Class B2 RAO was submitted on February 11, 2004 under RTN 3-19461, supported by a Method 3 Risk Characterization that concluded that a condition of No Significant Risk existed with the implementation of the Activity and Use Limitation (submitted July 30, 2003). The AUL for the "2 Morrissey Boulevard" property prohibits future residential, school, or daycare use, and restricts disturbance of soil without Licensed Site Professional (LSP) oversight and plans in place for health & safety and soil management. The 2003 AUL refers to several "current and/or former USTs" at the property, associated with the storage of either fuel oil or diesel. Some USTs have been reported as removed, while the current status of others is uncertain. The ENF for the proposed project does not refer to the presence or absence of USTs. The Massachusetts Underground Storage Tank Program is regulated under several M.G.L. Chapters (including 21A, 21C, 21E and 21O), and 310

CMR 80.00. MCP requirements concerning Activity and Use Limitations filed for a site are contained at 310 CMR 40.1012 and 310 CMR 40.1070 through 40.1099.

• RTN 3-28745 has a Permanent Solution with Conditions. A Class A3 RAO was filed under this RTN on November 20, 2009 which, by reference only, incorporates the July 2003 Activity and Use Limitation filed under RTN 3-19461 for the "2 Morrissey Boulevard" property. RTN 3-28745 was issued on September 22, 2009 to Sovereign Bank, for the release of #2 fuel oil at said property. After various containment measures and soil removal to address the initial release, and subsequent sampling of soil and groundwater, the residual contamination from the release was determined to be limited to soils. The Method 1 Risk Characterization concluded that a Condition of No Significant Risk existed at the subject property with the AUL previously filed under RTN 3-19461. Referring to the existing 2003 AUL, the Class A3 RAO under RTN 3-28745 states "The AUL restricts activities that would result in a long-term presence of children, such as a residence, school, nursery, daycare or recreational area."

• RTN 3-12788 has a Permanent Solution with Conditions. On August 9, 1996, a Class A3 RAO with an Activity and Use Limitation was submitted under RTN 3-12788. This RTN was issued on August 2, 1995 for the property at 263-265 Mount Vernon Street, owned then by The First National Bank of Boston, and described as a "vacant lot behind [south] Saint Christopher's [church]". However, the ENF for the proposed project identifies RTN 3-12788 as being associated with the "2 Morrisey Boulevard" property. In comparing site figures and maps in various reports, it appears that the 263-265 Mount Vernon Street parcel may have been annexed to the contiguous "2 Morrisey Boulevard" property and turned into a paved parking area. RTN 3-12788 was issued for the presence in soils of metals (barium, lead and mercury) and petroleum-related contamination (TPH and PAHs), reportedly attributable to the "ash-filled soils from the [former Mile Road Dump's] operations" at Colombia Point from the early to mid-1900s, and which appear to have been one of the primary sources of fill placed over tidal-flat marshes during the initial development of the entire Columbia Point peninsula. The Method 3 Risk Characterization for the property concluded that a Condition of No Significant Risk existed with implementation of the AUL. In brief, the 1996 AUL identifies activities and uses that are not allowed at the 263-265 Mount Vernon Street property as they may result in Significant Risk, including (among others): excavation or disturbance below the ground surface resulting in exposure to subsurface soils and/or their fugitive dust; and use for recreation or play area by children, or other activity which could result in disturbance to the vegetative soil cover or alternative cover material such as intact pavement or concrete. To maintain a condition of No Significant Risk, the 1996 AUL also requires the proper maintenance of said cover and the existing chain link fence with locked gates and, for any subsurface excavation activities, the use of soil management and health & safety plans prepared by qualified professionals, and use of personal protective equipment. As indicated above, MCP requirements concerning Activity and Use Limitations filed for a site are contained at 310 CMR 40.1012 and 310 CMR 40.1070 through 40.1099.

Future MCP General Requirements

Involvement of a Licensed Site Professional (LSP) will be necessary for the completion of the ongoing and future MCP compliance for RTNs 3-29510, 3-19461, 3-28745, and 3-12788**.** Also, LSP involvement will likely be necessary for unanticipated issues that may arise during the

proposed project which may fall under MCP purview. As applicable to the project, below are several general considerations towards maintaining overall MCP compliance, but the project proponent should consult the MCP and M.G.L. Chapter 21E, as well as other relevant laws and regulations for comprehensive information on these and other potentially applicable requirements.

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 M.G.L. Chapter 21E and all other applicable federal, state, and local laws, regulations, and bylaws. Specific MCP requirements apply to conducting any work in AUL areas. 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.

If contamination at the site is known or suspected, the appropriate tests should be conducted well in advance of the start of construction and professional environmental consulting services should be readily available to provide technical guidance. 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. An LSP must be employed or engaged to manage, supervise, or actually perform the necessary response actions at the site.

Dust and/or vapor monitoring and controls are often necessary for large-scale projects in contaminated areas. The issue of preventing fugitive dusts is specifically identified in the AULs discussed above. The need to conduct real-time air monitoring for contaminated dust and to implement dust suppression must be determined prior to excavation of 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.

If capping of contaminated soil is needed to achieve a level of No Significant Risk, MassDEP recommends the following criteria for capping design: 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 layer 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 AUL prepared per 310 CMR 40.1012 will be necessary to identify the maintenance requirements of the cap. Please note that a cap constructed as an Immediate Response Action (IRA) or as a Release Abatement Measure (RAM) 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).

Construction activities conducted at a disposal site shall not prevent or impede compliance with MCP requirements, including but not limited to the implementation of required or likely assessment or remedial response actions at the site. Construction of structures at a contaminated site may be conducted as a RAM 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.

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. MassDEP's website provides additional information on issues related to the vapor intrusion pathway, at https://www.mass.gov/lists/policies-guidance-technical-support-for-site-cleanup?_ga=2.165003519.1902262297.1534291448-758575996.1534291448#vapor-intrusion-

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.

The MassDEP appreciates the opportunity to comment on this proposed project. Please contact Stephen.Johnson@mass.gov at (978) 694-3350 for further information on MCP/21E hazardous waste issues. Please contact John.MacAuley@mass.gov at (978) 694-3262 for further information on solid waste, asbestos or recycling 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, Steve Johnson, John MacAuley, Jack Miano, MassDEP-NERO

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

Memorandum

To: Erin Flaherty, MEPA

From: Daniel Padien, Chief Waterways Regulation Program, MassDEP
Frank Taormina, Waterways Regulation Program, MassDEP

Re: **Comments from the Chapter 91 Waterways Regulation Program − EEA #16277; ENF − Dorchester Bay City, Boston (Dorchester), Suffolk County**

Date: December 11, 2020

The Department of Environmental Protection Waterways Regulation Program (the "WRP") has reviewed the referenced Environmental Notification Form (ENF) EEA #16277, submitted by Epsilon Associates, Inc. on behalf of Bayside Property Owner, LLC and Morrissey Property Owner, LLC for which Accordia Partners LLC is acting as the developer (the "Proponent"). The project is the redevelopment of the former Bayside Expo Center Site at 200 Mt. Vernon Street and an adjacent parcel at 2 Morrissey Blvd into seventeen (17) mixed-use development lots with associated parking, roadways, sidewalks and open space, partially located on filled tidelands of Dorchester Bay.

Chapter 91 Jurisdiction

he two parcels that make up the project site total approximately 33.55-acres. The ENF reports that the project site includes approximately 12.35 acres of filled tidelands on the 19.94-acre 200 Mt. Vernon Street parcel. Because this parcel is owned in fee by the University of Massachusetts Building Authority (UMBA), a state authority of the Commonwealth of Massachusetts, all formally submerged lands within the parcel are regulated as Commonwealth Tidelands pursuant to 310 CMR 9.02. As reported in the ENF, approximately 285-square feet of the parcel at 2 Morrissey Boulevard contain filled tidelands. As these tidelands are separated by the waters of Dorchester Bay by one or more public ways and 250 feet, they are considered Landlocked Tidelands, as defined in 310 CMR 9.02, and not subject to Chapter 91 Licensing. The 12.35-acres of jurisdictional tidelands onsite will be reviewed under the applicable regulations at

310 CMR 9.00, including but not limited to the nonwater-dependent provisions of 310 CMR 9.51 through 9.53.

Chapter 91 Regulatory Analysis

200 Mt. Vernon Street parcel (a/k/a Bayside Site) is proposed to be redeveloped into ten (10) development blocks (Lots A-J) containing a total approximately 1,455 residential units, approximately 139,00 square feet of ground floor retail/restaurant space, and approximately 2,163,000 square feet of office/research and development, life sciences and/or potentially academic uses. Because only the Bayside Site is subject to licensing under M.G.L Chapter 91 and the Waterways Regulations at 310 CMR 9.00, the WRP is only providing comments on this portion of the overall proposed project.

Licensing Approach

The Proponent stated that they will be filing a Chapter 91 Waterways License Application seeking a Consolidated Written Determination (CWD) per 310 CMR 9.14(4) in order to obtain individual licenses for each of development lot located within Chapter 91 jurisdiction. The Proponent also stated that it is anticipated that the project will likely be built out over a period of ten (10) to fifteen (15) years.

Extended Term License and Climate Driven Sea-Level Rise / Resiliency Planning

The Department presumes the Proponent will seek an extended term license for each of the licenses issued from the CWD, pursuant to the Department's discretionary authority under 310 CMR 9.15. Accordingly, the EIR should include preliminary information justifying the requested extended term length in accordance with 310 CMR 9.15(1)(b). Among those required items and other relevant factors, please describe how the project is consistent with state and city adaptation and resiliency planning, specifically with regard to 310 CMR 9.15(1)(b)(2).

Building Height

The WRP cannot confirm at this time whether the proposed project meets the nonwater-dependent building height requirements at 310 CMR 9.51(3)(e) because the Height Diagram on Figure 11 of the ENF does not include the location of the Mean High Water (MHW) mark, the proposed building heights, nor the associated setback distances from MHW to each nonwater-dependent building within Chapter 91 jurisdiction. In the EIR, the Proponent should provide a detailed plan with specific building heights, setback distances from existing mean high water and the maximum building heights permitted by 310 CMR 9.00.

Open Space

The regulations at 310 CMR 9.51(3)(d) require at least one (1) square foot of open space on the Project Site for every one (1) square foot of nonwater-dependent building coverage. The footprint of jurisdictional filled tidelands on the Bayside Site is approximately 12.35 acres (537,998-square feet), of which approximately 372,004 square feet (69%) is proposed as open space and

approximately 165,994 square feet (31%) consists of building footprint coverage. Based on the information presented in the ENF, the proposed project appears to comply with this requirement.

Since the proposed project is located on Commonwealth Tidelands, it must also meet 310 CMR 9.53(2)(b)(1), whereby no less than half of said open space amount must be exclusively dedicated to public pedestrian use (i.e. no vehicular use, including roadways, internal drives, and surface parking, etc.). The ENF lacks sufficiently detailed site plans to determine if the proposed project meets the open space requirement of 310 CMR 9.53(2)(b)(1). In the EIR filing, the Proponent should provide detailed plans showing the breakdown and type of open space use (either pedestrian orientated, landscaped or public vehicular) to demonstrate compliance with said citation, as well as greater detail on the proposed programming of the open space ensure that it complies with the qualitative standards pursuant to 310 CMR 9.52(2)(b).

Water Dependent Use Zone

The Proponent stated that the Water Dependent Use Zone (WDUZ) located on an intervening parcel (DCR's Dorchester Shores Reservation) extends 25-feet landward from MHW. While the Project Site does not have a Project Shoreline, the EIR should include calculations showing the location and width of the WDUZ using a weighted average per 310 CMR 9.51(3)(c) on the intervening parcel to confirm whether the WDUZ extends into the project site or not. The Proponent should provide the transects and calculations used to determine the weighted average distance on the intervening property per said citation.

Facilities of Public Accommodations on Commonwealth Tidelands

All nonwater-dependent use buildings proposed on Filled Commonwealth Tidelands must include ground floor Facilities of Public Accommodations (FPA) that enhance the destination value of the waterfront by serving significant community needs, attracting a broad range of people, or providing innovative amenities for public use as required and further detailed in 310 CMR 9.53(2)(c). FPAs are not merely "building areas open to the public" such as lobbies or entrances, they must meet the higher standard described in 310 CMR 9.53(2)(c) and summarized above. Lobbies and entrances without substantial public amenities are more appropriately defined as Upper Floor Accessory Services (UFAS). The regulations at 310 CMR 9.02 allow the Department to license up to 25% of the ground floor area as UFAS. UFAS shall be clearly delineated and tabulated alongside the FPA areas in the EIR. No Facilities of Private Tenancy (FPT), as defined in 310 CMR 9.02, may be located on the ground floor.

The Proponent notes in their ENF that the Chapter 91 jurisdictional line is irregular across the entirety of the Bayside Site, and in some instances only threads of jurisdiction pass through proposed building footprints. The ENF states that to the extent practical, FPAs will be located within Chapter 91 jurisdiction or in close proximity to open space and oriented toward Dorchester Bay, such that the location of FPAs at the Project most effectively promotes the public use and enjoyment of the Bayside Site and the Dorchester Shores Reservation. In instances like this, the regulations provide the Department discretion to determine if an alternative FPA location would

more effectively promote public use of the site or is more appropriate to make such ground level space available for water-dependent use or UFAS, in accordance with 310 CMR 9.53(2)(c)(1) through (2). The ENF lacks detailed floor plan or a description of how any alternative FPA locations might warrant the Department's use of this discretion. The EIR should provide detailed ground floor plans, proposed uses and rationale to justify any location of FPAs at alternative locations to confirm compliance with 310 CMR 9.53(2)(c).

Management Plan

In order to facilitate an open and transparent review of the proposed interior and exterior FPAs located on Filled Commonwealth Tidelands, the EIR should include a Draft Management Plan as required by 310 CMR 9.53(2)(d) describing ground floor programming, to the extent known at this time, will meet the high standards for activation of Commonwealth Tidelands required by 310 CMR 9.53.

Proposed Offsite Filling/Grading

As a means to make the project site more resilient, there appears to be a series of offsite improvements (fill/grading up to 21.5 feet NAVD88) proposed on Moakley Park, Dorchester Shores Park, etc., that will tie into the project site. The Applicant discussed this work during the remote meeting held on October 29, 2020, and further depicted on supplemental figures/plans submitted to MEPA shortly after the remote meeting. The Department points out that such work is also located on filled jurisdictional tidelands and subject to licensing under M.G.L Chapter 91. Said work could be added to the overall project and licensed as part of the proposed CWD, or the Applicant/other entity, can file a separate application to obtain a Waterways License under M.G.L Chapter 91.

The WRP looks forward to reviewing the future EIR filing, demonstrating compliance with the various nonwater-dependent use regulations noted above. If you have any questions, please contact Daniel Padien at daniel.padien@mass.gov or Frank Taormina at frank.taormina@mass.gov

Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

December 11, 2020

Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Boston: Dorchester Bay City – ENF
(EEA #16277)

ATTN: MEPA Unit
Erin Flaherty

Dear Secretary Theoharides:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Environmental Notification Form for the Dorchester Bay City mixed-use project in Boston, as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

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cc: Jonathan Gulliver, Administrator, Highway Division
Patricia Leavenworth, P.E., Chief Engineer, Highway Division
John McInerney, District 6 Highway Director
Neil Boudreau, Assistant Administrator of Traffic and Highway Safety
Metropolitan Area Planning Council
Massachusetts Bay Transportation Authority
Boston Planning and Development Authority, City of Boston
Boston Transportation Department

Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

MEMORANDUM

TO: David Mohler, Executive Director
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E, Manager
Public/Private Development Unit

DATE: December 11, 2020

RE: Dorchester Bay City– ENF
(EEA #16277)

The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the proposed Dorchester Bay City project in Boston. The project site consists of the Bayside Site and the 2 Morrissey Site, located east of Interstate 93 (I-93) and the Massachusetts Bay Transportation Authority (MBTA) Red Line in the Dorchester neighborhood of Boston. The 19.9-acre Bayside Site is bounded by Mount Vernon Street to the southwest, the Boston Teachers Union affiliate and the Dorchester Shores Reservation to the north, the Dorchester Shores Reservation to the east, and the Harbor Apartments to the south. This site was formerly the Bayside Exposition Center which has been demolished, and is now primarily used as parking (1,300 spaces) for the University of Massachusetts (UMass) in Boston. The 13.6-acre 2 Morrissey Site is bounded by Mount Vernon Street to the northeast, St. Christopher's Parish and McCormick Middle School to the southeast, Boston College High School to the south, and Morrissey Boulevard to the west. This site currently contains 425,000 square feet (sf) of office, banking, and related uses and will not be redeveloped until the existing tenancy expires.

The project consists of 17 development blocks including 1,740 residential units; four million sf of office, Research & Development (R&D), life sciences, and academic space; and 155,000 sf of ground-floor restaurant and retail space. The Proponent anticipates that the project will be built over a period of 10 to 15 years. Access is proposed via Day Boulevard, Mount Vernon Street, and Morrissey Boulevard, including new access through the 2 Morrissey Site connecting Mount Vernon Street and Morrissey Boulevard. Based on information included in the ENF, the project is expected to generate 50,986 unadjusted vehicle trips per day. The project will include 2,650 parking spaces provided primarily underground, an increase of 450 spaces compared to current conditions.

The project trip generation exceeds the Massachusetts Environmental Policy Act (MEPA) transportation threshold for an Environmental Impact Report (EIR). MassDOT notes that the ENF incorrectly states that the transportation threshold exceeded is 11.03(6)(b)(7), which applies to airport terminal expansion. The applicable transportation MEPA review

threshold is 11.03(6)(a)(6), "generation of 3,000 or more New ADT on roadways providing access to a single location." The project will require an Indirect Access Permit for impacts to I-93 and Kosciuszko Circle.

The ENF includes a Transportation Scoping Letter (TSL), prepared generally in conformance with guidance provided in MassDOT/EOEEA's *Transportation Impact Assessment (TIA) Guidelines*. MassDOT provides the following comments and scope of work for the TIA in the Draft Environmental Impact Report (DEIR).

Scope of Work

The DEIR should include a TIA prepared in conformance with the current MassDOT/EOEEA *TIA Guidelines*. The study should include a comprehensive multimodal assessment of the transportation impacts of the project. The TIA should provide capacity analyses for the existing conditions, future No-Build conditions, and future Build conditions within the study area. The future Build conditions should include an analysis of operations both with and without any improvements suggested to mitigate project impacts. The study should propose a mitigation package intended to improve vehicular traffic operations while supporting increased use of carpooling, walking, bicycling, and transit by residents, employees, and visitors. Items listed below should be accounted for in preparing the TIA.

Transportation Working Group

Given the project's size, the complexity of the surrounding transportation system, planning studies and projects under consideration in the study area, and the potential impacts on transportation facilities under multiple jurisdictions, MassDOT recommends convening a Transportation Working Group (TWG) to guide the transportation analysis process and achieve the best possible transportation outcomes. We recommend that the TWG include at least the following stakeholders: MassDOT, the Department of Conservation and Recreation (DCR), the MBTA, the City of Boston, and the Proponent. MassDOT would be pleased to lead and coordinate this effort.

The mitigation program for the project is expected to be multimodal across multiple roadway jurisdictions, land uses, and neighborhoods, and include both physical and non-physical improvements to address the project's impacts. To ensure a fair and equitable distribution of mitigation responsibilities and achieve the goal of a seamless multimodal mitigation program, MassDOT would like to explore the establishment of a mitigation bank where developers and possibly project stakeholders could contribute funding to implement projects and programs overtime within the study area. This mitigation funding mechanism is expected to be further developed as part of the work of the TWG and, if viable, will need to be presented and explained in the DEIR.

Trip Generation

The TSL determined that trip generation rates using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th edition) land use codes (LUCs) 222 – Multifamily Housing (High-Rise), 710 – General Office, and 820 – Shopping Center would most accurately reflect the proposed development. Based on these codes the project is estimated to generate 50,986 vehicle trips on an average weekday, including 4,439 vehicle trips during the weekday morning peak hour and 4,984 vehicle trips during the weekday evening peak hour.

The TSL also includes an adjusted trip generation that reflects internal capture and mode share. The mode share is based on other similar developments in the Boston area, U.S. Census data, and projections in the Columbia Point Master Plan. These adjustments result in a trip generation of 16,692 vehicle trips on an average weekday, including 1,513 vehicle trips during the weekday morning peak hour and 1,526 vehicle trips during the weekday evening peak hour.

Finally, trip generation for the existing uses is accounted for, to calculate net new vehicle trip generation. The existing Bayside Site trips are based on parking gate data provided by UMass Boston, the current occupant of the site. The existing 2 Morrissey Site trips are estimated using ITE LUC 710 – General Office. Removing the existing trips yields 11,712 net new vehicle trips on an average weekday, 1,010 net new vehicle trips during the weekday morning peak hour, and 1,024 net new vehicle trips during the weekday evening peak hour. If there are driveway counts available from pre-COVID-19 conditions at the 2 Morrissey Site, these would be a preferable source for developing the existing site trip generation. The Proponent should compare the net adjusted trip generation, based on this process, with empirical trip data from a similar site, if available.

Given the overall size of the development and the regional context of the project, MassDOT strongly recommends the use of the services of CTPS to estimate future traffic volumes based on the CTPS regional travel demand model. The model represents the region's transportation network with links and nodes to signify roadways and intersections. The model closely depicts the actual transportation network, including attributes such as capacity and travel speeds along roadway links. With regional growth accounted for in the CTPS model, it would be better able to estimate the number of vehicle trips anticipated to be generated by the project than by using standard trip generation default values for the assumed types of land use. In addition, the CTPS model can estimate internal capture rates for the site and make estimates for transit and non-motorized trips that more fully incorporate conditions occurring across the larger regional network.

The Proponent should discuss with MassDOT the feasibility of working with CTPS to conduct this modeling effort. CTPS would determine the number of new trips that will be generated by the project and make trip assignments on the different modes of transportation.

CTPS would also develop mode share assumptions for the project. CTPS could also model several scenarios, including no-build scenarios, build scenarios, and build scenarios with mitigation measures. MassDOT will work closely with CTPS and the Proponent in establishing the different scenarios.

Trip Distribution

The TSL states that the trip distribution will be based on the US Census Bureau's American Community Survey. Instead, MassDOT recommends that the trip distribution and forecasting discussed in other sections be estimated based on the CTPS regional travel demand model. The TIA should report the model results and provide all appropriate back up documentation to verify how the distribution percentages are calculated and assigned to the roadway network and transit system.

Mode Split

The project site is located near several transit options including: the MBTA JFK/UMass Station, serving the Red Line and three commuter rail lines, as well as MBTA bus routes 8, 16, and 41. The TSL presents the estimated mode split for the proposed project, based on multiple sources, as described above. The Proponent should instead use in the DEIR the results of the CTPS model for projected mode splits in the forecasted years. The TIA should include all back up data used to arrive at any mode split estimates to corroborate assumptions included in the analyses.

Study Area

The TSL proposes a study area consisting of the following intersections, some of which are under MassDOT jurisdiction:

1. Columbia Road at I-93 southbound (SB) Ramps;
2. Columbia Road at I-93 northbound (NB) Ramps;
3. Kosciuszko Circle ("K Circle");
4. Day Boulevard at the "Chute";
5. Day Boulevard at North Bayside Site Driveway;
6. Old Colony Avenue at Columbia Road;
7. Old Colony Avenue at Morrissey Boulevard;
8. Old Colony Avenue/Mount Vernon Street at Morrissey Boulevard/the "Chute";
9. Mount Vernon Street at Bayside Site Driveway/2 Morrissey Boulevard North Driveway;
10. Mount Vernon Street at South Bayside Site Driveway; and
11. Morrissey Boulevard at 2 Morrissey Boulevard South Driveway.

MassDOT recommends the following additional intersections:

12. Columbia Road at Dorchester Avenue;

13. Columbia Road at Buttonwood Street;
14. Morrissey Blvd at Bianculli Blvd (UMass Boston access road); and
15. Any other driveways on Morrissey Boulevard providing access to the 2 Morrissey Site.

MassDOT also recommends highway merge/diverge analysis at the following locations:

16. I-93 SB exit ramp to Columbia Rd (highway diverge analysis);
17. I-93 NB exit ramp to Columbia Rd (highway diverge analysis);
18. I-93 SB entrance ramp from Columbia Rd (highway merge analysis);
19. I-93 NB entrance ramp from Columbia Rd (highway merge analysis);
20. I-93 NB exit ramp to Morrissey Blvd (highway diverge analysis); and
21. I-93 NB exit ramp to Morrissey Blvd with Morrissey Blvd (highway merge analysis).

Columbia Road west of, and including K Circle, is under MassDOT jurisdiction and Columbia Road north of K Circle is under DCR jurisdiction. The study area will be subject to review by MassDOT when the comprehensive TIA is submitted. Please note that additional study area intersections should be included in the TIA if project-generated trips are anticipated to increase peak hour traffic volume by five percent or more, or by more than 100 vehicles per hour. Results of the CTPS model should also be used to refine the study area.

Background Growth

According to the TSL, the baseline traffic volumes will be derived from historic traffic counts adjusted to 2019 conditions, to stand in for 2020 existing traffic volumes. Although the methodology is consistent with the revised MassDOT *Guidance on Traffic Count Data*, it may not be necessary since the CTPS model is expected to provide 2020 baseline volumes.

In developing future No-Build and Build traffic volumes, the TIA should include trips generated by other nearby planned and/or approved projects as part of the background growth. A key background project to consider will be the UMass Boston campus plan, which formerly included the Bayside Site. Typically, ITE trip rates would be used to estimate the vehicle trip generation of un-built and/or yet to be occupied space. In addition, an annual growth factor would be superimposed on existing traffic volumes prior to the addition of the volumes associated with background project-specific growth. The CTPS model is expected to account for any planned transportation improvements or any permitted or under construction developments in the vicinity of the project. The Proponent should further coordinate with MassDOT, DCR, and the Boston Transportation Department (BTD) about any ongoing or planned transportation improvements in the vicinity of the project site, before conducting the transportation analysis.

While the planning horizon year for TIAs is typically seven years from the time of submittal of the TIA, the TSL proposes Medium Term and Long Term scenarios in 2025 and 2030, respectively, with the Long Term No Build scenario reflecting 2027 conditions.

Because the ENF notes that the project would likely be built out over 10 to 15 years, MassDOT instead asks that the Proponent use Medium Term and Long Term scenarios in 2030 and 2040, respectively. MassDOT also asks that the Long Term No Build and Long Term Build scenarios reflect the same year for a more straightforward comparison between No Build and Build. This would be consistent with the CTPS Medium Term and Long Term model year forecasts.

Traffic Operations

Capacity analyses should be conducted for the weekday morning and evening peak hours for both existing and future conditions for each development alternative considered. In addition, capacity analyses for Build with mitigation conditions should be provided for all intersections, particularly those with impacts to the state highway system. Of particular concern are the areas where the City of Boston and DCR jurisdictional roadways interact with MassDOT-controlled locations.

The TIA should provide illustrations depicting the peak hour 50^{th} (average) and 95^{th} percentile queue lengths for each lane group/turning movement at each study area intersection, for all analysis scenarios. The information contained in these illustrations should clearly demonstrate that the project would not result in any extended queues that would block vehicle movements to/from study area intersections, particularly those involving state highways. Appropriate mitigation should be identified at any locations where queue blockages occur. Color-coded illustrations should also be prepared depicting the level of service (LOS) for each lane group/turning movement for each case.

A traffic signal warrant study (TSWS) should be performed and the need documented for any locations where signalization is being proposed, including site driveway intersections with the public roadway system. A left-turn lane warrant analysis should be conducted, and the need documented for any locations where the addition of such a lane is being proposed, including at site driveways.

The need for off-site traffic improvements required as a result of the Project's traffic will be assessed through the permitting process. MassDOT recommends that the Proponent discuss the transportation impacts of the project with MassDOT prior to the submittal of the TIA.

Safety

The TIA should include a safety analysis for all intersections and roadway segments within the study area. The analysis should calculate crash rates using MassDOT data and data from the Boston Police Department for the most recent continuous five-year period. Crash rates should be documented, and additional mitigation considered at any locations exceeding the State and/or District 6 averages. The Proponent should determine if any study area intersections are listed in the Highway Safety Improvement Program (HSIP) and coordinate

with the MassDOT Highway Division's Safety Section to determine if a Road Safety Audit (RSA) is necessary.

Conceptual Plans

The TIA should include sufficiently detailed conceptual plans (minimum of 80-scale) for proposed roadway improvements in order to verify the feasibility of constructing such improvements. These plans should clearly show proposed lane widths and offsets, layout lines and jurisdictions, and land uses adjacent to areas where improvements are proposed.

Public Transportation

As described above, the MBTA currently operates extensive rapid transit and bus service near the site and the project anticipates substantial transit mode share. The CTPS model is expected to reflect the transit network in the study area and include the most relevant and up to date ridership and operational statistics in order to develop existing and future transit ridership. Using the model projections, the TIA should contain an analysis of additional transit demand generated by the project and the capacity on the MBTA Red Line, the MBTA commuter rail lines, and the MBTA bus routes proximate to the project site. Once the transit trip generation is developed and applied to the network, the TIA should address the following issues.

The analysis should be compliant with the MassDOT Office of Performance Management and Innovation's (OPMI) methodology for calculating the existing, future No-Build, and future Build comfort metrics (as evaluated in the Service Delivery Policy [SDP]) for each bus route within the project's study area. Mitigation should be proposed for:

- Any bus route receiving new passengers that falls below the 96% route-wise minimum threshold for the SDP comfort metric (share of passenger travel time experienced in comfortable conditions);
- Any trip for which the new passengers would cause the trip to exceed the threshold; and/or
- Any trip which was already above the crowding threshold and which new passengers would be added to.

The Proponent should coordinate with the MassDOT PPDU and MBTA Service Planning prior to proposing mitigation to offset these project-related impacts.

The TIA should contain an assessment of how riders, particularly during the MBTA peak periods, are expected to access the site via rail transit. The TIA should also provide information demonstrating how residents, employees, and visitors who choose to use the Red Line will travel between the site and the station. The Red Line is expected to see the bulk of the transit ridership in the study area; therefore, the TIA should estimate anticipated new ridership on the Red Line, and analyze the potential impacts and the time of day when those impacts will occur. The Proponent should work with the MBTA Service Planning Department

to ensure that it has access to the most recent and most relevant ridership and operational statistics for the Red Line.

The TIA should show how residents, employees, and visitors using the bus network will travel between the site and the bus stops. The TIA should show how pedestrian crossings and bus stops can be coordinated to ensure safe, accessible travel for bus customers. Of particular importance to the MBTA are all codes and standards related to the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (MAAB), along with the Federal Transit Administration (FTA) regulations and guidance. The Proponent should present the existing conditions on routes between major transit hubs and the project site and how those conditions could be upgraded/improved to ensure a fully accessible path of travel for all customers.

The TIA should also identify and document transit improvement proposals under evaluation by MassDOT, the City of Boston, and the MBTA. Mitigation proposed for the project should be consistent with the ongoing transit improvement initiatives of these agencies.

Pedestrian Access

The ENF describes a pedestrian and bicycle network linking the development parcels, the MBTA station and adjacent roadways. Because the project anticipates a high pedestrian mode share, it is expected that the Proponent will provide a mitigation package that ensures walking and bicycling will be an attractive way to access the site. The TIA should provide an inventory of existing sidewalks and crosswalks within the study area and should address the quality and condition of those facilities. The TIA should include a commitment to improvements in any areas that are structurally deficient or not meeting current codes for accessibility, including sidewalks, crosswalks, ramps, and pedestrian equipment. Special attention should be given to linking the proposed development to adjacent complementary land uses and transit facilities.

Any proposed mitigation within the state highway layout and all internal site circulation must be consistent with a Complete Streets design approach that provides adequate and safe accommodation for all roadway users, including pedestrians, bicyclists, and public transit riders. Complete Streets design guidelines are included in the MassDOT *Project Development and Design Guide*. Where these criteria cannot be met, the Proponent should provide justification, and should work with the MassDOT Highway Division to obtain a design waiver.

Bicycle Access

The TIA should include a detailed inventory of the bicycle network to include bikeway types, bikeway widths, and bicycle numbers and speeds. The Proponent should identify the likely travel routes for bicyclists within the study area. The degree to which these routes can safely support bicycle travel should also be examined. The TIA should reevaluate

these routes based on the origin-destination of potential residents, employees, and visitors. Based on this analysis, the Proponent should consider the feasibility of expanding some of these existing routes or considering new routes to encourage bicycle travel in and around the site. The Proponent should work closely with MassDOT and the City of Boston to provide a seamless connection between existing and planned bicycle facilities in the study area.

Parking

According to the TSL, the project would include the provision of 2,650 passenger vehicle parking spaces. The TIA should clarify how the parking needs of the project were determined and explain the methodology used to determine the total parking required. The ITE's *Parking Generation* (5th Edition), generally provides a reasonable basis for comparison to parking requirements under local zoning. The TIA should include a summary of parking need and supply for comparable facilities based on multiple data sources. The TIA should also determine the number of parking spaces occupied at various times of the day and identify the periods of peak use. The Proponent should confirm whether parking will be provided for free or at a cost as this may need to be reflected in the CTPS model.

Transportation Demand Management (TDM)

The TSL states that the Proponent is committed to implementing TDM measures. The TIA should include a comprehensive TDM program that would implement measures aimed at minimizing single occupancy vehicle (SOV) and Transportation Network Company (TNC, i.e. Uber and Lyft) trip generation to achieve the robust non-SOV mode share presented in the mode split section. The TDM program should further investigate measures that would maximize usage of existing and potential new pedestrian, bicycle, and transit facilities. Such measures may include the following:

- Limiting the available parking supply;
- Provision of a parking cash-out program and/or charging for parking;
- Provision of carpooling and vanpooling programs and perks;
- Provision of on-site amenities and conveniences that would reduce the need for automobile travel;
- Provision of robust bicycle and pedestrian amenities;
- Provision of free or subsidized transit passes;
- Provision of seamless, welcoming, and direct pedestrian access to nearby transit hubs, particularly the MBTA JFK/UMass Station;
- Coordination with the MBTA to implement improvements to the Red Line and/or Commuter Rail tracks to increase the capacity of both the rail lines and the station;and
- Working with the MBTA to provide enhanced crosstown bus services including connections to Nubian Square and Ruggles Stations.

Any analysis regarding provision of a private shuttle to the MBTA JFK/UMass Station should not assume such a shuttle could access the busway at the station without prior consent of the MBTA. Before considering a private shuttle, the Proponent should coordinate with the MBTA and existing UMass Boston and the Medical Academic and Scientific Community Organization (MASCO) shuttle operations to determine if existing services could be improved to meet the project's needs. The TSL notes that the Proponent will form and join a new Transportation Management Association (TMA) with other landowners near the project site. The TIA should use the CTPS model to quantify the TDM plan and show that the projected mode split, with the implementation of TDM measures, is feasible.

Transportation Monitoring Program

The Proponent will be required to conduct an annual traffic monitoring program for a period of five years, beginning six months after occupancy of the first phase of the project. The goals of the monitoring program will be to evaluate the assumptions made in the EIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program. It would include:

- Simultaneous automatic traffic recorder (ATR) counts at each parking entrance for a continuous 24-hour period on a typical weekday;
- Travel survey of residents, employees, and visitors at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM peak hour turning movement counts (TMCs) and operations analysis at "mitigated" intersections, including those involving parking entrances; and
- An update on TDM effectiveness and transit ridership.

The Proponent should continue consultation with the City of Boston and appropriate MassDOT units, including PPDU and the District 6 Office. If you have any questions regarding these comments, please contact me or Catrina Meyer at *Catrina.Meyer@dot.state.ma.us*.

Massachusetts Port Authority
One Harborside Drive, Suite 200S
East Boston, MA 02128-2909
Telephone (617) 568-1000
www.massport.com

December 11, 2020

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Erin Flaherty, EEA #16277
100 Cambridge Street, Suite 900
Boston, MA 02114

Subject: Dorchester Bay City – Environmental Notification Form (EEA #16277)

Dear Secretary Theoharides:

On behalf of the Massachusetts Port Authority (Massport), thank you for the opportunity to provide comments on the *Environmental Notification Form* (ENF) for the Dorchester Bay City project. The project site consists of two large parcels, the "Bayside Site" and "2 Morrissey Site", in the Dorchester neighborhood of Boston. The project site is approximately 33.5 acres and currently includes office, banking and related uses, and approximately 1,300 surface parking spaces. The proposed project includes seventeen development blocks containing a total of approximately 4,008,000 sf of office/research and development, life sciences and/or potentially academic uses, 2,650 on-site parking spaces, approximately 155,000 square feet (sf) of ground floor retail/restaurant space, and approximately 1,740 residential units. The project will also include approximately 20 acres of publicly accessible open space and is likely to include on-site civic/cultural uses.

The project's waterfront site is approximately two and half miles from the closest runway end at Boston Logan International Airport and therefore of interest to Massport and the Federal Aviation Administration (FAA) relative to potential impacts to Logan flight operations. In coordination with the FAA, Massport has prepared and widely circulated the Logan Airspace Map (copy attached) that defines the critical airspace around Boston Logan International Airport to protect the flight corridors in and out of Logan Airport. Created by Massport, with input from airlines, pilots, city officials, and the FAA, the map helps guide developers and regulatory authorities to safely build to maximum structure heights without compromising air travel safety. The map aids developers in their planning and assists the FAA in its review of individual projects to determine whether they present a potential hazard to air navigation.

We appreciate that the project team has already been in contact with Massport on this important matter. Massport and the Proponent have had initial discussions regarding building heights to ensure that the proposed project complies with the Logan Airspace Map. The ENF states that the building and all associated architectural features will be designed to minimize impacts to air navigation. The Proponent has also committed to engage in further discussions with Massport to ensure the project remains consistent with the Logan Airspace Map throughout the design process and phased development.

Thank you for your consideration of our comments and we look forward to meeting with the Proponent on these important airspace issues. Please do not hesitate to contact me at (617) 997-6223 or at jbarrera@massport.com if you wish to discuss any of our comments.

Sincerely,

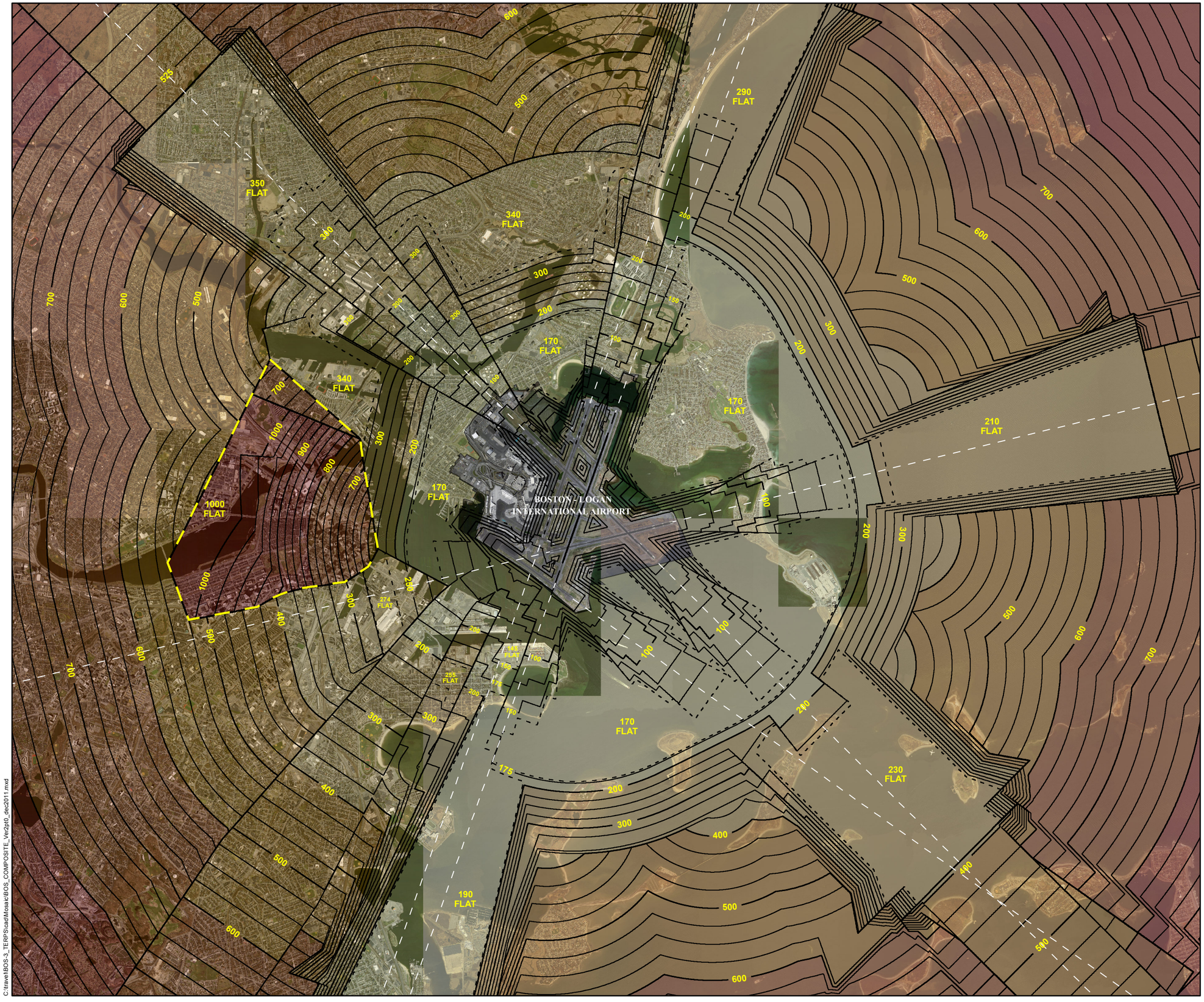
Massachusetts Port Authority

Joel Barrera
Director, Strategic and Business Planning
Massachusetts Port Authority

cc: F. Leo, S. Gongal, S. Dalzell, B. Washburn/Massport
Richard Galvin/Accordia Partners, LLC
Tayla Moked/Epsilon Associates

Attachment: Logan Airspace Map

Boston – Logan International Airport
Composite of Critical Airspace Surfaces



Legend

Surface Elevations (MSL)

- 801' to 1,000'
- 601' to 800'
- 401' to 600'
- 201' to 400'
- up to 200'
- Downtown Zone Area

Dashed lines identify transition from "Flat" to "Sloping" surface.

Contour Interval = 25 FT

Notes:

1. This Composite Map is intended for informational and conceptual planning purposes only and does not represent actual survey data nor should it be used in the development of a FAA Form 7460. Massport does not certify the accuracy, information or title to the properties contained in this plan nor make any warranties of any kind, express or implied, in fact or by law, with respect to boundaries, easements, restrictions, claims, overlaps, or other encumbrances affecting such properties.

2. This Composite Map does not replace the FAA's 7460 review process. Consistency with the surfaces shown on this map does not ensure that the proposal will be acceptable to the FAA and air carriers. Massport reserves the right to re-assess, review and seek modifications to projects that may be consistent with this Composite Map but that through the FAA 7460 process are found to have unexpected impacts to Boston Logan's safety or efficiency.

3. Surface elevations are referenced in feet Above Mean Sea Level (AMSL - NAVD88)

COMPOSITE MAP PARAMETERS

SURFACE TYPES	RUNWAYS
CIRCLE-TO-LAND	ALL RUNWAYS (EXCEPT 14)
ICAO/AC ONE ENGINE INOP.	4R, 4L, 9, 14, 15R, 22L, 22R, 27, 33L
IFR STND DEPARTURE	4R, 9, 14, 15R, 22L^, 22R^, 27^, 33L
IFR NON-STND DEPARTURE	4L
ILS APPROACH	4R, 15R, 22L, 27, 33L
ILS MISSED APPROACH	4R*, 15R, 22L, 27, 33L*^^
LOCALIZER APPROACH**	4R, 15R, 22L, 27, 33L
LNAV APPROACH**	4R, 15R, 22L, 27, 32, 33L
LNAV MISSED APPROACH	4R, 15R, 22L, 27, 32, 33L
PART 77 - STANDARD	EAST OF 4R/22L
PART 77 - VFR ONLY	WEST OF 4R/22L (N. OF DOWNTOWN)
VISIBILITY (CIRCLING)	ALL RUNWAYS (EXCEPT 14)
VISIBILITY (STRAIGHT-IN)	4R, 15R, 22L, 27, 32, 33L
VNAV APPROACH	4R, 15R, 27, 33L
VNAV MISSED APPROACH	4R, 15R, 27, 33L

^ INCLUDES TRANSITION FROM PREVIOUS CRITERIA
* CAT 1 AND CAT 3
^^ CAT 3 SHIFTED 200'NW
** ACCOUNTS FOR 7:1 DRIFT DOWN

N W E S

massport

VERSION 2 .0 **December 2011**

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MASSACHUSETTS WATER RESOURCES AUTHORITY
Charlestown Navy Yard
100 First Avenue, Building 39
Boston, MA 02129

Frederick A. Laskey
Executive Director

Telephone: (617) 242-6000
Fax: (617) 788-4899
TTY: (617) 788-4971

December 11, 2020

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

Subject: EOEEA #16277– Environmental Notification Form
Dorchester Bay City, Boston, MA

Dear Secretary Theoharides,

The Massachusetts Water Resources Authority (MWRA) appreciates the opportunity to comment on the Environmental Notification Form (ENF) submitted by Bayside Property Owner, LLC and Morrissey Property Owner, LLC for which Accordia Partners LLC is acting as the developer (the "Proponent") for Dorchester Bay City (the "Project") in Boston, Massachusetts. The Project site consists of two parcels of land in the Dorchester neighborhood of Boston separated by Mt. Vernon Street; the Bayside site and the 2 Morrissey site. The Bayside site was formerly the Bayside Exposition Center and is currently used for parking by UMass Boston. The 2 Morrissey site is currently leased to Santander Bank and used for office, banking and related uses. The Project involves the mixed-use redevelopment of both parcels. Combined, the Project includes 17 new development blocks that will contain a mix of uses including residential, retail/restaurant and office/research, and potentially civic or other cultural use. There will be approximately 2,650 on-site parking spaces and approximately 20 acres of new open space.

Comments on the ENF relate to stormwater, wastewater issues and the need for Infiltration/Inflow (I/I) Removal, Toxic Reduction and Control (TRAC) discharge permitting and MWRA Enabling Statue Section 8(m) permitting.

Stormwater

The ENF reports that the proposed stormwater management systems for the Project Site will likely consist of entirely new drainage infrastructure, given the significant redevelopment anticipated on both the Bayside Site and the 2 Morrissey Site. The ENF reports that the new stormwater management systems will include reducing impervious cover, Low Impact Development and Green Infrastructure measures, and underground stormwater detention/retention areas, and will reduce both stormwater discharge rates and volumes for the 2-year, 10-year, 25-year, and 100-year 24-hour rainfall events for the Project Site.

A portion of the Bayside site is currently served by on-site storm drains that convey flows to a connection with MWRA's South Boston Combined Sewer Overflow (CSO) Storage Tunnel (the "CSO Storage Tunnel"). For most storms, stormwater enters the CSO Storage Tunnel, along with other stormwater and CSO. After each storm, MWRA dewaters the tunnel into the Deer Island transport system. In storms larger than the 1-year storm, stormwater from the Bayside site is redirected by MWRA away from the tunnel and into Boston Water and Sewer Commission's (BWSC) Morrissey Boulevard Storm Drain, to avoid overfilling the tunnel and to maintain a high level of CSO and stormwater control for the South Boston beaches. The Morrissey Boulevard Storm Drain conveys stormwater to a BWSC outfall at Savin Hill Cove. The ENF reports that, based on the current status and direction of Project design, the Bayside Site's drainage patterns and connections, including connection to the CSO Storage Tunnel, will likely be maintained, and that any modifications to the connections to MWRA infrastructure will be evaluated with MWRA. MWRA requests that the Proponent coordinate the evaluation of the Project's stormwater systems with MWRA and BWSC early in design, given the influences of the Project Site's stormwater on their infrastructure performance.

Another portion of the Bayside site is currently served by on-site storm drains that convey flows to a connection(s) with a BWSC storm drain in Mount Vernon Street. According to the BWSC storm drain maps, stormwater that enters the Mt. Vernon Street drain is discharged to Dorchester Bay at a BWSC outfall off Columbia Point. The 2 Morrissey Site is currently served by on-site drains that connect to the same Mount Vernon Street drain and to the Morrissey Boulevard Storm Drain. The Proponent anticipates that the Project will maintain or make similar connections to the BWSC storm drainage infrastructure in Mount Vernon Street and Morrissey Boulevard, subject to BWSC site plan review and approval.

Wastewater

The ENF reports that the Project (both sites) will increase wastewater flow by 615,445 gallons per day (gpd), from an existing wastewater flow of 21,250 gpd to 636,695 gpd. The ENF reports that sanitary systems serving the Bayside site will connect to the existing 36-inch BWSC sewer in Mount Vernon Street, and that sanitary systems serving the 2 Morrissey site will connect to the 36-inch BWSC sanitary sewer in Mt. Vernon Street or the 12-inch BWSC sanitary sewer in Morrissey Boulevard. The 36-inch and 12-inch BWSC sewers connect to MWRA's Columbus Park Connector Sewer at the intersection of Mt. Vernon Street and Morrissey Boulevard, which conveys flows to MWRA's Columbus Park Headworks for transport to the Deer Island Treatment Plant. The Headworks receives flows from BWSC separate sanitary sewer systems and combined sewer systems serving Downtown Boston, South Boston, and parts of Roxbury and Dorchester. In large storms, these sanitary and combined sewer flows can exceed the capacity of the Headworks or the capacities of the MWRA and BWSC pipes conveying flow to the Headworks, and contribute to CSO discharges to the South Boston CSO Storage Tunnel, to Fort Point Channel, and to the Reserved Channel.

The ENF notes that the Project's wastewater demand and sanitary sewer connections and the BWSC sewer capacities will be subject to BWSC site plan review and approval, but makes no mention of the potential impacts of the Project's large increase in wastewater flow on wet weather flows to BWSC and MWRA facilities or wet weather-related impacts, including CSOs. To ensure that the Project's large wastewater flow does not increase system surcharging or overflows in large storms, the Proponent should continue to work with BWSC to develop a plan for ensuring a 4:1 offset of the Project's wastewater flow as required by Massachusetts Department of Environmental Protection regulation and BWSC policy. Four gallons of stormwater and/or infiltration and inflow (I/I) should be removed from a hydraulically related sewer system(s) for every gallon of new wastewater flow. Increasing wastewater flow to the BWSC sewer system without the required offset can compromise the water quality benefits for Fort Point Channel and the Reserved Channel of MWRA's recently completed $912 million CSO control plan, as well as compromise the performance of the South Boston CSO Storage Tunnel in preventing the discharge of CSO and controlling the discharge of stormwater to the South Boston beaches.

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 a storm drain and is not located in a combined sewer area. Therefore, the discharge of groundwater or stormwater to the sanitary sewer system associated with this Project is prohibited.

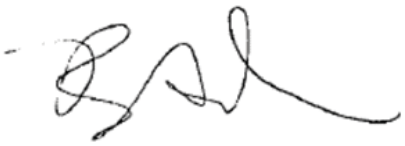
A Sewer Use Discharge Permit is required prior to discharging process wastewater, laboratory wastewater or photoprocessing wastewater from office, high-tech, R&D, laboratory or commercial space associated with the Project into the MWRA sanitary sewer system. For assistance in obtaining this permit, a representative of the proposed laboratory and commercial space should contact Ken Cunningham, Industrial Coordinator, in the TRAC Department at 1 (617) 305-5623.

Section 8(m) Permitting

Section 8(m) of Chapter 372 of the Acts of 1984, MWRA's Enabling Legislation, allows the MWRA to issue permits to build, construct, excavate, or cross within or near an easement or other property interest held by the MWRA, with the goal of protecting Authority-owned infrastructure. Due to the proximity of the Project to MWRA wastewater infrastructure including the CSO Storage Tunnel, an 8(m) permit will be required. The Proponent should coordinate with Kevin McKenna in the Operations Permitting Group at 1 (617) 305-5956 for assistance in this process.

On behalf of the MWRA, thank you for the opportunity to provide comments on this Project. Please do not hesitate to contact me at 1 (617) 788-4958 with any questions or concerns.

Sincerely,



Bethany Card
Director
Environmental and Regulatory Affairs

cc: John Viola, MassDEP
Adam Horst, BWSC

HARBOR POINT
COMMUNITY TASK FORCE Inc.

2019 - 2020

Office of the Chairman

Sent by email to aisling.kerr@boston.gov and erin.flaherty@massmail.state.ma.us

December 11, 2020

Aisling Kerr
Project Manager
Boston Planning and Development Agency
One City Hall, Ninth Floor
Boston, MA 02201

Erin Flaherty
Environmental Analyst
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Comments on the Dorchester Bay City

Dear Ms. Kerr and Ms. Flaherty,

I am Chairman of the Harbor Point Community Task Force Inc. The Task Force is a volunteer, resident-elected, non-profit organization, representing the approximately 3,400 residents of Harbor Point. The mission of the Task Force is to promote the morale, welfare, education, and prosperity of all individuals that live and work at Harbor Point. Harbor Point is located adjacent to the proposed Dorchester Bay City (DBC).

The Task Force is supportive of the proposed DBC project; however, it has various comments on the PNF/ENF. For the Tasks Force's comments addressing traffic, open space, roadway capacity, offsite improvements, resiliency, construction impacts, and other technical issues impacting Harbor Point, please see the attached letter dated December 10, 2020 from Robert Woodland, PE, of Tetra Tech. and the attached memorandum dated December 10, 2020 from Jamie Fay and Katie Moore of Fort Point Associates.

The Task Force has the following additional comments:

1. Connections to Harbor Point – the interconnections between DBC and Harbor Point should be further developed and refined in coordination with the Task Force and Peninsula Partners, its partner in Harbor Point Apartments Company. While driveways should permit Harbor Point residents to access to DBC, we are concerned about unregulated vehicular and pedestrian traffic. This may result in Harbor Point's driveways and sidewalks being used by other visitors to the DBC as a short cut or to avoid traffic on Mt. Vernon Street, creating congestion and raising safety concerns.

Further, use of the proposed open space alongside Harbor Point designated as "The Draw" should be further evaluated in consultation with the Task Force and Peninsula Partners, so that this space is inviting, safe, and usable for recreational purposes by Harbor Point residents.

2. Traffic – Traffic Jams have become a regular occurrence on Mt. Vernon St. To alleviate such issue, the previous "Columbia Point Master Plan," very cleverly recommended a connection between Mt. Vernon St and Morrissey Blvd. This proposed street would have been located adjacent to St. Christopher parking lot and the McCormack middle school. This approach would alleviate traffic issues derived from the additional DBC population.

3. Community Amenities – Life for Harbor Point residents will be changed dramatically by DBC. Many of these changes will be beneficial, such as nearby job opportunities, access to retail and restaurants, and additional open space. However, some of these changes will likely be adverse, including years of construction impacts, permanent noise, lighting, and traffic impacts, and the overtaxing of nearby amenities such as Moakley Park's ball fields, which are often at capacity already and unavailable for youth sports leagues.

As some consideration for the adverse impacts that will inevitably be experienced by Harbor Point residents, and given the size and scale of this project, the Task Force proposes that Accordia Partners and UMass provide the following community amenities:

1. Dedication of a premier location within the DBC for the proposed civic space, notably Site B near The Porch.
2. A state-of-the-art playground within the DBC, perhaps within The Draw, for use by Harbor Point and DBC youths.
3. This neighborhood lacks an essential resource, a "public library," DBC (Accordia Partners and UMass) should lead this effort, with our support, to work with local and state agencies in making this resource a reality.
4. A ball field on UMass' R-2 parcel for use by Harbor Point and DBC youths, which already has been proposed to UMass to address the loss of ball field space previously available to Harbor Point youths at the McCormack School across Mt. Vernon Street; and
5. A firm commitment to internship and mentoring programs available to Harbor Point's young adults, (perhaps through the Harbor Point Tigers' Quad program), such as the summer program facilitated by the Real Estate Executive Council that was described by Accordia Partners during its DBC presentations.

We look forward to addressing these issues with Accordia Partners and UMass through the Article 80 and MEPA processes.

Kind regards,

Orlando P. A.

Orlando Perilla, Chair & CEO

Enclosures

Harbor Point on the Bay
Harbor Point Community Task Force Inc.
"A Harbor Point Apartments Company Co-Owner"
One North Point Drive, Boston, MA 02125
(617) 288-5701 eperill@comcast.net

Fort Point Associates, Inc.
Urban Planning Environmental Consulting Project Permitting
A TETRA TECH COMPANY

MEMORANDUM

TO: Harbor Point Community Task Force and Corcoran Jennison
FROM: Jamie Fay and Katie Moore, Fort Point Associates
RE: Dorchester Bay City Project Notification Form
DATE: December 10, 2020

On behalf of the Harbor Point Community Task Force and Corcoran Jennison, Fort Point Associates has reviewed the Project Notification Form (PNF) for the Dorchester Bay City (DBC) project and offers the following comments. Additional comments regarding transportation considerations can be found in the attached "Project Notification Form – Transportation Review" developed by Tetra Tech.

Project Description

This Project will redevelop more than 33 total acres on two parcels of land at 200 Mt. Vernon Street (19.9 acres) and 2 Morrissey Boulevard (13.6 acres) in the Dorchester neighborhood of Boston. Abutters include the Bayside Office Center, University Place Residences Site, and Doubletree Club by Hilton Hotel Bayside along Mt. Vernon Street, and Harbor Point on the Bay Apartments to the southeast. These properties are owned in by Corcoran Jennison and its affiliates. The Harbor Point Community Task Force is a non-profit organization representing the approximately 3,400 residents of Harbor Point Apartments.

The Project proposes 5.9 million square feet (sf) of retail and restaurant use (155,000 sf), residential use (1,460,000 sf and 1,740 units), and office, research and development, life sciences and/or potentially academic uses (4,008,000 sf). In addition, 2,650 parking spaces and 20 acres of open space are proposed.

Open Space

The PNF indicates 20 acres of the 33 acres onsite would be open space. However, this includes a significant amount of space for roadways. Future regulatory filings should provide more detail regarding the amount of open space dedicated to roadways and what is publicly accessible. The "Boardwalk" provides a good view corridor from Mt. Vernon Street to the water, but a linear park may struggle to activate and engage visitors. Except for the "Porch" area at the transition to the Dorchester Shores Reservation and Carson Beach, open space is generally limited to the immediate vicinity of the proposed buildings. The Proponent should increase the area of open space near the water and Dorchester Shores Reservation to create a signature open space that serves as a destination for a wide variety of visitors.

Civic Space

The Project is proposing nearly 6 million square feet of residential and commercial uses. No civic buildings or spaces were proposed to serve the development and surrounding neighborhood. The Proponent should incorporate a premier cultural facility located along the waterfront as a destination and to serve the greater community. A field for organized sports should also be incorporated into the Project for use by the surrounding neighborhood.

Roadway Capacity

The PNF notes the Project hopes to attract other investments in the area. However, the vehicular trips and parking associated with the Project will reduce roadway capacity for potential future projects in the area. The Project's Draft Project Impact Report (DPIR) anticipates inclusion of a detailed traffic impact study. Such study should include a comprehensive assessment of the existing roadway network's capacity, the capacity used by the Project, and remaining capacity following buildout of the Project. The Proponent should make sure the transportation mitigation is sufficient to accommodate not only the DBC development, but also future growth in the area. Additional comments regarding vehicular access are found in the attached "Project Notification Form – Transportation Review."

Offsite Improvements

The PNF indicates the DPIR will include an examination of key intersections in the area of the Project, including Kosciuszko Circle. The Proponent has been in discussions with the community regarding potential off-site improvements, including transportation infrastructure. However, the PNF did not provide any specificity regarding the Proponent's commitment for such transportation infrastructure improvements. The Proponent should commit to supporting the ongoing transportation-related studies of nearby locations, such as the Kosciuszko Circle Re-Design and JFK/UMass MBTA station Re-Design, and funding the subsequent implementation of offsite infrastructure improvements to ensure access is safe and efficient for all users. The Proponent should phase Project construction to decrease Project-related impacts during the study period and construction of the resulting plans. Additional comments regarding transportation are found in the attached "Project Notification Form – Transportation Review."

Climate Change Preparedness

The PNF notes a goal of the Project "is to be part of the solution in protecting the Project Site and nearby residential communities from rising sea levels." It is crucial that the resiliency measures are designed and integrated with measures along the greater waterfront area shown in Figure 5-1 of the PNF, not limited to the area fronting DBC. The Proponent has committed to improvements and maintenance assistance to DCR property in front of the Site. Such commitment should include extending and funding improvements to the DCR property south of the project site, along the Harbor Point neighborhood. Future regulatory filings should

provide additional detail regarding proposed flood protection measures and connections to adjacent properties. The Project must demonstrate how the proposed connections to adjacent properties interact with flood protections, such as how the vehicular connection to Day Boulevard relates to Moakley Park Berm.

Tidelands/Chapter 91

The nonwater-dependent Project is located in part on filled tidelands within Chapter 91 jurisdiction which are owned by the Commonwealth of Massachusetts. As a result, the standards at 310 CMR 9.51 through 9.52 for conserving and utilizing the capacity of the project site to accommodate water-dependent use, as well as the standards for activating such tidelands for public use at 310 CMR 9.53 should be addressed in future Chapter 91 regulatory filings. The PNF indicates the Project was designed such that the Facilities of Public Accommodation (FPA) are located near or along open spaces but does not specify the proposed FPAs. The Proponent should work with the community to develop a variety of suitable FPAs and proposed locations. The listing and locations of proposed FPAs should be included in future regulatory filings.

Shadow Impacts

The PNF indicates the Project has considered the impact of building shadows, especially to park areas. The buildings are proposed to vary in height and massing, with the tallest building as 294 feet above grade. A significant height difference is proposed between Buildings I and H2 and the immediate vicinity. Consistent with Boston Planning & Development Agency requirements, a shadow study should be conducted. The shadow study needs to include the impact of shadows on abutting properties and parklands.

Construction Impacts

The PNF briefly discusses the open MCP Release Tracking Number 3-29510 on the Bayside Site and notes that waste and soils will be managed in accordance with Massachusetts Department of Environmental Protection regulations and policies. In addition, possible measures for mitigating construction impacts are provided. A project of this size can have significant construction impacts that need to be managed in a way that does not affect the ongoing operations and interests of abutters. The Proponent should include a draft construction management plan in the next filing that shows the phasing of the Project and how impacts on abutters will be avoided.

Vehicular Access

The Project relies upon the use of a 25-foot right-of-way easement shared by University of Massachusetts Building Authority, Corcoran Jennison Companies, and BTUHWF Building Corporation properties for vehicular access and circulation. The proposed road network

design prevents access to abutting properties. The Project needs to demonstrate within the DPIR that the road network can accommodate the anticipated traffic while ensuring no interference with the shared right-of-way easement. In addition, the Proponent must ensure that vehicle queues do not extend past the driveway serving the Bayside Office Center/University Place Residences properties or the driveway serving the Doubletree Club by Hilton Hotel Bayside. Additional comments regarding vehicular access are found in the attached "Project Notification Form – Transportation Review."

Bayside Expo Center Sign

Rendered plans of the Project do not show the Bayside Expo Center sign located near the proposed entrance from Mt. Vernon Street onto 3rd Street. The developer should commit to removal of the sign and any remediation as a part of the development plans.

The developer should also note that remediation at the base of the sign likely will be required. According to Corcoran Jennison, the release of petroleum hydrocarbons at the base of the sign associated with MCP Release Tracking Number 3-30851 likely extends onto the Project Site but could not be addressed on the Project Site due to refusal of the University of Massachusetts Building Authority to remove the sign or permit access for further testing.

Building Setbacks

As the Project hopes to attract future development in the area, building setbacks must be sufficient to avoid any future issues with building code compliance.

Utilities

The existing shared utilities on the Project Site, including water, sewer, drain, gas, communications, and electric services are not mentioned within the PNF. The Proponent must resolve the status of the existing and proposed utilities with other users.

The PNF provided conceptual plans for proposed onsite stormwater and sanitary sewer infrastructure. Future regulatory filings should provide detailed stormwater management plans.

Several inaccuracies were identified in the PNF's existing infrastructure plans:

- The existing sewer service for the Bayside Office Center and the Project Site runs through the hotel property but is not shown on the PNF's existing sewer system plan.
- There is presently one water line servicing the Bayside Office Center, Doubletree Club by Hilton Hotel Bayside, and the proposed Project Site. This service line is from the 16-inch main in Mt. Vernon Street and runs through a Boston Water and Sewer Commission (BWSC) master meter on the hotel property. The existing water system

plan shown in the PNF incorrectly shows two water service connections from Mt. Vernon Street.

- The storm drain for most of the southerly portion of the Project Site runs through the Doubletree Club by Hilton Hotel Bayside property where there is a water quality device. This drain lie connects to Mt. Vernon Street. The existing storm drainage system and combined sewer main system plan within the PNF did not indicate the correct flowing to the Massachusetts Water Resources Authority (MWRA) system on the north side of the Site.

TETRA TECH

December 10, 2020

Ms. Aisling Kerr, Project Manager
Boston Planning and Development Agency
One City Hall Plaza, 9th Floor
Boston, MA 02201

Re: Dorchester Bay City
Project Notification Form – Transportation Review
Boston, Massachusetts

Dear Ms. Kerr:

On behalf of our clients, The Harbor Point Community Task Force and Corcoran Jennison, Tetra Tech (TT) has reviewed the transportation section of the Project Notification Form (PNF) prepared by Vanasse Hangen Brustlin, Inc. (VHB) (Dated September 23, 2020) for the proposed Dorchester Bay City (DBC) mixed use development located at 200 Mt. Vernon Street and 2 Morrissey Boulevard in the Dorchester neighborhood of Boston, Massachusetts.

The Harbor Point Community Task Force is a non-profit organization representing the approximately 3,400 residents of Harbor Point on the Bay Apartment which abuts the DBC project site and which is expected to be impacted by the DBC project. Corcoran Jennison has an ownership stake in several properties abutting the DBC project sites which are expected to be impacted by the proposed DBC project including the following:

- Bayside Office Center at 150 Mt. Vernon Street
- Proposed University Place Residences site at 140-144 Mt. Vernon Street
- Doubletree Club by Hilton Hotel Bayside property at 236 Mt. Vernon Street
- Harbor Point on the Bay Apartments property at 400 Mt. Vernon Street

The DBC project calls for the redevelopment of the Bayside site on the eastern side of Mt. Vernon Street and the 2 Morrissey site on the western side of Mt. Vernon Street to include a total of 5.9 million square feet (sf) of mixed uses consisting of 1,740 apartment units, 155,000 sf of retail/restaurant space and 4,008,000 sf of office/research and development/life science/academic space. As part of the project, a new vehicle, pedestrian and bicycle circulation system within the DBC site will be provided.

The PNF states that a detailed traffic impact study will be prepared as part of the project's Draft Project Impact Report (DPIR). Tetra Tech offers the following comments on the preliminary transportation assessment and planned DPIR transportation evaluation scope provided in the PNF:

Study Area Intersections

The Proponent proposes to study 11 intersections in the vicinity of the DBC site. However, several intersections are not included in the proposed study area that are expected to be impacted by the proposed DBC project. Tetra Tech recommends that the Proponent consider including the following additional intersections in their DPIR Transportation study area:

- The Bayside Office Center and Doubletree Club at Hilton Hotel Bayside driveways with the DBC Bayside internal roadway (proposed 3rd St.)
- Morrissey Blvd./Proposed Northerly DBC 2 Morrissey Site Driveway
- MBTA station unsignalized driveway on Old Colony Ave.
- Harbor Point on the Bay Apartment intersections on Mt. Vernon St.
  - Mt. Vernon St./Harbor Point Blvd. (north)
  - Mt. Vernon St./Harbor Point Blvd. (central)

Infrastructure Northeast
Marlborough Technology Park 100 Nickerson Road, Marlborough, MA 01752
Tel 508.786.2200 Fax 508.786.2201 tetratech.com

        - Mt. Vernon St./Harbor Point Blvd. (south)
        - Mt. Vernon St./S. Point Dr.
    - Major intersections to the south on Morrissey Blvd., including the Morrissey Blvd./Bianculli Blvd. interchange and the Morrissey Blvd./I-93 interchange
    - Intersections of proposed DBC site roadways (primary internal intersections)

Trip Generation/Mode Share

The PNF included preliminary trip generation estimates associated with the project including a summary of the assumed mode shares for vehicle, transit and walking/biking to the site. The PNF states that the modes shares were based on travel characteristics for other area developments, US Census data and the Columbia Point Master Plan. The mode share assumptions for the proposed project trips will be crucial in the evaluation of potential transportation impacts. Therefore, it is recommended that sufficient background data and documentation supporting the mode share assumptions be included in the DPIR.

It is also expected that a significant portion of project trips will utilize transportation network companies (TNCs). The Proponent should consider separating the TNC mode share from other vehicle trips to ensure that adequate TNC pick-up/drop-off areas will be provided in designated areas throughout the site to accommodate the anticipated demand.

Traffic Impacts to Corcoran Jennison Sites

Bayside Office Center/University Place Residences (150 and 140-144 Mt. Vernon St.)

The Bayside Office Center currently has two vehicular access points – i) a controlled (gated) driveway to the southwest of the Bayside Office Center that connects to the DBC site driveway on Mt. Vernon St. (proposed 3rd St.) and ii) via a controlled (gated) driveway to the parking lot area to the north of the Bayside Office Center which provides a more direct connection to the DBC access driveway on Day Blvd. The DBC project proposes to eliminate the second access point to the Bayside Office Center located to the north. The Proponent should consider maintaining a second vehicular access point for the Bayside Office Center to preserve current access to the Day Blvd. access driveway and adequate emergency vehicle access to this property.

Existing loading to the Bayside Office Center is currently provided on the north side of the building and accessed via the shared parking field with DBC to the north of the building. The currently proposed DBC site plan indicates that access to this loading area will be eliminated. The Proponent should ensure that adequate access will continue to be provided to the Bayside Office Center loading area.

Tetra Tech recommends that the Proponent ensure that vehicle queues do not extend past the driveway serving the Bayside Office Center/University Place Residences properties which is located approximately 125 feet from the DBC driveway intersection with Mt. Vernon Street.

Doubletree Club by Hilton Hotel Bayside (236 Mt. Vernon St.)

Tetra Tech recommends that the Proponent ensure that vehicle queues do not extend past the driveway serving the Doubletree Club by Hilton Hotel Bayside which is located approximately 200 feet from the DBC driveway (proposed 3rd St.) intersection with Mt. Vernon Street.

Existing access to the trash storage area for the Doubletree Club at Hilton Hotel Bayside is located off the existing DBC driveway on Mt. Vernon Street (proposed 3rd St.). The Proponent should ensure that access to this trash storage area is maintained and will not be restricted or obstructed as part of the DBC project. While the hotel's proposed expansion project proposed to relocate the trash storage, the construction on that project has halted indefinitely due to the COVID19 pandemic and, therefore, the existing trash storage access may remain in its current location.

Harbor Point on the Bay Apartments (400 Mt. Vernon St.)

This residential development has several vehicular and pedestrian access points on Mt. Vernon Street and is proposed to have pedestrian access directly to the DBC site. The Proponent should ensure that the proposed DBC site layout will continue to restrict vehicular access through the Harbor Point on the Bay Apartments property. Additionally, the Proponent should ensure that the operations at the Harbor Point on the Bay Apartment driveways on Mt. Vernon Street will not materially deteriorate as a result of the proposed DBC project.

Parking Impacts

The DBC Bayside site currently has a shared parking agreement with the Bayside Office Center where the tenants can share parking where available. The Proponent proposes to conduct a detailed shared parking analysis of the DBC site in the DPIR. Any abutting properties that currently have a shared parking agreement with the DBC Bayside site and are anticipated to continue sharing parking with the DBC site should be included in this analysis to ensure that adequate parking will continue to be provided.

It is recommended that the Proponent discuss the planned construction phasing to ensure that adequate parking and access will be provided for each phase of development. The discussion should include a description of how the parking will distributed throughout the site and managed, especially during the various phases of development.

Pedestrian/Bicycle Accommodations

The project is estimated to generate a significant number of pedestrians and bicyclists. A pedestrian/bicycle analysis should be included in the DPIR. The Proponent should ensure that the existing and proposed sidewalks within the study area can adequately accommodate the additional pedestrian/bicycle activity.

Transit Impacts

The project is estimated to generate a significant number of transit trips. The DPIR should include an assessment of impacts to the local transit system.

Additionally, it is recommended that the Proponent ensure that the pedestrian connection between the nearby JFK MBTA station and the DBC site can adequately accommodate future pedestrian activity including implementing improvements where sidewalk width and pavement quality are deficient and where pedestrian handicap ramps are not in accordance with current ADA standards.

These comments are offered as guides for use during the City's review. If you have any questions, please feel free to contact us at (508) 786-2200.

Very truly yours,

Robert I. Woodland, PE
Senior Project Manager

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December 10, 2020

Director Brian Golden
Boston Planning and Development Agency
Attn via email: Aisling Kerr

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
Attn via email: Erin Flaherty

Re: Dorchester Bay City (EEA# 16277)

Dear Secretary Theoharides and Director Golden:

Dorchester Bay City has the potential to transform a significant site from a largely vacant expanse of asphalt into a vibrant place that draws people from across Boston and the region. Because the ground lease for the property will provide funding for UMass Boston, the site also carries with it an opportunity to strengthen the City's most important public university.

WalkBoston has reviewed the ENF and PNF with the knowledge that there is a great deal more planning and design to come. We hope that our comments and questions will help to ensure that the scope for the EIR and PIR will help to make the project truly walkable for all.

We also hope that our comments will help to ensure that the proponents, other nearby development teams, and City and State public agencies come together to design and execute the on- and off-site infrastructure needed to bring the site's promise to fruition. The fact that the City's CAC has been charged with thinking about the benefits, impacts and public infrastructure needs of a collection of projects is a hopeful sign that this bigger picture planning and investment will occur.

Our comments are focused on four key questions:

1. How will Dorchester Bay City (DBC) achieve the walking connections to the Red Line needed to achieve the mode split envisioned – with relatively low levels of vehicle use and high levels of walking and transit use?
2. How can DBC be more robustly connected to its immediate and more distant Dorchester neighbors?
3. What role and responsibility should DBC take in resolving the significant transportation needs that the project's success is contingent on?
4. How can some of the site's more detailed designs ensure that people walking are comfortable, safe and well served by the project itself?

JFK/UMass Station Walking Connections – The documents describe the poor and unsafe walking connection between the site and the Red Line Station, but the level of intervention described to improve the connection is not commensurate with mode share projections and the need of DBC's occupants. The walking time estimates (shown with concentric circles) do not reflect the actual routes or the psychological barriers posed by the very busy roads and intersections that must be navigated. Notwithstanding the improvements proposed for Mt. Vernon Street, WalkBoston remains concerned that the quality of the walking environment between the site and the MBTA station will not be attractive enough to generate the substantial transit and pedestrian mode splits that are projected (and which are needed to meet the City's and State's GHG targets as well as to prevent ever worsening congestion).

- We urge the proponent (along with DCR and other public agencies) to think very creatively about this issue and to develop design interventions for the Mt. Vernon Street/Morrissey Boulevard at-grade and underpass intersections that are transformative.
- We urge DBC to also look at possible walking connections via Kosciuszko Circle and Columbia Road which may be a shorter and more direct walk for some DBC users. The plans being developed for Day Boulevard Extension and for access to the Boston Teachers Union Building (5th Street on Figure 1-32 in the PNF) might serve as a starting point for that investigation.
- As the project plans move ahead, the proponent should also provide a detailed marketing and program plan that will help to achieve the mode splits that have been shown in the ENF and PNF, including a reduction in the number of parking spaces proposed.

Neighborhood Connections – DBC should be connected to its neighbors and to Dorchester**.** WalkBoston is concerned that DBC will create an island of shiny buildings not connected to their neighbors or the rest of the City.

- Harbor Point Walking Connection – The grading plans that are proposed to achieve the needed resiliency to ocean level rise will create a grade separation between Harbor Point and DBC. We request that the proponent provide more design details to describe how the physical and neighborly connection will be made between the sites.
- UMass Walking Connection – UMass is only a five -minute walk from many parts of the DBC site. We ask that the project design team explore ways in which this connection can be made attractive and explicitly help to build a connection between the two.
- Dorchester, Moakley Park, Carson Beach Connections – We understand that resolution of the design for Morrissey Boulevard and K Circle lies in the hands of state agencies and will be enormously important to these connection issues. But we urge the proponent to delve deeply into design ideas that could help make the walking connections robust. For example:
    - What wonderful walking path and Day Boulevard crossing could connect DBC to Moakley Park?
    - The Columbia Road Greenway was identified in the GoBoston 2030 Planning Process as an opportunity to create a neighborhood friendly street connecting Franklin and Moakley Parks. Are there improvements to walking connections via Kosciuszko Circle and Columbia Road that would also continue under the Southeast Expressway to make the walk to Dorchester Ave and beyond significantly more pleasant and fully accessible?

Role and responsibility of DBC in resolving the significant transportation projects – There are very big off-site issues that need to be addressed to make this project really work. The proponent acknowledges that the infrastructure needs to match climate resiliency and the scale

walkBoston

of the development that is coming on this site and nearby. The projects include JFK/UMass station and service; Morrissey Boulevard, Kosciuszko Circle and Day Boulevard that are re-built as climate-resilient gateways that serve all modes.

We ask that DBC describe the level of commitment that they will provide to get these projects to successful implementation that goes beyond promises to collaborate and includes firmer commitments in terms of timing, leadership in bringing all parties to the table, and funding.

Design Details – We understand that the PNF and ENF show very early stages of design, and ask that the following walking and walkability questions be addressed in greater detail in the DEIR and DPIR.

- Provide separated walking and biking routes.
- De-emphasize vehicles throughout the project site – slow drivers down and ensure pedestrian-first design. Look in a very fine grained way at garage entries and exits, service and loading areas etc. to ensure that they are safe and gracious for people walking.
- Provide active places for playing, not just office park landscaping as a forecourt to buildings. DBC should achieve the lived-in, well-used feel of a neighborhood that feels like a place for everyone.
- Re-examine the proximity of Building A to Carson Beach, which is public open space and should not feel privatized in any way.

Thank you for the opportunity to comment on this significant and important development which will occupy one of Boston's most wonderful sites.

We look forward to working with the DBC Team, the community, and City and State agencies to help ensure that a wonderful project is built.

Sincerely,

Stacey Beuttell
Executive Director

Wendy Landman
Senior Policy Advisor

Boston Water and Sewer Commission

980 Harrison Avenue
Boston, MA 02119-2540
617-989-7000

October 21, 2020

Ms. Aisling Kerr Project Manager
Boston Planning & Development Agency
One City Hall Square, 9th Floor
Boston, MA. 02210

Re: Dorchester Bay City, Dorchester
Project Notification Form

Dear Ms. Kerr:

The Boston Water and Sewer Commission (Commission) has reviewed the Project Notification Form (PNF) for the proposed redevelopment project located at 200 Mount Vernon Street and 2 Morrissey Boulevard in the Dorchester neighborhood of Boston. This letter provides the Commission's comments on the PNF.

The proposed Dorchester Bay City redevelopment project is located on two parcels of land totaling approximately 33.5 acres. A portion of the project site is located at 200 Mount Vernon Street and contains approximately 19.9 acres and was the former Bayside Exposition Center (BEC). A portion of the project site is located at 2 Morrissey Boulevard and contains approximately 13.6 acres and is occupied by an office building and parking lot. The project proponents, Bayside Property Owners LLC and Morrissey Property Owners LLC (BPO/MPO), propose a mixed-use development of approximately 5.9 million square feet (sf). The development will include 1,700 residential units, 155,000 sf. of retail/ restaurant space, 4,008,000 sf of office, research and development, life science and/or potentially academic uses. The development will also include 20 acres of open space with public access and new streets and parking for approximately 2,650 motor vehicles.

For water service, the Commission owns and maintains water mains in Morrissey Boulevard and Mount Vernon Street. Mount Vernon Street has a 16-inch ductile iron cement line (DICL) pipe that was installed in 2013 and a 12-inch cast iron cement lined pipe that was installed in 1954. Morrissey Boulevard has a 12-inch DICL pipe that was installed in 2009. The three water mains are served by the Commission Southern Low Pressure zone. There is also an 8-inch private water main in the private road next to the State Police Barracks that, according to Commission records, provide domestic water service to the BEC. Fire service to the building is provided by connections to the 16-inch water main in Mount Vernon Street.

The Commission's wastewater system serving the project site consist of a 12-inch sanitary sewer and 144-inch by 144-inch storm drain in Morrissey Boulevard. Mount Vernon Street has a 36-

inch sanitary sewer, a- 126-inch combined sewer called the Boston Main Interceptor and a 12-inch storm drain. The Commission's records show that the BEC has a private storm drain system that extend along the perimeter of the building. The private storm drain system connects to an MWRA combined sewer overflow behind the State Police Barracks. Along the northwest corner of the site, the MWRA owns the Columbus Park Connector, a 116-inch by 87-inch combined sewer. Also, at this corner of the property, the Commission owns a 96-inch by 96-inch storm drain.

The PNF states that daily water demand for the proposed project is estimated to be 700,366 gallons per day (gpd) and wastewater generation will be 636,445 gpd.

The Commission has the following Comments on the PNF.

General

1. Prior to the initial phase of the site plan development, BPO/MPO, should meet with the Commission's Design and Engineering Customer Services to review water main, sewer and storm drainage system availability and potential upgrades that could impact the development.

2. Prior to demolition of any buildings, all water, sewer and storm drain connections to the buildings must be cut and capped at the main pipe in accordance with the Commission's requirements. The proponent must complete a Cut and Cap General Services Application, available from the Commission.

3. All new or relocated water mains, sewers and storm drains must be designed and constructed at BPO/MPO's expense. They must be designed and constructed in conformance with the Commission's design standards, Water Distribution System and Sewer Use regulations, and Requirements for Site Plans. The site plan should include the locations of new, relocated and existing water mains, sewers and drains which serve the site, proposed service connections, water meter locations, as well as back flow prevention devices in the facilities that will require inspection. A General Service Application must also be submitted to the Commission with the site plan.

4. BPO/MPO's propose to construct a network of roadways as well as utility infrastructure that includes water, sewer and storm drains. The question of ownership and maintenance responsibility for the roadway system and utilities was not addressed in the PNF. The Commission will work with the developer's team on issues relating to the water and sewer infrastructure needed to serve the new development. However, final ownership of on-site sewer drainage and water related facilities should be addressed in future filings to the BPDA and MEPA.

5. The Department of Environmental Protection (DEP), in cooperation with the Massachusetts Water Resources Authority and its member communities, has implemented a coordinated approach to flow control in the MWRA regional wastewater system, particularly the removal of extraneous clean water (e.g., infiltration/inflow (I/I)) in the system. The Commission has a National Pollutant Discharge Elimination System (NPDES) Permit for its combined sewer overflows and is subject to these new regulations [314 CMR 12.00, section 12.04(2)(d)]. This section requires all new sewer connections with design flows exceeding 15,000 gpd to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gallons per day of wastewater shall assist in the I/I reduction effort to ensure that the additional wastewater flows are offset by the removal of I/I. Currently, a minimum ratio of 4:1 for I/I removal to new wastewater flow added is used. The Commission supports the policy and will require proponent to develop a consistent inflow reduction plan. The 4:1 requirement should be addressed at least 90 days prior to activation of water service and will be based on the estimated sewage generation provided on the project site plan.

6. The design of the project should comply with the City of Boston's Complete Streets Initiative, which requires incorporation of "green infrastructure" into street designs. Green infrastructure includes greenscapes, such as trees, shrubs, grasses and other landscape plantings, as well as rain gardens and vegetative swales, infiltration basins, and paving materials and permeable surfaces. The proponent must develop a maintenance plan for the proposed green infrastructure. For more information on the Complete Streets Initiative see the City's website at http://bostoncompletestreets.org/

7. The Commission's records indicate that there is a particle separator on the site at 2 Morrissey Boulevard. The Commission request that the BPO/MPO verify the structure and indicate the structure along with its tributary area on the site plan that is submitted to the Commission. In addition, the BPO/MPO should submit a maintenance plan to the Engineering Customer Service Division.

8. BPO/MPO is advised that the Commission will not allow buildings to be constructed over any of its water lines. Also, any plans to build over Commission sewer facilities are subject to review and approval by the Commission. The project must be designed so that access, including vehicular access, to the Commission's water and sewer lines for the purpose of operation and maintenance is not inhibited.

9. The Commission will require BPO/MPO to undertake all necessary precautions to prevent damage or disruption of the existing active water and sewer lines on, or adjacent to, the project site during construction. As a condition of the site plan approval, the Commission will require BPO/MPO to inspect the existing sewer lines by CCTV after

site construction is complete, to confirm that the lines were not damaged from construction activity.

10. It is BPO/MPO responsibility to evaluate the capacity of the water, sewer and storm drain systems serving the project site to determine if the systems are adequate to meet future project demands. With the site plan, BPO/MPO, LLC must include a detailed capacity analysis of the water and sewer systems during peak flow conditions and storm drain systems during using the 10 year, 24-hour storm event. The analysis must determine the impacts the proposed project will have on the Commission's water, sewer and storm drainage systems.

Water

1. BPO/MPO must provide separate estimates of peak and continuous maximum water demand for residential, commercial, industrial, irrigation of landscaped areas, and air-conditioning make-up water for the project with the site plan. Estimates should be based on full-site build-out of the proposed project. BPO/MPO should also provide the methodology used to estimate water demand for the proposed project.

2. BPO/MPO should explore opportunities for implementing water conservation measures in addition to those required by the State Plumbing Code. In particular, BPO/MPO should consider outdoor landscaping which requires minimal use of water to maintain. If BPO/MPO plans to install in-ground sprinkler systems, the Commission recommends that timers, soil moisture indicators and rainfall sensors be installed. The use of sensor-operated faucets and toilets in common areas of buildings should be considered.

3. BPO/MPO is required to obtain a Hydrant Permit for use of any hydrant during the construction phase of this project. The water used from the hydrant must be metered. BPO/MPO should contact the Commission's Meter Department for information on and to obtain a Hydrant Permit.

4. BPO/MPO will be required to install approved backflow prevention devices on the water services for fire protection, mechanical and any irrigation systems. BPO/MPO is advised to consult with Mr. James Florentino, Manager of Engineering Code Enforcement, with regards to backflow prevention.

5. The Commission is utilizing a Fixed Radio Meter Reading System to obtain water meter readings. For new water meters, the Commission will provide a Meter Transmitter Unit (MTU) and connect the device to the meter. For information regarding the installation of MTUs, BPO/MPO should contact the Commission's Meter Department.

Sewage / Drainage

1. In conjunction with the Site Plan and the General Service Application BPO/MPO will be required to submit a Stormwater Pollution Prevention Plan. The plan must:

   - Identify specific best management measures for controlling erosion and preventing the discharge of sediment, contaminated stormwater or construction debris to the Commission's drainage system when construction is underway.

   - Include a site map which shows, at a minimum, existing drainage patterns and areas used for storage or treatment of contaminated soils, groundwater or stormwater, and the location of major control structures or treatment structures to be utilized during the construction.

   - Specifically identify how the project will comply with the Department of Environmental Protection's Performance Standards for Stormwater Management both during construction and after construction is complete.

2. Developers of projects involving disturbances of land of one acre or more will be required to obtain an NPDES General Permit for Construction from the Environmental Protection Agency and the Massachusetts Department of Environmental Protection. BPO/MPO is responsible for determining if such a permit is required and for obtaining the permit. If such a permit is required, it is required that a copy of the permit and any pollution prevention plan prepared pursuant to the permit be provided to the Commission's Engineering Services Department, prior to the commencement of construction. The pollution prevention plan submitted pursuant to a NPDES Permit may be submitted in place of the pollution prevention plan required by the Commission provided the Plan addresses the same components identified in item 1 above.

3. The Commission encourages BPO/MPO to explore additional opportunities for protecting stormwater quality on site by minimizing sanding and the use of deicing chemicals, pesticides, and fertilizers.

4. The discharge of dewatering drainage to a sanitary sewer is prohibited by the Commission. BPO/MPO is advised that the discharge of any dewatering drainage to the storm drainage system requires a Drainage Discharge Permit from the Commission. If the dewatering drainage is contaminated with petroleum products, BPO/MPO will be required to obtain a Remediation General Permit from the Environmental Protection Agency (EPA) for the discharge.

5. BPO/MPO must fully investigate methods for retaining stormwater on-site before the Commission will consider a request to discharge stormwater to the Commission's system. The site plan should indicate how storm drainage from roof drains will be handled and the feasibility of retaining their stormwater discharge on-site. All projects at or above 100,000 square feet of floor area are to retain, on site, a volume of runoff equal to 1.25 inches of rainfall times the impervious area. Under no circumstances will stormwater be allowed to discharge to a sanitary sewer.

6. The Massachusetts Department of Environmental Protection (MassDEP) established Stormwater Management Standards. The standards address water quality, water quantity and recharge. In addition to Commission standards, BPO/MPO will be required to meet MassDEP Stormwater Management Standards.

7. The existing private drainage system serving the Bayside Exposition Center is connected to the MWRA's 204-inch CSO drainage tunnel. The new drainage system serving both portions of the project site may be required to discharge to either the 96-inch by 96-inch storm drain on the BEC portion of the site or the 144-inch by 144-inch storm drain in Morrissey Boulevard. BPO/MPO must coordinate the abandonment of the existing connection to the CSO drainage tunnel with the MWRA.

8. Sanitary sewage must be kept separate from stormwater and separate sanitary sewer and storm drain service connections must be provided. The Commission requires that existing stormwater and sanitary sewer service connections, which are to be re-used by the proposed project, be dye tested to confirm they are connected to the appropriate system.

9. The Commission requests that BPO/MPO install a permanent casting stating "Don't Dump: Drains to Boston Harbor" next to any catch basin created or modified as part of this project. BPO/MPO should contact the Commission's Operations Division for information regarding the purchase of the castings.

10. The restaurant or food service facility built as part of this project grease traps will be required in accordance with the Commission's Sewer Use Regulations. BPO/MPO is advised to consult with the Commission's Operations Department with regards to grease traps.

11. If parking will be provided in garage, enclosed floors of the garage must drain through oil separators into the sewer system in accordance with the Commission's Sewer Use Regulations. The Commission's Requirements for Site Plans, available by contacting the Engineering Services Department, include requirements for separators.

12. If parking will be provided in parking lots, the Commission requires installation of particle separators on all new parking lots greater than 7,500 square feet in size. If it is determined that it is not possible to infiltrate all of the runoff from the new parking lot, the Commission will require the installation of a particle separator or a standard Type 5 catch basin with an outlet tee for the parking lot. Specifications for particle separators are provided in the Commission's requirements for Site Plans.

Thank you for the opportunity to comment on this project.

Yours truly,

John P. Sullivan, P.E.
Chief Engineer

JPS/RJA

cc: M. Zlody, BED via e-mail
K, Ronan, MWRA via e-mail
C. McGuire, BWSC via e-mail
F. McLaughlin, BWSC via e-mail

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Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Kathleen A. Theoharides
Secretary

Patrick Woodcock
Commissioner

7 December 2020
Updated: 16 December 2020

Kathleen Theoharides, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02114
Attn: MEPA Unit

RE: Dorchester Bay City, Boston, MA, EEA #16277

Cc: Maggie McCarey, Director of Energy Efficiency, Department of Energy Resource
Patrick Woodcock, Commissioner, Department of Energy Resources

Dear Secretary Theoharides:

We've reviewed the Environmental Notification Form (ENF) for the proposed project. The project includes 4M-sf of lab/office research office space, 1.46M-sf of residential space (1,730 units), and 155,000-sf of first floor retail and restaurant space. For this project we expect key mitigation measures to include:

- Passivehouse (Residential buildings);
- Efficient electrification of space heating (All buildings);
- Maintaining envelope integrity with framed, insulated walls with continuous insulation (All buildings);
- Avoiding glass curtain wall assemblies and excessive windows (All buildings);
- Energy recovery (All buildings);

- Management of solar heat gains (All buildings);
- Rooftop (All buildings);
- Electric Vehicle Ready Parking Spaces (All buildings).

Experience has shown that the above deliver 50 to 80% less emissions than projects built to Code while improving affordability and resilience. In addition, significant incentives may be available, including MassSave® incentives, Alternative Energy Credits (AECs), and Solar Massachusetts Renewable Target (SMART) credits. For this project, just the MassSave® Passivehouse incentive for the residential portion of the project is worth up to **$5.2M**.

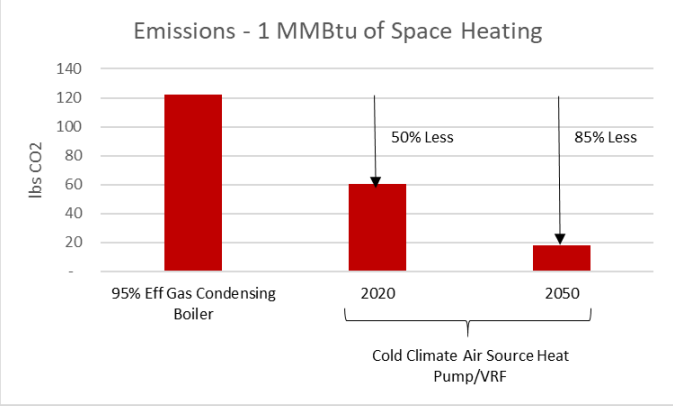
Key Mitigation Strategies Explained

Efficient Electrification

Efficient electrification and renewable thermal space and water heating entails the swapping of fossil fuels (natural gas, oil, and propane) or electric resistance systems with one or more of the following:

- Cold-climate air source heat pumps and variable refrigerant flow (VRF) for space heating;
- Air source heat pumps for water heating;
- Ground source heat pumps;
- Solar thermal.

Electrification of space and water heating is a key mitigation strategy with significant short- and long-term implications on GHG emissions. Massachusetts grid emissions rates continue to decline with the implementation of clean energy policies that increase renewable electricity sources. The implication is that efficient electric space and water heating with cold climate air source heat pump and VRF equipment have lower emissions than other fossil-fuel based heating options, including best-in-class (95% efficient) condensing natural gas equipment. Currently, efficient electric heating has approximately **50% lower emissions** in Massachusetts than condensing natural gas heating. By 2050, efficient electric heating is expected to have approximately **85% lower emissions** in Massachusetts than condensing natural gas heating. See illustration below.



Electrifying Space Heating for Residential, Retail, and Office

Space heating of residential, retail, and office buildings can be readily accomplished using one of the following approaches:

- Air to air heat pumps

  Air to air heat pumps can be readily incorporated into small and mid-size residential, office, retail, and other buildings.

- Air to air variable refrigerant flow (VRF) heat pumps

  Air to air VRF heat pumps can also be readily incorporated into small and mid-size residential, office, retail, and other buildings. In addition, such systems can also be incorporated into large floorplate and tall residential, office, retail, and other buildings.

- Central air to water heat pumps

  In-building central air to water heat pumps can be readily incorporated into any size building, floor plate size, and building use. These systems consist of an in-building centrally located air and/or ground to water heat pump heating plant which provides hot water to a 120F thermal distribution loop for space heating. This option also provides an approach for speculative buildings in which the floor space use may not be known.

We anticipate that between the above three approaches, a feasible means exists to readily electrify space heating of any residential, retail, and office use on this project.

Electrifying Space Heating for Lab/Office

Lab/office buildings typically have high ventilation loads which has made electrification of space heating a challenge in the past, particularly with a speculative core/shell project. However, DOER is aware that recent highly-ventilated speculative core and shell lab/office projects are pursuing a pathway to partially electrify space heating for these types of projects. The approach uses a hybrid of air to water or ground to water heat pumps and gas equipment in which the heat pump can provide 80-90% total annual heating end use.

Key strategies for this hybrid approach are as follows:

- Include a hot water distribution loop of 120°F;

- Include an in-building centralized heating plant consisting of an air-to-water (or ground-to-water) heat pump and a gas-fired condensing boiler;

- Size the boiler for 100% of the peak load; size the air source heat pump for 25% of the peak load;

- Prioritize the heat pump operation first and utilize boiler only when loads exceed 25% of peak.

A hybrid approach like this may provide a feasible means to partially electrify space heating of highly ventilated lab/office building, including speculative core/shell projects.

Heat Pump Service Water Heating

Service water heating can be accomplished in many ways, common technologies include fossil fuel boilers and electric resistance systems. There are approaches that utilize air-source heat pumps, as well. These applications include centrally located systems that distribute hot water to the units, or localized tank-based heat pump water heaters.

We anticipate that heat pump water heating will provide a feasible pathway to efficiently electrify service water heating for office, retail, and possibly the lab/office buildings.

For the residential and possibly the lab/office, the DOER recognizes that heat pumps can be challenging. For these applications, both heat pump and fossil fuel service water heating should be analyzed.

Passivehouse

Passivehouse is an energy efficiency building standard that results in an ultra-low energy building requiring little energy use for space heating and cooling. This is achieved by focusing on envelope performance, airtightness, solar heat gain management, and energy recovery. Passivehouse projects also typically have efficient electrified heating, as described above, and much smaller-sized HVAC systems. Published studies show that in low-rise and mid-rise residential construction, Passivehouse doesn't necessarily cost more to build because improvements to envelope are offset by reductions in HVAC[1]. In high-rise residential construction, Passivehouse costs nominally more[2].

Passivehouse is an energy code standard which is unlike other energy efficient building approaches in that its truly performance based by requiring mandatory, rigorous in-field tests to confirm that strict standards are being met. Passivehouse methods are recognized by both Massachusetts building Code, MassSave®[3], and incentives under Massachusetts' Alternative Portfolio Standard (APS). For qualifying multifamily buildings, MassSave® incentive for Passivehouse is approximately **$3,000 per dwelling unit, or $5.2M when applied across the project.**

Passivehouse also delivers:

- *Significant reduction in utility costs:* thus is much more affordable to residents;

[1] Pennsylvania Housing and Finance Association. *Passivehouse Cost Comparison Data set 2015, 2016, 2018* [Data Set]

[2] Feasibility Study to Implement the Passivehaus Standard on Tall Residential Buildings, FXcollaborative, 30 March 2017, Prepared for NYSERDA

[3] MassSave® is a consortium of Massachusetts utility companies designed to deliver energy efficiency throughout the Commonwealth of Massachusetts.

- *Improved resiliency:* Passivehouse buildings can stay warm (or cool, in the summer) for extended periods of time even with loss of power.

The Passivehouse pathway accesses the most incentives, while also being the most affordable and efficient.

At this time there are over 5,000 Passivehouse units being designed or under construction in eastern Massachusetts. Additionally, upon completion of Winthrop Square Tower, Boston will be home to a 750,000-sf office space certified as Passivehouse.

Passivehouse Examples

The Distillery
Boston, MA

Winthrop Center
Boston, MA

Newton Northland
Newton, MA

Bunker Hill Housing Development
Charlestown, MA

Newton Riverside
Newton, MA

Integrity of Building Envelope

High-performing envelope is essential to successful GHG mitigation, affordability, and resilience. Key strategies for maintaining integrity of envelope are:

- Continuous insulation;
- Reducing air infiltration;
- Eliminating thermal bridges;

- Limiting or eliminating use of glass "curtain wall" and spandrel assemblies;
- Maximizing framed, insulated walls sections;
- Avoiding excessive window areas.

The thermal performance of windows, curtain walls, and spandrels is typically about **70 to 80% less** than the thermal performance of the framed, insulated wall assemblies. Accordingly, buildings which use extensive curtain wall, spandrel, and windows have compromised envelope performance which impacts energy consumption, emissions, resiliency, and affordability.

External Shading and Solar Heat Gain Coefficient (SHGC)

To limit solar heat gains, we encourage examination of building self-shading, external shading, and varying SHGC as a function of exposure. (For example, targeting lower SHGC-rated glass for building sides and areas more exposed to sun and/or less shaded.)

Solar PV

Rooftop PV can provide significant GHG benefits as well as significant financial benefits. The project should review opportunities to maximize on-site PV by set-aside as much roof space as possible for future rooftop PV.

Even if PV is not installed during building construction, it's important to plan the project to ensure that roof space is set aside for PV and that roof space doesn't become unnecessarily encroached with HVAC appurtenances, diminishing the opportunities for future PV. Electrification of heating and Passivehouse can both contribute to enabling more PV as these approaches can reduce rooftop equipment associated with conventional code HVAC.

Electric Vehicle (EV) Ready Parking Spaces

EV charging stations are critical for the continual transition towards electric mobility. Even if EV charging stations are not installed during construction , it is critical to maximize EV ready spaces as it is significantly cheaper and easier to size electrical service and install wiring or wiring conduit during construction rather than retrofitting a project later.

We encourage the project to maximize EV ready parking spaces for the project.

Incentives

Buildings which incorporate the above strategies can qualify for significant incentives:

- MassSave® performance-based incentives[4] offer incentives for every kWh or therm saved compared to a program-provided energy model. The above energy efficiency strategies offer opportunities for large kWh and therm savings.

[4] https://www.masssave.com/en/saving/business-rebates/new-buildings-and-major-renovations/

- MassSave® Passivehouse incentives[5] are available to multifamily buildings which meet either PHI or PHIUS Passivehouse certification. In addition to a $3,000/unit incentive, MassSave® also funds pre-construction feasibility and modeling. The incentive structure is as follows:

Passive House Incentive Structure for Multi-Family Mid- and High-Rise Buildings			
Incentive Timing	**Activity**	**Incentive Amount**	**Max. Incentive**
Pre-Construction	Feasibility Study	100% Feasibility costs	$5,000
	Energy Modeling	75% of Energy Modeling costs	$500/Unit, max. $20,000
	Pre-Certification	$500/unit	N/A
Post-Construction	Certification	$2,500/unit	
	Net Performance Bonus	$0.75/kWh	
		$7.50/therm	

- Alternative Energy Credits (AECs)[6] offer incentives to electrify building space heating using heat pumps and/or VRF. This program also includes multipliers which increase value if the building meets Passivehouse standards or buildings built to HERs 50 or less. These credits may be distributed on a quarterly basis over time; or, may be distributed in a lump sum to the developer if certain conditions are met.

- Massachusetts SMART program[7] provides significant incentives for solar development on top of federal and state tax incentives. SMART includes pathways which allow solar production to be sold without off-takers. This may be of potential interest to building developers as this allows them to develop rooftop solar without necessarily engaging with building tenants. For this reason, setting aside rooftop solar PV areas helps ensure that building owners' ability to monetize the roof is not impacted.

Codes and Baseline

Massachusetts Stretch Code applies to this project. Stretch Code requires a 10% energy performance improvement over ASHRAE 90.1-2013-Appendix G plus Massachusetts amendments including C402.1.5 (envelope), C405.3 and C405.4 (lighting), C405.10 (EV charging), and C406 (three additional efficiency measures).

Recommendations for the Next Submission

Recommendations are as follows:

1. Conduct separate models for by building type as follows:

[5] https://www.masssave.com/saving/residential-rebates/passive-house-incentives
[6] https://www.mass.gov/guides/aps-renewable-thermal-statement-of-qualification-application
[7] https://www.mass.gov/solar-massachusetts-renewable-target-smart

a. Office
b. Lab/office
c. Low rise residential
d. High rise residential
e. Retail

2. Ensure baseline building scenarios meet all requirements including relevant MA amendments. Clearly indicate which three C406 measures are being used in the baseline. C406 measures should be regarded as project commitments. For example, if the project choses additional solar PV, the solar PV would be considered a project commitment. Emissions reduction due to C406 measures is considered "code required" and does not count as mitigation.

3. Separately for each modeled building develop two UA analysis tables, as follows:

    a. One table that shows how the baseline complies with Table 5.5-5 of ASHRAE 90.1 2013 Appendix G plus Massachusetts Amendment C401.2.4. Fenestration limits will vary depending upon building type.

    b. A second table that shows how the proposed complies with 2018 IECC Tables C-402.1.3, C402.1.4, and C-402.4. Fenestration limit should be 30% when calculating minimum performance requirements for all building types.

4. Above-code envelope should be used throughout. In summary:

    a. Above code-threshold envelope is recommended (vertical walls, windows, roofs and exposed lower level floors). Priority should be given to increasing **continuous insulation and framed insulated wall sections**. Distinguish between R value of batt and R value of continuous insulation. Continuous insulation necessarily means insulation that is uninterrupted by hangers, studs, etc. Indicate planned wall assembly U value and wall construction type (mass, wood, metal stud, etc). Confirm that the relationship between R-value and assembly U-factor conform to Appendix A of the Code.

    b. Glass curtain wall/spandrel systems should be avoided as these are the lowest performing wall systems.

    c. Opaque curtain wall sections shall not have envelope performance larger than R-10.

    d. Reducing air infiltration is recommended, along with field tests to confirm integrity.

    e. Recommended envelope for all building types, in summary, is an envelope with a 15% improved UA over IECC C402.1.5 minimum plus Passivehouse level air infiltration limit of 0.08 cfm at 75 Pa.

5. At a minimum, develop the following scenarios:

a. Low rise and high rise residential: Improved envelope as described above. Downsize the HVAC as much as possible. Efficient electric (electric air source heat pump/VRF or central air to water heat pump to 120F thermal distribution loop) space heating and gas water heating. External shading and improved solar heat gain coefficient windows to control space cooling loads. We expect GHG mitigation to come primarily from reductions in heating, cooling, pumping, and fan energy.

    - Investigate in-building centrally located air source heat pump water heating sub scenario to above.

b. Low rise and high rise residential: Passivehouse with efficient electric space heating (electric air source heat pump/VRF or central air to water heat pump to 120F thermal distribution loop) and gas water heating. This study should be performed by a qualified Passivehouse consultant and could leverage MassSave® funded feasibility study and modeling.

    - Investigate in-building centrally located air source heat pump water heating sub scenario to above.

c. Lab/office: Improved envelope as described above. Downsize the HVAC as much as possible. In-building centrally-located hybrid efficient electric space heating (air to water heat pump sized at 20% peak heating capacity as priority backed-up with 95% efficient gas boiler sized at 100% peak, connected to 120°F thermal distribution hot water loop). External shading and improved solar heat gain coefficient windows to control space cooling loads. Energy reduction shall be attributable to reductions in heating, cooling, fan, ventilation, and pumping. We expect GHG mitigation to come primarily from reductions in heating, cooling, pumping, and fan energy.

    - Investigate hybrid geothermal alternative (ground source to water heat pump sized at 20% peak heating capacity as priority backed-up with 95% efficient gas boiler sized at 100% peak, connected to 120°F thermal distribution hot water loop)

d. Office: Improved envelope as described above. Downsize the HVAC as much as possible. In-building centrally-located efficient electric space heating (air to water heat pump sized at 100% peak heating capacity with no gas boiler back-up). External shading and improved solar heat gain coefficient windows to control space cooling loads. Heat pump hot service hot water. Energy reduction shall be attributable to reductions in heating, cooling, fan, ventilation, and pumping. We expect GHG mitigation to come primarily from reductions in heating, cooling, pumping, and fan energy.

    - Investigate hybrid geothermal alternative (ground source to water heat pump sized at 20% peak heating capacity as priority backed-up with either

gas boiler or air to water heat pump at 100% peak, connected to 120°F thermal distribution hot water loop)

- Investigate VRF alternative for space heating

e. Retail portion: Improved envelope as described above. Downsize the HVAC as much as possible. Efficient electric (electric air source heat pump/VRF) space heating. External shading and improved solar heat gain coefficient windows to control space cooling loads. Electric air source heat pump service hot water. Energy reduction shall be attributable to reductions in heating, cooling, fan, ventilation, and pumping. We expect GHG mitigation to come primarily from reductions in heating, cooling, pumping, and fan energy over reductions in lighting and miscellaneous energy reduction.

6. Evaluate incentives, including

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a. Estimate of Alternative Energy Credits

b. Estimates of MassSave® incentives, based on meeting with utility.

7. Evaluate rooftop solar PV. This should include building roof plans showing location of planned solar and location of roof HVAC equipment and other appurtenances.

8. Maximize EV-ready parking spaces. Confirm commitment to installed EV charging station and EV ready spaces.

9. Submit project modeling files to the DOER on a flash drive.

10. Compare model results total and individual end uses with representative, prototype buildings developed by Pacific Northwest National Labs/Department of Energy found at the link below. Provide a summary explaining potential differences.

- https://www.energycodes.gov/sites/default/files/documents/BECP_901_2013_Progress_Indicator_0_0.pdf
- http://www.energycodes.gov/sites/default/files/documents/2013EndUseTables.zip
- https://www.energycodes.gov/commercial-energy-cost-savings-analysis

11. Include a table similar to the example below. For "code value" ensure that the value incorporates any improved efficiency per requirements of Section C406.1 of the Massachusetts' amendments.

Measure/Area	**Base Code**	**Proposed**	**% Change**	**Comment**
AC Efficiency (EER)				
Bldg 1	*code value*	*design value*	%	
Bldg 2	*code value*	*design value*	%	

ERV Effectiveness (%)				
Bldg 1	*code value*	*design value*	%	
Bldg 2	*code value*	*design value*	%	
Boiler (% efficiency)				
Bldg 1	*code value*	*design value*	%	
Bldg 2	*code value*	*design value*	%	
LPD (Watts/sq ft)				
Bldg 1	*code value*	*design value*	%	
Bldg 2	*code value*	*design value*	%	
(continue to include service water, equipment, etc)				

Sincerely,

Paul F. Ormond, P.E.
Energy Efficiency Engineer
Massachusetts Department of Energy Resources

Brendan Place
Clean Energy Engineer
Massachusetts Department of Energy
Resource

dcr
Massachusetts

December 11, 2020

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
Attn: Erin Flaherty, MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Re: EOEEA #16277 Dorchester Bay City ENF

Dear Secretary Theoharides:

The Department of Conservation and Recreation ("DCR" or "Department") is pleased to submit the following comments in response to the Environmental Notification Form ("ENF") submitted by Epsilon Associates on behalf of the development agent, Accordia Partners, LLC for Bayside Property Owner, LLC and Morrissey Property Owner, LLC (the "Proponents") for the Dorchester Bay City project (the "Project").

As described in the ENF the Project includes two components. The Bayside Site will be redeveloped with ten development blocks containing a total of approximately 139,000 square feet ("sf") of ground floor retail/restaurant space, approximately 1,455 residential units, and approximately 2,163,000 sf of office/research and development, life sciences and/or potentially academic uses. The 2 Morrissey Site will be developed by Morrissey Property Owner, LLC with seven development blocks containing a total of approximately 16,000 sf of retail/restaurant space, approximately 285 residential units, and approximately 1,845,000 sf of office/research and development, life sciences and/or potentially academic uses.

The Bayside Site abuts DCR's Dorchester Shores Reservation, and is adjacent to Carson Beach, which is recognized by the Natural Heritage & Endangered Species Program as Priority Habitat for rare shorebirds. The ENF states that the Project will require one or more vehicular (and/or non-vehicular) DCR access permits for new or modified site access on William J Day Boulevard, William T Morrissey Boulevard, and Mt. Vernon Street. A DCR Construction and Access Permit ("CAP") will be required for work activities on DCR land, and the Project will require special legislation meeting the requirements of Article 97 of the Amendments to the State Constitution ("Article 97"). The Project will create new, active pedestrian and bicycle connections from Morrissey Boulevard to the Dorchester Shores Reservation and Carson Beach. An Environmental Impact Report ("EIR") will be prepared for the Project.

DCR appreciates the opportunity for pre-file review and discussion that was provided by the Proponent. DCR notes that any work proposed for DCR's Dorchester Shores Reservation must be submitted to the Department for appropriate reviews separately from development of the Project Site.

Article 97

Transfers of interests in state conservation property must meet the requirements set forth in the Executive Office of Energy and Environmental Affairs ("EEA") Article 97 Land Disposition Policy (the "Policy"). The Policy has the stated goal of ensuring no net loss of lands protected under Article 97 in the ownership and control of the Commonwealth and its political subdivisions, and states as a general premise that EEA and its agencies shall not sell, transfer or otherwise dispose of any right or interest in Article 97 lands.

Transfer of ownership or interests therein only may occur under exceptional circumstances, as defined in the Policy, including the determination that no feasible alternative is available, and a minimum amount of land or an interest therein is being disposed for the proposed use. Such a transfer also requires legislative authorization by the General Court through a two-thirds supermajority roll-call vote. The proposed Access Road, connecting the northern end of the Project site to William J. Day Boulevard, will require a permanent non-exclusive easement triggering the need for Article 97 legislation and compliance with the Policy. DCR will not issue a Construction and Access Permit that effectuates a change of use or involves a disposition of an interest in DCR property until Article 97 legislation is enacted.

Transportation

The Proponent proposes to conduct a detailed analysis of potential impacts to DCR-controlled parkways in the Draft Environmental Impact Report ("DEIR"). The DEIR analysis will include potential Project impacts to non-auto transportation modes and will be performed in accordance with MassDOT Transportation Impact Analysis ("TIA") Guidelines.

The Project proposes to provide support for DCR's Morrissey Boulevard Re-Design Project and other major off-site transportation infrastructure initiatives, with stated benefits for the entire Colombia Point as well as the Project Site. DCR requests that the Proponent provide specific details on the how they intend to support the Morrissey Boulevard Re-Design project. Additional information provided in the DEIR will facilitate assessment of traffic impacts to DCR roadways.

DCR requests that the Proponent engage in new data collection to supplement the proposed use of historic data adjusted with MassDOT guidance. DCR also requests that the Proponent include the following intersections in the scope of traffic analyses:

- Morrissey Boulevard at Bianculli Boulevard
- Morrissey Boulevard at Old Colony Terrace
- Morrissey Boulevard at Freeport Street
- Neponset Circle
- Day Boulevard at G Street
- Day Boulevard at I Street
- Day Boulevard at L Street

Pedestrian and Cyclist Circulation

The Project proposes development of pedestrian walkways and multi-use paths throughout the Bayside Site that will link the adjacent Harbor Point on the Bay with Morrissey Boulevard. The Bayside Site's open space is organized around a series of vistas, streets, and pedestrian passages that generally move from inland areas of the Bayside Site toward the Dorchester Shores Reservation. These open spaces will orient visitors and residents to the water, drawing people through the neighborhood to Dorchester Bay while creating connections to surrounding neighborhoods and the community assets along Dorchester Bay and the Harborwalk.

DCR requests detailed plans depicting the width of sidewalks and shared-use trails. Plans for sections of the Project Site that interface with DCR at the property line will facilitate the Department's assessment of potential impacts. First Street and Third Street will create the main bicycle/pedestrian connections through the development and to adjacent neighborhoods. To provide safe accommodations for both family recreation and commuter use, grade separated shared-use trails should be considered for these streets as well as connections along Mt. Vernon and Morrissey Boulevard. Where traffic counts warrant, signalized

intersections should be installed for safe crossing. DCR requests that the Proponent provide bike racks at regular intervals and consider bikeshare docks and repair stations.

Public access to the Harborwalk must be protected during construction. DCR requests that the DEIR include a transportation / access management plan that identifies potential impacts and describes mitigation strategies for DCR Parkways and Dorchester Shores Reservation. DCR requests ongoing coordination with the Proponent, including development of a Memorandum of Understanding outlining mitigation for Dorchester Shores Reservation and associated DCR roadways. DCR looks forward to working with the Proponent to enhance bicycle and pedestrian connections to the Reservation and Harborwalk.

Dorchester Shores Reservation and Climate Resiliency

Dorchester Shores Reservation is a coastal beach and is subject to coastal erosion, sediment loss and shoreline migration. Due to its location, the proposed Project will rely on the presence of Dorchester Shores Reservation and the Harborwalk to protect the Project site from damaging effects of coastal storms and tidal erosion. DCR recently repaired and reinforced sections of the Harborwalk due to damage from coastal storm erosion. While the need for grade transitions between the project parcel and DCR property has been identified, the work is not included in this filing. DCR requests that this information be included in the DEIR. It is the Department's opinion that assessment of impacts associated with any work proposed on DCR property should be considered with the overall Project. Insufficient information has been provided to appropriately assess any potential work on DCR property at this time.

DCR requests that the DEIR include an extensive Alternatives Analysis for resilient design measures along the oceanfront portion of the project to ensure that the community connections and natural resources are maintained in consideration of changing coastal conditions. Alternatives to ensure public access, especially given that the shoreline and Harborwalk connections are a critical amenity for Dorchester Bay City, should be proposed.

In its public presentation before the Boston Planning and Development Agency on 11/4/2020, in a slide titled "Resilient Coastal Berm Connections" with "Proposed Off-Site Grading," and on Page 5 of the DBC Bayside Grading Plan, the Proponent suggested coastline reconstruction on DCR land. However, these proposals are conceptual. DCR has not reviewed design and engineering plans, site grading, or planting plans to understand the Proponent's strategy for shoreline stabilization. In order to facilitate the assessment of impacts to the Dorchester Shores Reservation, DCR requests that the Proponent provide alternative design scenarios for the interface between the Reservation and the Dorchester Bay City property line with the following information in the DEIR:

- Fill material specifications, placement and stabilization
- Details, specifications for infrastructure along the DCR property lines
- Circulation layout, connection points, and impacts and mitigation for Boston Harborwalk to ensure that this segment of the 43-mile linear trail will be accessible to all
- Impacts and mitigation to overlook structures and gathering places
- Planting to create habitat and ecosystem function; protection of adjacent rare shorebird habitat
- Tree removal mitigation
- Dark sky design criteria; prevention of light spill onto adjacent parklands
- Integration of wayfinding and interpretive signage
- Funding sources for the park shoreline reconstruction
- Maintenance agreements for areas of intensive visitor and resident use

Storm Water Management

DCR requests design and engineering plans, site grading, and planting plans to both assess the impact on the Dorchester Shores Reservation as well as to understand how stormwater management within the development will protect water quality and prevent erosion and sedimentation along both oceanfront and landside DCR property.

The Project is situated near Boston Harbor and Dorchester Bay, currently both MassDEP listed impaired receiving waters. Project storm water should be managed entirely on site with no off-site discharge to the maximum extent practicable. The Project includes measures to utilize low-impact development site design practices and should ensure that Project site storm water management system is designed to manage and direct any additional storm water generated as a result of the Project to Boston Water & Sewer Commission facilities.

Flood Hazard Management

As proposed, the Project involves activities within a 100-year floodplain as delineated on the current effective Flood Insurance Rate Map ("FIRM") for Suffolk County, dated March 16, 2016.

DCR's Flood Hazard Management Program ("FHMP"), under agreement with the Federal Emergency Management Agency ("FEMA"), is the state coordinating agency for the NFIP. As such, the FHMP provides technical assistance to communities that participate in the NFIP related directly to the program and also related to floodplain management in general. Communities that participate in the NFIP are required by FEMA, as a condition of their participation, to regulate development within the 100-year floodplain in a manner that meets or exceeds the minimum standards established by FEMA, located at 44 CFR 60.3. Participating communities such as Boston are required to adopt the NFIP requirements through locally enforceable measures. In Massachusetts, many of the requirements contained in 44 CFR 60.3 are enforced through existing state regulations such as the State Building Code (780 CMR) and Wetlands Protection Act regulations (310 CMR 10.00). Communities typically adopt the remainder of the requirements as part of a zoning ordinance or other locally enforceable measure. Boston has a zoning regulation that includes a Floodplain District which has been accepted by FEMA as meeting their requirements under the NFIP.

In our role as NFIP coordinator, the FHMP offers comments on the proposed Project's relationship to many of the above regulations and requirements. The FHMP does not administer any of these requirements and therefore does not provide official determinations as to compliance with them; rather, our comments are provided as an overview of the requirements and the documentation that the FHMP believes may be necessary to demonstrate compliance with these requirements.

The Massachusetts State Building Code, 9th Edition includes Flood Resistant Construction standards in Section 1612, Flood Loads, and ASCE 24-14, Flood Resistant Design and Construction. According to the ENF, many of the proposed buildings will have below-grade parking. Below-grade parking is allowed for non-residential and mixed-use structures in A zones (but not in V zones). Below-grade parking areas are required to be designed and constructed to be dry floodproofed in accordance with ASCE 24-14 Chapter 6. Designs for structures in floodplains must be certified by a registered design professional. Areas below the required elevation that are not below grade and are used for building access, parking or storage can be designed to be wet floodproofed in accordance with ASCE 24-14, Chapter 6.

Additionally, projects within the 100-year floodplain involving any federal action (e.g., permit, funding) must also comply with federal Executive Order 11988, Floodplain Management. This executive order requires an eight-step decision-making process which includes analysis of alternatives, avoiding impacts when possible,

and minimizing impacts when avoidance is not possible. Because this project requires a National Pollutant Discharge Elimination System ("NPDES") and Construction General Permit, compliance with this process is necessary. DCR requests information about the probability and timing for implementation of large-scale flood control measures as contemplated by the City.

Thank you for the opportunity to comment on the EENF. Questions related to the Article 97 process can be directed to Jennifer Howard at jennifer.howard@mass.gov. Questions related to transportation can be directed to Jeff Parenti at jeff.parenti@mass.gov. Questions regarding pedestrian and bicycle connections, and integration with the DCR Reservation can be directed to Ginna Johnson at ginna.johnson@mass.gov. Questions related to Flood Hazard Management can be directed to eric.carlson@mass.gov. Please contact the Director of Construction & Access Permitting, Sean Casey at sean.casey@mass.gov regarding the required DCR Construction and Access Permit.

Sincerely,

Jim Montgomery

Jim Montgomery
Commissioner

Cc: Patrice Kish, Priscilla Geigis, Tom LaRosa, Jeff Parenti, Ginna Johnson, Jennifer Howard, Eric Carlson (DCR)