



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Deval L. Patrick  
GOVERNOR

Timothy P. Murray  
LIEUTENANT GOVERNOR

Ian A. Bowles  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

March 14, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME : (Former) Boston State Hospital  
PROJECT LOCATION : Boston  
PROJECT WATERSHED : Charles River  
EEA NUMBER : 10681  
PROJECT PROPONENT : **Worcester City** Campus Corporation c/o UMass  
Medical School  
DATE NOTICED IN MONITOR : January 23, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project (NPC) change submitted on this project and hereby determine that the potential impacts of this project **do not warrant preparation of a Supplemental EIR** and can be addressed in the state and local permitting processes. No further MEPA review is required.

Project History

This project consists of the redevelopment of the 170-acre parcel of land formerly known as Boston State Hospital, under the direction of the Commonwealth's Division of Capital Asset Management (DCAM). Project elements include the demolition of most or all of the existing structures; site clean-up and remediation; conveyance of site sub-parcels to developers; construction of commercial and institutional uses; development of housing; and provision of recreational uses and open space.

The proposed development was authorized by Section 301 of the Commonwealth's 1995 Fiscal Year Budget. Section 301, which resulted from a 10 year effort by citizen's advisory groups, members of the community, the Legislature and DCAM to consider appropriate alternatives for reuse of the site, established a master planning process. That process was presided over and approved by the Boston State Hospital Citizen's Advisory Committee (CAC), comprised of representatives of the community, mental health interests, legislators, and City of Boston agencies.

Goals and guidelines for reuse of the site were developed by the CAC. The project goals include creation of permanent jobs (with job training and day care); development of low and moderate income housing; provision of benefits for clients of the Department of Mental Health; and preservation and creation of areas of natural beauty, open space and community gardens.

### MEPA History

An Environmental Notification Form (ENF) was filed in 1996. The proposed site development program, which was to occur in two or more phases, was based on the 1995 Master Plan for Boston State Hospital, which was updated in 2003. The Certificate on the ENF issued on May 10, 1996 included a scope for an Environmental Impact Report (EIR). A Final Record of Decision allowing certain aspects of the project to proceed prior to completion of the EIR was issued on June 14, 1996.

At that time, Phase I was to be limited to the demolition of deteriorated structures and proper disposal of demolition debris; conveyance of one remaining building to the Massachusetts Audubon Society; removal of asbestos associated with the removal of on-site steam lines; removal of solid waste piles and small amounts of hazardous wastes; conveyance of site sub-parcels to selected developers; and development of a 67-acre environmental education center and wildlife sanctuary by the Massachusetts Audubon Society on the northern half of the West Campus. The Audubon project has been completed and is now operating, and others are underway. In addition, buildings have been demolished and DCAM is conducting significant site remediation.

On January 31, 2002 the proponent filed two Notices of Project Change (NPC) requesting expansions of the Phase I waiver. The first involved substituting a 50,000 to 78,000 square foot pharmaceutical research and manufacturing facility, the Massachusetts Biologic Laboratories (MBL), for a previously proposed commercial greenhouse facility. The second was a request to allow a 100-unit residential development on the East Campus, Harvard Commons, to be included in the Phase I waiver. The amended Phase I waiver was issued on March 11, 2002.

On February 25, 2005 the Secretary issued a Certificate on an Expanded NPC that was filed with MEPA. The Expanded NPC mainly focused on the Olmsted Green proposal, to be located on 24 acres of Parcel 2A on the West Campus, and all of Parcel 2B – 14.5 acres of the East Campus consisting of housing; a nursing facility; a job training, education and job advancement center and recreation facility; Heritage House; an urban farm/food production center; and accessory parking for the components. The Expanded NPC also included information about the 2000 state legislation authorizing the Commonwealth to transfer a portion of the site to

the City of Boston for construction of a 1,250-student high school. This area originally was to be developed as 900,000 square feet of mixed use development. Olmsted Green will be undertaken by Lena Park Community Development Corporation and New Boston Development Partners ("Lena New Boston.") The proponent requested authorization to submit a Single EIR, rather than the usual two-step Draft and Final EIR, and this request was granted in the Expanded NPC Certificate.

On February 17, 2006 the Secretary issued a Certificate on the Single Environmental Impact Report (Single EIR) submitted on this project finding that it adequately and properly complied with the Massachusetts Environmental Policy Act.

### Project Update

The current NPC describes the expansion (Phase II) of the Massachusetts Biologic Laboratories (MBL) facility at the former Boston State Hospital and how research and administration functions from MBL's Jamaica Plain facility will move to this site. As background, an 87,000 gross square foot (gsf) facility for the MBL was constructed at 460 Walk Hill Street, part of the site of the former Boston State Hospital and occupied in 2005. The MBL site, about 25.26 acres, is bordered by Walk Hill Street, Harvard Street, Oak Street and some undeveloped land. The site is bisected by West Main Street. Residences are located on Harvard Street adjacent to the site and the Massachusetts Audubon Society's Boston Nature Center and Wildlife Sanctuary and George Robert White Environmental Conservation Center is located to the north.

Pursuant to new Land Disposition Agreement with the Massachusetts Department of Capital Assets Management (DCAM), the proponent has acquired 4.7 new acres of land east of and adjoining MBL land. Phase II will consist of:

- a new research and administration building with up to 97,500 square feet (sf) of space;
- 231 new parking spaces;
- a driveway and parking area, landscaping, stormwater management improvements and connections to City of Boston infrastructure; and
- renovation of an existing 3,400 sf structure for meeting and training space. It is expected that the building will be used by the residential community three or four times per year

### State Permits and Jurisdiction

The project categorically required the preparation of a mandatory Environmental Impact Report (EIR). It will require a Sewer Extension and Connection Permits, air plan approval, an asbestos removal permit, and Water Quality Certification from the Department of Environmental Protection (DEP). It will also require a sewer discharge permits from the Massachusetts Water Resources Authority (MWRA). In addition, the proponent must provide notice to DEP before demolition, asbestos removal and construction can begin. The project must comply with the NPDES General Permit for Stormwater Discharges Associated with Construction Activities. The project proponent is an agency of the Commonwealth. Therefore, MEPA jurisdiction extends to all aspects of the project that may have impact on the environment.

The state permitting agencies have adequate information on which to base their permit decisions and to make the required Section 61 Findings. However, additional clarification as outlined below will assist the permitting agencies in the required Section 61 Findings. The proponent can finalize the details of any mitigation in the state permitting process.

### Wastewater

In order to fulfill the Section 61 Finding obligation, and consistent with the coordinated approach that is adopted in the Massachusetts Water Resources Authority (MWRA) sewer service area, the sewer system improvements that eliminate infiltration and inflow (I/I) from the MWRA wastewater system are required to provide mitigation for new discharges to public sewers. In order to issue the appropriate Sewer Extension/Connection Permits for the various elements of the project, the proponent should provide DEP with documentation of the work performed, or to be performed, including the following:

- Improvements to onsite infrastructure, which reduce excessive I/I and eliminate illegal inflow sources to the sanitary sewer, and work to detect and eliminate improper sanitary waste connections to storm drains; and
- Improvements to the city's sewer system to reduce excessive I/I and eliminate illegal inflow sources.

Pursuant to MWRA's 360 C.M.R. 10.023(1), MWRA prohibits the discharge of groundwater to the sanitary sewer system. The ML facility has access to a storm drain and is not located in a combined sewer area. Therefore, the discharge of groundwater associated with construction dewatering is not allowed in the sanitary sewer system.

I also note that the University of Massachusetts Medical School holds a MWRA Sewer Use Discharge Permit #52103302. If changes occur in its current operation and or discharge the Medical School must provide at least 30 days advance written notification to the MRWA's TRAC Department.

### Building Massing

The City of Boston Environment Department have stated in their comment letter that the staff of the Boston Landmarks Commission (BLC) find that the proposed location of the project away from the perimeter of the site will result in the lack of physical and visual impacts on the surrounding neighborhood and historic resources. The massing, articulation and materials of the proposed construction are appropriately modern and related to the existing facility. The BLC praises the approach that maintains the historic pastoral landscaped setting and encourages that proponent to orient physical changes to the site in a way that minimizes the taking of mature trees.

### Transportation

The project is expected to generate 612 new vehicle trips per day (adjusted). The NPC indicates that Transportation Demand Management (TDM) options may be, and are not limited to:

- continuing the free shuttle service;
- continuing to offer pre-tax purchase of transit passes to maximum of \$100/month;
- posting transit routes and schedules on a Web site for guests and visitors; and
- secure bicycle parking for employees and racks near building entrances for visitors.

Other elements of a comprehensive TDM program are:

- an on-site Transportation Coordinator;
- transit pass subsidies for all employees, including contract workers, with a pro rata subsidy for part-time staff;
- on-site transit pass distribution or sales;
- a Guaranteed/Emergency Ride Home program for non-drivers and high occupancy vehicle (HOV) users;
- information TDM on Web sites and through e-mails, newsletters, at employee orientations and, periodically, with paychecks;
- payroll deduction or subsidy for the purchase of bicycles and accessories for those enrolled and participating in a Workout to Work or similar program;
- payroll deduction or subsidy for the purchase of athletic shoes for those enrolled and participating in a Workout to Work or similar program;
- participation in promotional/special events such as National Bike Week;
- direct deposit of paychecks; and
- sharing shuttle services with other employers/institutions to serve major transit hubs for multiple modes and contract with one that uses clean (alternative) fueled vehicles.

A plan should be developed to ensure that there is no idling in violation of the Commonwealth's anti-idling law (MGL 90 s16A and 310 CMR 7.11) at drop-off/pick-up/waiting and loading/delivery areas.

#### Stormwater Management

The NPC states that the proposed project will result in the conversion of approximately 3.3 acres of undeveloped land to impervious surface. I remind the proponent that the project must demonstrate that the source controls, pollution prevention measures, erosion and sediment controls during construction, as well as the post-development drainage system, will comply with MassDEP's Stormwater Management Policy and standards for water quality and quantity.

I note that the project site is located within the medium-stressed Charles River Basin, according to the Water Resources Commission's Stressed Basins in Massachusetts report, which emphasizes the need for recharge of groundwater in medium and highly-stressed basins. Infiltration of stormwater in stressed basins is a requirement in the NPDES Phase II Stormwater Permit. Therefore, the infiltration system design for this project should conform to the NPDES permit the requirements for the City of Boston. Drainage from the property discharges to Canterbury Brook, which in turn discharges to the Stony Brook Conduit (SBC). The Boston Water and Sewer Commission has taken steps to minimize surcharging of the SBC and consequent local flooding. The proponent must demonstrate that the project will not increase the rate or quantity of stormwater discharged from the site. Boston Water and Sewer Commission has provided a very detailed comment letter outlining the drainage issues that must be addressed.

I note the comments of MassAudubon concerning groundwater levels at the Boston State Hospital site and the Boston Nature Center, and its concerns about on-site stormwater infiltration.

### Sustainable Design

This NPC project presents an opportunity for incorporating sustainable design elements and sustainable construction into the design. Sustainable design elements, over the course of the project design life, can both prevent damage to the environment and reduce operating costs to the proponent.

I encourage the proponent to explore, and implement to the extent feasible, sustainable design elements that can provide environmental benefits as well as economic benefits for the proponent and future building users. The basic elements of a sustainable design program may include, but not be limited to, the following measures:

- Leadership in Energy and Environmental Design (LEED) certification;
- water conservation and reuse of wastewater and stormwater;
- ecological landscaping;
- use of Low Impact Development (LID) techniques (the proponent may find the following web sites useful [www.mass.gov/envir/lid](http://www.mass.gov/envir/lid) and [www.lid-stormwater.net](http://www.lid-stormwater.net) );
- optimization of natural day lighting, passive solar gain, and natural cooling;
- use of energy efficient Heating, Ventilation, and Air Conditioning (HVAC) and lighting systems, appliances and other equipment, and use of solar preheating of makeup air;
- favoring building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- provision of easily accessible and user-friendly recycling system infrastructure.

### Construction Impacts

In order to fulfill the Section 61 Finding obligation the proponent should commit to participate in MassDEP's Clean Construction Equipment Initiative to minimize construction-related exposures to hazardous air pollutants (HAPs). The program involves retrofitting diesel-powered equipment with emissions controls, including particulate filters and oxidation catalysts, and using low sulfur fuel. Demolition activities must be managed in accordance with MassDEP's regulations regarding solid waste and air quality. In addition, Mass Audubon and the City of Boston Environment Department have provided detailed comments related to exterior lighting, noise impacts and construction management which the proponent should address prior to permitting.


### Conclusion

I am satisfied that the project has avoided and mitigated environmental impacts to the extent feasible, and that the state permitting agencies have adequate information to base their

permit decisions, and sufficient permitting authority to ensure that any remaining issues are adequately addressed.

March 14, 2008

Date



Ian A. Bowles

Comments received:

01/19/08	Keith Davison
02/15/08	<b>Boston Water and Sewer Commission</b>
02/29/08	Mass Audubon
03/07/08	<b>City of Boston</b> Environment Department
03/03/08	Massachusetts Water Resources Authority

IAB/ACC/acc