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COMMONWEALTH OF MASSACHUSETTS

PERMIT APPLICATION PUBLIC HEARING
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
SOUTH COAST RAIL DEIS

MAY 4, 2011
QUALTERS MIDDLE SCHOOL AUDITORIUM
240 EAST STREET
MANSFIELD, MASSACHUSETTS
7:00 p.m.

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P R O C E E D I N G S

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3 MR. ROSENBERG: Good evening and welcome
4 to this public hearing on the Draft Environmental
5 Impact Statement regarding the application submitted
6 by the Massachusetts Department of Transportation
7 for a permit to discharge fill material in wetlands
8 and waterways for the construction of a passenger
9 rail or other public transportation facility,
10 connecting the terminal stations of Fall River and
11 New Bedford with South Station in Boston.

12 My name is Larry Rosenberg, and I'm the
13 Chief of Public Affairs for the United States Army
14 Corps of Engineers in New England, and I will be
15 your moderator and your facilitator this evening.

16 Our Hearing Officer tonight is
17 Lieutenant Colonel Steven Howell, the Deputy
18 District Engineer, for the Army Corps of Engineers
19 in New England.

20 Should you need copies of the public
21 notice, the hearing procedures, or the other
22 pertinent information, it is available at the
23 registration desks.

24 I should point out that the Corps of

1 Engineers has made no decision regarding this permit
2 application, not a one.

3 The agenda for this hearing is this:
4 Following this introduction, Kristina Egan from the
5 Massachusetts Department of Transportation will give
6 a brief overview of the proposed transportation
7 project.

8 Following Ms. Egan, our Hearing Officer,
9 Lieutenant Colonel Howell, will address the hearing.
10 Colonel Howell will be followed by the Corps' permit
11 manager, who will then discuss the Corps' role and
12 an overview of the permit.

13 Following that, a representative from
14 the Massachusetts Environmental Policy Act will
15 review the role of the Commonwealth in this process.

16 Before we begin, I'd like to remind you
17 all of the importance of filling out these cards.
18 These cards serve two purposes: First, they let us
19 know that you're interested in the project, so we
20 can keep you informed in the future.

21 Second, they provide me a list of who
22 wished to speak this evening. If you did not
23 complete a card but wish to speak or receive future
24 information regarding this permit application, one

1 will be provided at the registration desk.

2 Now, as there are many who wish to
3 provide comment this evening, you will be provided
4 three minutes to speak, no more.

5 Also for your convenience, an additional
6 stenographer is available near the registration
7 table should you wish to provide comment on the
8 record without the imposed time restrictions. These
9 statements, along with any written statements that
10 you may have, will receive equal consideration with
11 those presented today.

12 I should remind you that if you do have
13 written statements, there is a box right at
14 the -- right next to the stenographer, and you can
15 just put them in there, and we will put them right
16 into the record.

17 One additional comment: We are here to
18 receive your comments, not to enter into any
19 discussion of those comments or to reach any
20 conclusion. Any questions you have should be
21 directed to the record and not to the individuals on
22 this panel.

23 Thank you very much.

24 Ladies and gentlemen, Kristina Egan.

1 MS. EGAN: Thank you, Larry, and good
2 evening to all of you. I am joined here tonight by
3 Frank DePaola, who is the Assistant General Manager
4 of Design and Construction at the MBTA, as well as
5 the Acting Highway Commissioner from Mass. DOT.
6 We're very happy to have him with us tonight.

7 The purpose of my presentation is to
8 give you a very brief overview of the project, and,
9 Larry, do I just go page down?

10 okay. So the project is a top priority
11 of the Patrick-Murray Administration because it
12 addresses a long-standing need to connect the South
13 Coast to Boston in a much firmer way than just
14 Route 24, which as we all know is unpredictably
15 congested.

16 We are predicting that we would have
17 about eight to 9,000 people that would use the train
18 every day, and this would bring economic justice
19 benefits to Fall River, New Bedford, and Taunton as
20 well as the communities in between.

21 We also have done an analysis that shows
22 that there will be significant economic development
23 that will result from this project. We're looking
24 at 3,800 permanent new jobs as well as about -- nearly

1 \$500 million in new business sales every year, and
2 that's just by connecting the economies of these
3 cities with Boston and making it more productive for
4 the labor force and employers to work with one
5 another.

6 Lastly, there's significant environmental
7 benefits to the project. This is a picture of
8 climate change. As we all know this is a threat
9 that we need to be dealing with. We are anticipating
10 up to about 300,000 miles that are driven every day
11 to be taken off the road by people that would switch
12 from their cars to transit. This has air quality as
13 well as climate benefits.

14 An important part of the project for
15 Mass. DOT is to focus the development that will
16 occur because of the train and the development that
17 is coming our way for jobs and homes and places that
18 make sense, places where people are already living
19 and working, and this will enable us to preserve a
20 lot of the farms and the fields and the forests in
21 the area. We call this "smart growth."

22 Smart growth would multiply the benefits
23 of the project alone, and we're looking at about
24 10,000 fewer acres would be developed and 6,000 of

1 those would be forest; 3,000, farmland. We would
2 also reduce household water consumption by 21 gallons
3 per day.

4 In looking at the best way to connect
5 Fall River, New Bedford, Taunton, and Boston, we
6 looked at a whole suite of alternatives starting
7 about four years ago. We looked at everything from
8 going through the Middleborough line, to running
9 monorail and light rail up the highway system.

10 We looked at reviving an old right of
11 way in Mansfield. We looked at backing into
12 Attleboro and then going up to Boston.

13 The DEIS, the Draft Environmental Impact
14 Statement, that we're talking about tonight explores
15 all of these alternatives and then goes in detail
16 into three particular corridors, which are broken
17 out into eight alternatives.

18 These three corridors are the Rapid Bus,
19 which goes up Route 24 through a zipper lane and up
20 to South Station; the Attleboro Rail alternative,
21 which jogs west from Taunton and then goes up to
22 South Station; and the Stoughton Alternative, which
23 would extend service from the existing Stoughton
24 Commuter Rail Station, south to Fall River in

1 New Bedford.

2 There is a variation on that that's
3 called the Whittenton variation. Now, for the three
4 rail alternatives, we looked at both diesel and
5 electric and looked at the comparison there.

6 There's a three-step sequential process
7 to eliminate the different alternatives, and we
8 started with the question, which is according to the
9 Corps of Engineers' process: Does the alternative
10 meet the project purpose when we looked at these
11 eight different alternatives?

12 Our conclusion -- the conclusion in the
13 DEIS is that the Rapid Bus does not meet the project
14 purpose -- and this is a conclusion, I should say,
15 this is Mass. DOT's conclusion of the analysis in
16 the DEIS.

17 And this is basically because the bus
18 would take 103 minutes, which is over an hour and a
19 half, longer than it takes to drive. So it gets
20 caught, the bus gets caught in congestion as you get
21 up to South Station, even though there's a zipper
22 lane.

23 The rail alternatives are significantly
24 faster. The Stoughton and the Attleboro alternatives

1 are looking at about an hour, 15 for a trip.

2 The diesel is ten minutes slower than
3 the electric, and the Whittenton Variation is very
4 serpentine. It goes through Taunton, and it's very
5 serpentine, and so it's 11 to 12 minutes longer than
6 the Stoughton and the Attleboro Alternatives; but
7 the conclusion here that's stated up here in the
8 purple at the bottom is straight out of the DEIS,
9 saying that the Rapid Bus really does not carry very
10 many people.

11 The second part of the process is to
12 look at is it practicable? And practicable
13 basically means can it work? Is it operationally
14 feasible? The main difference between the Attleboro
15 and Stoughton Alternatives is that Stoughton would
16 extend existing train service down to Fall River and
17 New Bedford; and Attleboro, we would have to add all
18 new trains. So it would be 38 new trains to the
19 Attleboro Alternative and about four new trains a
20 day for the Stoughton Alternative.

21 What we found is adding all of these new
22 trains to a significantly congested corridor, the
23 Northeast Corridor, where all the Acela trains, the
24 AMTRAK, and existing Providence commuter rail

1 trains, there was a big train jam that happened at
2 the South Station.

3 Now, the Commonwealth last year looked
4 at expanding South Station more than what we thought
5 we would do before; and when we looked at the
6 analysis again, we found that that jam just moves
7 south down the corridor. So we still had a train
8 jam.

9 So then we said well, how can we solve
10 that train jam? And the only way to do it is to
11 widen the Northeast Corridor where all these trains
12 are going right now, and we would have to widen it
13 through Jamaica Plain, Roxbury, and Back Bay, and,
14 in fact, we'd have to sink a new tunnel under Back
15 Bay Station, the Orange Line. This alone would cost
16 \$2.4 billion. So we're looking at the Attleboro
17 Alternative costing over \$4 billion in order to
18 construct.

19 So, again, what the DEIS states is in
20 purple at the bottom, it concludes that the
21 Attleboro Alternative is operationally infeasible.

22 The last part of the three-step process
23 is to say well, which of these alternatives have
24 environmental -- the most environmental damage? I'm

1 sorry -- the least amount of environmental damage.

2 And we looked at a variety of different
3 resources when we prepared our technical reports for
4 the Army Corps of Engineers. We looked at 18
5 different resource areas. One of the critical
6 resources is wetlands in applying for a Clean Water
7 Act permit.

8 The numbers of the wetland -- wetland
9 acres impacted are up here on the board. As you can
10 see, the Bus and the Attleboro Alternatives have
11 almost doubled the wetland impacts of the -- of the
12 Stoughton Alternative. It isn't surprising to many
13 because many people have been very worried about the
14 environmental impacts of the Stoughton Alternative.

15 I want to make a word about wetlands.
16 All wetlands are not created equal. Some wetlands
17 are more valuable than others. So, particularly in
18 the Hockomock Swamp, we looked very carefully at the
19 data in that area, which a lot of people are very
20 concerned about because of its role in the ecosystem
21 as well as providing groundwater and being a habitat
22 for rare species.

23 We found that there are actually very
24 limited impact on habitat, and there's no loss of

1 wetlands from the swamp that's intact right now.
2 The loss of wetlands would happen from the wetlands
3 that have grown up on the old right-of-way when we
4 restore it. We would put a trestle in, in order to
5 allow for animals and creatures to pass beneath the
6 trestle, and we really found that the impact was
7 much more limited than I think a lot of people have
8 been led to believe over time.

9 I want to make one more note about the
10 Whittenton Variation versus the Stoughton Alternative.
11 The Stoughton Alternative again goes straight down.
12 It's the quickest and most direct route. The
13 Whittenton Alternative is rather serpentine. It
14 goes through Taunton.

15 There's several reasons why the
16 Massachusetts Department of Transportation does not
17 believe that the Whittenton Alternative is the best
18 alternative. The first is that it takes a lot
19 longer. It takes about 11 to 12 minutes longer from
20 someone from Fall River and New Bedford.
21 Consequently, it serves less riders from Fall River
22 and New Bedford and picks up more in Taunton. Since
23 the purpose of the project is really for Fall River
24 and New Bedford, we do not want to see that kind of

1 drop-off in ridership in those cities.

2 AUDIENCE MEMBER: Point of order.

3 MS. EGAN: The Whittenton Variation --

4 AUDIENCE MEMBER: Point of order.

5 MR. ROSENBERG: We have a question.

6 AUDIENCE MEMBER: Could you please talk
7 slower. It's very hard to comprehend --

8 MS. EGAN: All of it?

9 AUDIENCE MEMBER: -- speaking so quickly.

10 MS. EGAN: Okay. I will do my best.

11 I'm actually almost at the end of the presentation.

12 I'm happy to answer questions after the hearing,
13 too, if people want to talk to me after the hearing.

14 The Whittenton Variation also has seven
15 more grade crossings, which has raised some concerns,
16 some safety concerns, and particularly has noise
17 impacts on the environmental justice communities in
18 the Whittenton area.

19 So, the conclusion from the Massachusetts
20 Department of Transportation -- sorry -- is that the
21 Stoughton Alternative is our preferred alternative
22 in the state portion of this document, which is a
23 joint federal/state document. We have named the
24 Stoughton Alternative as our preferred alternative

1 and given you some of the reasons that I've outlined
2 in this presentation.

3 I'll conclude by saying that we believe
4 this is a really green project, one with many
5 environmental impacts. We'll see air quality
6 benefits. We'll contribute to climate solutions.
7 We'll bring economic development benefits to
8 environmental justice populations that have been
9 left out of economic growth in Massachusetts, and
10 these benefits really are for decades to come. This
11 is a 100-year plus infrastructure project that will
12 bring many benefits over time for Massachusetts.

13 In conclusion, I want to thank the Army
14 Corps of Engineers for this opportunity to present
15 the project and for working with you over the last
16 four years to develop this -- the data for this
17 document.

18 And I also want to thank everyone here
19 who has come to share your thoughts. Not only the
20 folks at the front table, but the Massachusetts
21 Department of Transportation, the MBTA, will be
22 listening very carefully to what you have to offer
23 tonight.

24 Thank you.

1 MR. ROSENBERG: I would just like to
2 restate what Kristina said. The project proponent,
3 the Massachusetts Department of Transportation, has
4 an information session outside, and they are here to
5 answer any questions that you have but not -- that
6 is not part of this hearing.

7 Ladies and gentlemen, the hearing will
8 now get started in earnest. I'd like to introduce
9 our Hearing Officer, Lieutenant Colonel Steven Howell.
10 Colonel Howell.

11 LIEUTENANT COLONEL HOWELL: I'd like to
12 welcome you today to this public hearing on a
13 request for permit by the Commonwealth of
14 Massachusetts Department of Transportation for their
15 proposal to establish passenger rail service between
16 Boston and the communities of New Bedford and Fall
17 River under Section 404 of the Clean Water Act.

18 Before we begin, I would like to thank
19 you for involving yourself in this environmental
20 review process. Please feel free to bring up any
21 and all topics that you feel needed to be discussed
22 on the record. I assure you that all of your
23 comments will be considered during this process.

24 I am Lieutenant Colonel Steven Howell,

1 Deputy District Engineer for the New England District
2 of the United States Army Corps of Engineers. Our
3 headquarters is located in Concord, Massachusetts.

4 Other Corps of Engineers representatives
5 with me tonight include Jennifer McCarthy, Chief of
6 our Regulatory Division; Karen Adams, Chief of
7 Permits and Enforcement Branch of our Regulatory
8 Division; Alan Anacheka-Nasemann, our Permit Project
9 Manager; John Ashley, our Chief Counsel; Kate
10 Atwood, our Staff Archeologist; and Larry Rosenberg,
11 our Chief of Public Affairs, who will facilitate
12 tonight's hearing.

13 Tonight's hearing is being conducted as
14 part of the National Environmental Policy Act
15 requirements and the Corps of Engineers regulatory
16 program, solely to listen to your comments.

17 This request before us involves
18 placement of fill in waters of the United States,
19 including wetlands in order to construct new public
20 transportation facilities connecting the cities of
21 Fall River and New Bedford with South Station in
22 Boston.

23 The proposed work would be located in
24 wetlands on or adjacent to existing active or

1 inactive railroad or highway corridors in several
2 towns in Southern Massachusetts.

3 wetland and other waterway impacts would
4 range between roughly 10.3 and 21.5 acres, depending
5 on the alternatives selected. These impacts are
6 dispersed along the roughly 60-mile transportation
7 corridors between Boston and the terminal stations
8 in New Bedford and Fall River.

9 The project facilities are subject to
10 the jurisdiction of the Corps under Section 404 of
11 the Clean Water Act and also the United States
12 Environmental Protection Agency, under Section 402
13 of the Clean Water Act.

14 The Corps' jurisdiction for this proposed
15 activity is limited to Section 404 of the Clean
16 Water Act, which I will discuss in more detail in a
17 moment.

18 The focus of this comment period and
19 these hearings is to receive comments on the Draft
20 Environmental Impact Statement and the proposed
21 placement of fill material in the wetlands and
22 waterways, the Corps' primary area of jurisdiction
23 for this project.

24 I would like to briefly review the Corps

1 of Engineers' responsibilities in this process.
2 First, the Corps' jurisdiction in this case is
3 Section 404 of the Clean Water Act, which regulates
4 the discharge of dredged or fill materials in waters
5 of the United States, including wetlands.

6 Second, the detailed regulation that
7 explains the procedure for evaluating permit
8 applications and unauthorized work is Title 33, Code
9 of Federal Regulation, parts 320 and 332.

10 Third, the Corps' decision rests upon
11 several important factors to include Section 404(b)(1)
12 of the Clean Water Act, which stipulates that the
13 Corps can only issue a permit for the least
14 environmentally damaging practicable alternative, or
15 LEDPA, for meeting the overall project purpose.

16 In addition, the Corps must reach the
17 conclusion that issuance of a permit for the LEDPA
18 is not contrary to the public interest.

19 In accordance with those aforementioned
20 regulatory and statutory authorities, our decision
21 on whether to issue a permit will be based on an
22 evaluation of the probable impacts of the proposed
23 activity on the public interest.

24 our decision will reflect the national

1 concern for both the protection and utilization of
2 important resources to include the benefits that may
3 reasonably appear from the proposal must be balanced
4 against its reasonably foreseen detriments, and
5 these factors will be considered in our determination
6 on issuance of the permit.

7 And all factors, which may be relevant
8 to the proposal will be considered prior to our
9 making a decision, and those factors include, but
10 are not limited to conservation, economics,
11 aesthetics, wetland values, fish and wildlife
12 values, historic properties, recreation, water
13 supply, food production, and, in general, the needs
14 and welfare of the American people.

15 The Corps conducts a broad-based public
16 interest review. This hearing is part of that
17 review. All factors affecting the public will be
18 included in our evaluation. Your comments will help
19 us in reaching a decision. Additionally, the Corps,
20 like all other federal agencies, is responsible
21 for complying with the National Environmental Policy
22 Act of 1969, or NEPA.

23 NEPA requires that all agencies of the
24 federal government shall ensure that the environmental

1 amenities and values may be given appropriate
2 consideration in decision-making, along with
3 economic and technical considerations.

4 In this instance, the Corps has determined
5 that the issuance of a permit authorizing the South
6 Coast Rail proposal would represent a major federal
7 action with potentially significant impacts affecting
8 the quality of the human environment; therefore, the
9 Corps has prepared a Draft Environmental Impact
10 Statement to address the effects of this proposal.

11 Our Notice of Intent to prepare an EIS
12 was published in the Federal Registry 7 -- 73 FR
13 64927, October 31st, 2008.

14 Corps scoping meetings were held on
15 December 2nd and 3rd, 2008 in North Dartmouth and
16 Taunton, Massachusetts. And a public notice
17 announcement -- the public notice announcing the
18 availability of the DEIS was published on March 23,
19 2011. The DEIS evaluates three principal rail
20 routes and a Rapid Bus/highway route. The No-Action
21 Alternative is also evaluated.

22 The DEIS was also prepared to serve as a
23 joint Massachusetts Environmental Policy Act, MEPA,
24 and NEPA document to meet the procedural requirements

1 of both state and federal law and serve as a
2 combined DEIS Draft Environmental Impact Report,
3 DEIR. The state's MEPA review is being conducted
4 simultaneously with the NEPA process.

5 Significant issues analyzed in depth in
6 the DEIS and DEIR include impacts to waters of the
7 United States, including vernal pools and other
8 wetlands, cultural resources, threatened and
9 endangered species, transportation, air quality,
10 including greenhouse gas emissions, noise and
11 vibration, water resources, biodiversity, open
12 space, and socioeconomic effects, to name a few.

13 Lastly, to date, no decision has been
14 made by the Corps of Engineers with regard to this
15 permit. It is our responsibility to evaluate both
16 the environmental and socioeconomic impacts prior to
17 our decision. And in order to accomplish that, we
18 need your input. The record of this hearing will
19 remain open, and written comments may be submitted
20 tonight or by mail until 27 May 2011.

21 All comments will receive equal
22 consideration. I would like -- now like to introduce
23 my project manager, Alan Anacheke-Nasemann, who will
24 give you more details on the Corps' role and

1 information about the permit.

2 Alan.

3 MR. ANACHEKA-NASEMANN: Thank you, sir.

4 Good evening and welcome. Thank you for
5 attending this hearing and participating in the
6 Corps' Draft Environmental Impact Statement or DEIS
7 process.

8 My name is Alan Anacheka-Nasemann, and I
9 am a senior ecologist with the Corps and the Project
10 Manager for review of Mass. DOT's permit application.

11 I'm here to talk to you tonight about
12 the Corps' role in South Coast Rail, the regulations
13 we work under, and our DEIS process.

14 The U.S. Army Corps of Engineers
15 received an application for a permit from Mass. DOT
16 to fill wetlands in order to construct new
17 transportation corridors and facilities. All of the
18 alternative transportation corridors cross wetlands
19 and other waters of the United States. Specifically,
20 they would involve expansion of existing passenger,
21 freight, and/or highway corridors into wetlands,
22 reconstruction of rail lines on existing but
23 abandoned railroad lines that contain wetlands
24 and/or construction of brand new railroad corridors

1 into wetlands.

2 The Corps of Engineers has authority
3 over this proposal under Section 404 of the Clean
4 Water Act. This law requires a Corps permit to
5 discharge fill material into waters of the United
6 States, including adjacent wetlands. In reviewing
7 this permit application, we must determine the least
8 environmentally damaging practicable alternative, or
9 LEDPA, ensure that that LEDPA will not cause or
10 contribute to significant degradation of waters of
11 the United States, perform a public interest review,
12 and, finally, determine whether or not to issue a
13 permit for the LEDPA.

14 With regard to South Coast Rail, please
15 keep in mind that the Corps of Engineers is a
16 regulatory agency. We are not a sponsor of this
17 project. We are a reviewing agency, not a funding
18 agency. We are a neutral party in the review of
19 every permit application we receive. We are neither
20 a supporter nor opponent of any particular project.

21 The Corps' regulatory program is funded
22 by Congress, and we are spending taxpayer dollars to
23 review this proposal; however, we are not funding
24 Mass. DOT or the construction of this project. The

1 Corps must determine the least environmentally
2 damaging practicable alternative, but we do not have
3 a preferred alternative.

4 At the end of the process, the Corps is
5 required to render a permit decision, but we are not
6 required to resolve every issue or concern that you
7 may have.

8 So why is the Corps writing an
9 Environmental Impact Statement? Because like all
10 other federal agencies, we are subject to the
11 National Environmental Policy Act, or NEPA. This
12 act requires that all federal agencies must ensure
13 that environmental amenities and values may be given
14 appropriate consideration in decision-making, along
15 with economic and technical considerations.
16 Decision-making is the key phrase here. Specifically,
17 the decision we must make is whether or not to issue
18 a permit to Mass. DOT for this proposal.

19 NEPA stipulates that an Environmental
20 Impact Statement is required when the proposal
21 represents a major federal action with potentially
22 significant impacts affecting the quality of the
23 human environment.

24 One other aspect of NEPA is that it

1 encourages the federal government to work with state
2 and local levels of government to prevent duplication
3 of effort. So the Corps in cooperation with the
4 Commonwealth decided to write a joint federal
5 Environmental Impact Statement and state
6 Environmental Impact Report. The state and federal
7 governments do have different processes, but the
8 outcome is very similar: an environmental review
9 document that seeks to fully disclose the impacts of
10 the alternatives under consideration.

11 The major difference is that in a DEIR,
12 the applicant names their preferred alternative. As
13 indicated in the document, DOT provided the preface
14 where they have indicated their preferred alternative,
15 but, again, the Corps of Engineers does not have a
16 preferred alternative.

17 Our Draft Environmental Impact Statement
18 is a discussion of alternatives, but it is not a
19 selection of a particular alternative. It is a full
20 disclosure of the impacts of each alternative, but
21 it is not a decision.

22 Finally, it is a statement of the
23 consequences of a permit to build the project, but
24 it is not a permit in itself.

1 So our comment period closes on May 27,
2 2011. After that, the Corps will review all of the
3 comments, request any additional data needed from
4 Mass. DOT to further identify impacts, and at that
5 point write a Final Environmental Impact Statement
6 at which time we will name the least environmentally
7 practicable alternative and provide more detailed
8 evaluation of that alternative.

9 After that, the Corps will write a record
10 of decision and either issue or deny a permit.

11 To summarize, Section 404 of the Clean
12 Water Act is our regulatory authority in this
13 matter, and NEPA is our process for reviewing and
14 evaluating the proposal and its environmental
15 consequences. Our process must run its full course
16 before we can make a decision on this permit.

17 I would now like to introduce Aisling
18 O'Shea from the Executive Office of Energy and
19 Environmental Affairs. Ms. O'Shea will give you a
20 brief overview of the Massachusetts Environmental
21 Policy Act and process.

22 MS. O'SHEA: Good evening. My name is
23 Aisling O'Shea, and I'm an Environmental Analyst
24 with the MEPA office, the Massachusetts Environmental

1 Policy Act. We are reviewing the Draft Environmental
2 Impact Report, combined DEIS, DEIR, that the
3 Massachusetts Department of Transportation has
4 recently filed, and the public comment period is
5 ongoing.

6 I'd like to give you a brief overview of
7 our process and just talk about how to submit
8 comments, et cetera. So, the Massachusetts
9 Environmental Policy Act requires state agencies and
10 other project proponents to study the consequences
11 of their proposal and to make sure that all efforts
12 are made to avoid and minimize environmental impacts
13 and where there's unavoidable impacts to make sure
14 that there's appropriate mitigation.

15 The thresholds -- not all projects are
16 subject to our review. The threshold for projects
17 that are subject to our review are outlined in our
18 regulations, and I have our website up there, but I
19 also wanted to note for people if you didn't already
20 pick one up that I have a handout, which I put
21 outside on the table that DOT had set up, and that
22 gives you a bit more information on submitting
23 comments to MEPA, and it has my contact information
24 there as well, if you have any questions or anything

1 following this meeting that you want to call or
2 email, but it will also give you information on
3 where to send your comments.

4 Now, as Alan mentioned, we are -- the
5 state and federal review is being undertaken
6 simultaneously. We're coordinating with the Corps
7 and their MEPA process to streamline the process,
8 and we have coordinated our comment dates with them
9 also.

10 Now, MEPA applies to projects that require
11 a state agency action, which could be a permit or a
12 funding or a land transfer, and the particular
13 threshold. Some projects require an initial file of
14 an Environmental Notification Form, but not
15 necessarily a full EIR.

16 In the case of this project, the South
17 Coast Rail, it does require a mandatory environmental
18 impact report. And, for example, some of the
19 thresholds tripped would be more than one acre of
20 alteration of bordering vegetative wetlands.
21 Another mandatory area of threshold is 50 acres of
22 land alteration.

23 what I also wanted to clarify, too, is
24 that MEPA is not a permitting process. We don't

1 issue permits or approvals. Our process is really
2 to allow public input, full disclosure of impacts,
3 and analysis of alternatives and development of
4 mitigation prior to projects going to the state
5 permitting agency. And part of the process is to
6 make sure that there's sufficient information pulled
7 together for -- to help the state agency -- part of
8 it is to help the state agencies to make their
9 decisions but also to provide an opportunity for the
10 public to have input as well.

11 Now, the DEIR is the primary mechanism
12 for collecting that information, and let me -- I
13 said that already. So that's a joint process. I'm
14 repeating myself. Okay.

15 The other thing I wanted to mention was
16 other relevant thresholds of this project are
17 state -- you know, impacts to state-listed species
18 and to areas of critical environmental concerns.
19 There's a number of ACECs involved in the project
20 area. The project is also subject to our Greenhouse
21 Gas Emissions Policy, and just to mention some of
22 the permits, the state permits involved, the project
23 requires a variance from the Wetlands Protection
24 Act, and also it requires a Conservation Management

1 Permit from the Natural Heritage and Endangered
2 Species Program, because of rare species impacts.

3 And now, an Environmental Notification
4 Form was filed a few years ago. Some of you may
5 have commented on that. The certificate on that was
6 issued April 3, 2009, and that laid out the scope of
7 work for DOT in terms of developing the Draft
8 Environmental Impact Report.

9 The -- as I mentioned, the draft DEIR
10 has been filed now as a joint document. There's a
11 60 -- normally we have a 30-day -- according to our
12 regulations there's a 30-day public comment period;
13 but in this case, the comment period was extended to
14 be a 65-day comment period, and we coordinated with
15 the Corps on the deadline for comments, which is
16 May 27, 2011.

17 I also wanted to mention that comments
18 to the state agency to MEPA should be submitted in
19 writing.

20 So, you know, we're here to participate
21 and to hear all your -- you know, the comments that
22 you have to make as part of the Army Corps' hearing.
23 We do require -- regulations do require that comments
24 be submitted to the secretary in writing to be part

1 of the MEPA record.

2 After -- you know, after May 27th, when
3 we get the comments, we will be issuing -- the
4 secretary will issue a decision about a month later,
5 which is at this point scheduled for June 29th, and
6 at that point, we will be developing a scope of work
7 for the final -- for the Final Environmental Impact
8 Report. The secretary's certificate of the Draft
9 EIR will determine whether or not the document is
10 adequate in terms of meeting the requirements of the
11 scope of work that were laid out in the previous
12 certificate of 2009.

13 And we welcome all your comments on the
14 document that's being -- that has been filed, any
15 comments that you may have on the analysis, on the
16 alternatives, on proposed mitigation, et cetera, and
17 so we look forward to getting those comments from
18 you.

19 Now, there's a -- I may be running out
20 of time, so I'll just be quick with this. There's a
21 similar process when we go through the final EIR.
22 MEPA doesn't tend to have public meetings, except at
23 the initial phase, but we will coordinate with the
24 Corps to participate in any meetings they may have.

1 An important part here, too, in terms of
2 submitting comments, they should be submitted to the
3 Secretary, Richard Sullivan, to my attention, and as
4 I mentioned, the information on submitting the
5 comments is outside on the DOT's desk; and I know
6 the flyers, the brochures that DOT have also have
7 that information on the back.

8 I think that's it.

9 Thank you.

10 MR. ROSENBERG: The Corps of Engineers,
11 yesterday's technology tomorrow.

12 (Laughter.)

13 MR. ROSENBERG: Okay. Ladies and
14 gentlemen, it is crucial for this public process
15 that your voice is heard, and we're here to listen,
16 to listen to your comments, to understand your
17 concerns, and to provide you an opportunity to put
18 your thoughts on the record should you care to do so.

19 The hearing tonight will be conducted in
20 a manner that all who desire to express their views
21 will be given an opportunity to do so. To preserve
22 the right of all to express their views, I ask that
23 there be no interruptions, that all speakers abide
24 by the time restrictions so that all who wish to

1 speak will have an opportunity. We do not wish to
2 have one individual deny others the right to express
3 their views or their concerns over the proposed
4 project because of the time limitations we have.

5 Furthermore, in order to make any
6 decisions regarding this permit application, we, the
7 United States Army Corps of Engineers, need to have
8 yourselves involved in this environmental review,
9 not just tonight, but throughout the entire process.

10 When you came in copies of the public
11 notice and the procedures to be followed at this
12 hearing were available. If you did not receive
13 these, both are available at the registration desk
14 at the entrance to this hall. I will not read
15 either the procedures or the public notice, but they
16 will be entered into the record.

17
18 * * * * *

19 HEARING PROTOCOL

20
21 1. Corps of Engineers hearings are conducted in
22 accordance with Title 33, Code of Federal
23 Regulations, Part 327. The most recent edition of
24 these regulations was published in the November 13,

1 1986, Federal Register which is available at most
2 libraries.

3

4 2. Either the District Engineer or the Deputy
5 District Engineer (the two top ranking officials at
6 the New England District) normally serve as the
7 presiding officer at the hearing. When neither of
8 them is available to serve, the District Engineer
9 may designate another presiding officer.

10

11 3. The District Counsel or his designee serves as
12 the legal advisor to the presiding officer to advise
13 him on legal matters that may arise. The Chief,
14 Public Affairs or his designee serves as the
15 presiding officer's advisor on all aspects of
16 communication, media relations, local/regional
17 public involvement and interaction, and community
18 relations.

19

20 4. Any person may appear at the hearing on his own
21 behalf or may be represented by counsel or by
22 another representative.

23

24 5. Hearings will be conducted orderly, but

1 expeditiously, by the presiding officer or hearing
2 moderator/facilitator.

3

4 6. After the opening remarks by the presiding
5 officer, time may be allowed for presentations
6 describing the proposed project.

7

8 7. After the presentations, elected and appointed
9 officials will be given an opportunity to present
10 their official comments regarding the proposed
11 project.

12

13 8. The general public will then have an opportunity
14 to make oral statements, present written statements,
15 make oral presentations and make recommendations as
16 to any appropriate decision. Cross-examination will
17 not be allowed. All questions will be directed to
18 the presiding officer for the record. The hearing
19 will continue until everyone (who has requested) has
20 had a chance to speak. Exceptions to this protocol
21 will be decided by the moderator.

22

23 9. All comments, written and oral, receive equal
24 consideration (lengthy written statements should be

1 summarized orally and the entire written statement
2 submitted for the record).

3
4 10. The presiding officer may establish reasonable
5 time limites for (all) individual comments in order
6 to ensure all who have requested will have an
7 opportunity to speak on the record.

8
9 11. The hearing file will remain open for a period
10 to be determined by the presiding officer from the
11 date of the hearing for the submission of additional
12 statements.

13
14 12. The presiding officer shall have the power to
15 recess or suspend the hearing and, at the presiding
16 officer's discretion, reconvene it at a later date.

17
18 13. A transcript of the hearing will be prepared.
19 Copies may be purchased from the hearing reporter of
20 the Corps of Engineers. A copy will be available
21 for inspection at the New England District
22 headquarters in Concord, Massachusetts.

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PUBLIC NOTICE

U.S. Army Corps of Engineers®
New England District
696 Virginia Road
Concord, MA 01742-2751

Comment Period Begins: March 23, 2011

Comment Period Ends: May 27, 2011

File Number: NAE-2007-00698

In Reply Refer To: Alan Anacheka-Nasemann

Phone: (978) 318-8214

E-mail: SCREIS@usace.army.mil

Department of the Army Permit Application, Notice of Availability of Draft Environmental Impact Statement and Announcement of Public Hearings: Proposed South Coast Rail Project, Massachusetts Department of Transportation.

The District Engineer has received a permit application from the applicant below to conduct work in waters of the United States as described below.

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APPLICANT: Massachusetts Department of Transportation,
10 Park Plaza, Boston, Massachusetts 02116

ACTIVITY: Discharge fill material into waters of the United States, including adjacent wetlands. All work is incidental to installation of transportation infrastructure (rail and/or road grades) for proposed commuter passenger public transportation service. A detailed description of the proposed activity is provided below. This work is proposed in waters of the United States, including adjacent wetlands, along existing active or abandoned railroad, new track on lands currently not used as a transportation corridor, and/or highway grades between Boston and the Cities of New Bedford and Fall River, Massachusetts.

AUTHORITY

Permits are required pursuant to:

____Section 10 of the Rivers and Harbors Act of 1899

XXSection 404 of the Clean Water Act

____Section 103 of the Marine Protection, Research and Sanctuaries Act).

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The New England District, U.S. Army Corps of Engineers (Corps) has prepared a Draft Environmental Impact Statement (DEIS) to evaluate the proposed establishment of commuter passenger transit service between Boston and the cities of New Bedford and Fall River, MA. The DEIS has been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality regulations (40 CFR parts 1500-1508), in response to this Department of the Army permit application.

The DEIS has also been prepared to serve as a Draft Environmental Impact Report (DEIR) to satisfy the requirements of the Massachusetts Environmental Policy Act (MEPA; 301 CMR 11.00 et seq.). The MEPA review is being conducted simultaneously with the NEPA process.

The joint DEIS/DEIR evaluated a range of alternative transportation routes. Alternative routes evaluated in detail included three principal rail routes and one bus route: (1) the "Attleboro Alternative," (2)

1 the "Stoughton Alternative," (3) the "Whittenton
2 Alternative," and (4) the "Rapid Bus" Alternative.
3 A No Build/Transportation Surface Management
4 alternative was also evaluated. Additional
5 permutations, including a "Middleborough Rail -
6 Rapid Bus Hybrid" and an "Attleboro Fourth Track"
7 configuration were also examined.

8
9 **Two Public Hearings will be held, as follows:**

- 10
11 **1. Wednesday, May 4, 2011, 7:00 P.M., Quarters**
12 **Middle School, 240 East Street, Mansfield, MA**
13 **2. Thursday, May 5, 2011, 7:00 P.M., Keith Middle**
14 **School, 225 Hathaway Blvd, New Bedford, MA**

15
16 **Registration for each hearing will begin at**
17 **6:00 P.M. on the dates and locations listed above.**

18
19 In order to properly evaluate the proposal, we are
20 seeking public comment. Anyone wishing to comment
21 is encouraged to attend one of the hearings noted
22 above or submit written comments. **Written comments**
23 **must be received no later than: Friday May 27, 2011.**
24 Written comments can be sent to Mr. Alan

1 Anacheka-Nasemann, Project Manager, U.S. Army Corps
2 of Engineers, New England District, Regulatory
3 Division, 696 Virginia Road, Concord, MA, or by
4 email to: SCREIS@usace.army.mil. Written comments
5 may also be turned in to Corps staff during the
6 public hearings noted above. All comments will be
7 considered a matter of public record. Copies of all
8 comments will be forwarded to the applicant.

9
10 FOR FURTHER INFORMATION CONTACT: Mr. Alan
11 Anacheka-Nasemann, (978) 318-8214, email:
12 SCREIS@usace.army.mil.

13
14 **Background.** Section 404 of the Clean Water Act
15 requires a Department of the Army (DA) permit for
16 the discharge of dredged or fill material into
17 waters of the United States, including adjacent
18 wetlands. MassDOT has submitted an application for
19 a DA permit to discharge fill material into waters
20 of the U.S. incidental to establishment of commuter
21 public transportation service between Boston and the
22 cities of New Bedford and Fall River, MA, and known
23 as "South Coast Rail." Impacts to waters of the
24 U.S. would range in area from approximately 10.3

1 acres to approximately 21.5 acres, depending on the
2 alternative selected. The overall project purpose
3 is to more fully meet the existing and future demand
4 for public transportation between Fall River/New
5 Bedford and Boston, MA and to enhance regional
6 mobility. The cities of New Bedford, Fall River and
7 Taunton, Massachusetts are reportedly the only
8 cities within 50 miles of Boston not currently
9 served by commuter passenger rail service. The
10 project envisions up to approximately 9600 passenger
11 daily trips between Boston and New Bedford/Fall River.

12
13 The DEIS is intended to provide the information
14 needed for the Corps to perform a public interest
15 review for the Section 404 permit decision.
16 Evaluation of impacts of the various alternatives
17 will include application of the guidelines of
18 section 404(b) of the Clean Water Act. Issues
19 analyzed in the DEIS include impacts to water of the
20 U.S. (including vernal pools and other wetlands);
21 transportation, land use; socioeconomics,
22 environmental justice, visual effects, noise,
23 vibration, cultural resources; air quality; open
24 space; farmland, hazardous materials, biodiversity;

1 threatened and endangered species; and water
2 resources. Several alternatives were evaluated for
3 comparative purposes, including the No Action
4 Alternative under which no new transportation would
5 be built.

6
7 **Alternatives.** The "Attleboro Alternative" would add
8 new service via the existing AMTRAK® Northeast
9 Corridor, with added capacity, new track and
10 existing freight lines, from Boston via Attleboro
11 and Norton to Taunton. The new track ("Attleboro
12 bypass") would be laid in the Town of Attleboro,
13 near Chartley Pond in the vicinity of an existing
14 National Grid electrical line right-of-way. This
15 alternative would add approximately 20 new trains to
16 the existing Northeast Corridor between Attleboro
17 and Boston. Eight new commuter rail stations would
18 be constructed (Barrowsville, Downtown Taunton,
19 Taunton Depot, King's Highway, Whale's Tooth,
20 Freetown, Fall River Depot, and Battleship Cove) and
21 major reconstruction would occur at three existing
22 commuter rail stations (Canton Junction, Sharon,
23 Mansfield).

24

1 The "Stoughton Alternative" would extend the
2 existing Stoughton commuter rail line from its
3 current terminus in Stoughton along presently
4 abandoned railroad rights-of-way through Easton and
5 Raynham to Taunton. This would follow an existing,
6 abandoned railroad grade that crosses Hockomock
7 Swamp and Pine Swamp to the east side of Taunton.
8 This alternative would add 4 new trains and would
9 otherwise extend existing trains farther south from
10 Stoughton to New Bedford and Fall River. Ten new
11 commuter rail stations would be constructed (North
12 Easton, Easton Village, Raynham Place, Taunton,
13 Taunton Depot, King's Highway, Whale's Tooth,
14 Freetown, Fall River Depot, and Battleship Cove) and
15 major reconstruction would occur at two existing
16 commuter rail stations (Canton Center and
17 Stoughton).

18
19 The "Whittenton Alternative" is a variant of the
20 Stoughton Alternative, and would extend the existing
21 Stoughton commuter rail line from its current
22 terminus in Stoughton along presently abandoned
23 railroad rights-of-way through Easton and Raynham to
24 Taunton. This would follow the existing, abandoned

1 railroad grade that crosses Hockomock Swamp and then
2 an abandoned, serpentine (winding) railroad grade to
3 the west side of Taunton. This alternative would
4 add 4 new trains and would otherwise extend existing
5 trains farther south from Stoughton to New Bedford
6 and Fall River. Ten new commuter rail stations
7 would be constructed (North Easton, Easton Village,
8 Raynham Place, Downtown Taunton, Taunton Depot,
9 King's Highway, Whale's Tooth, Freetown, Fall River
10 Depot, and Battleship Cove) and major reconstruction
11 would occur at two existing commuter rail stations
12 (Canton Center and Stoughton). The Whittenton
13 Alternative was the most recent route for passenger
14 rail service between Stoughton and Taunton, last
15 used in ca. 1958.

16
17 Continuation of all three rail alternatives from
18 Taunton would follow existing, active freight lines
19 through Lakeville and Freetown to New Bedford and
20 Fall River. These links between Taunton and New
21 Bedford/Fall River are common to all three rail
22 alternatives identified above.

23
24 The "Rapid Bus" Alternative would provide commuter

1 bus service, in lieu of rail, from New Bedford, Fall
2 River and Taunton to South Station via I-93, Route 24,
3 and Route 140. North of I-495, buses would use a
4 combination of new zipper bus lanes, new reversible
5 bus lanes, two-way bus lanes, existing zipper HOV
6 lanes and existing HOV lanes, along with a short
7 section in mixed traffic. South of the I-495
8 interchange in Raynham, buses would travel in the
9 general purpose lanes with mixed traffic. Bus
10 Stations would be located at Whale's Tooth and
11 King's Highway in New Bedford, and in Fall River,
12 Freetown, Downtown Taunton and Galleria (Taunton).

13
14 The approximate locations of the proposed build
15 alternative transportation alignments and rail
16 station locations are shown on the enclosed plan
17 entitled "Figure 4.15-11:South Coast Rail Project
18 Alternative Alignments," and details of the proposed
19 impacts to waters of the United States are identified
20 in the DEIS/DEIR, Chapter 4.16 (Wetlands).

21
22 The No-Build Alternative would provide enhancements
23 to existing bus services with limited improvements
24 to the existing transit and roadway system, but

1 otherwise no major infrastructure improvements.

2

3 The decision whether to issue a permit will be based
4 on an evaluation of the probable impact of the
5 proposed activity on the public interest. That
6 decision will reflect the national concern for both
7 protection and utilization of important resources.

8 The benefit which may reasonably accrue from the
9 proposal must be balanced against its reasonably
10 foreseeable detriments. All factors which may be
11 relevant to the proposal will be considered,
12 including the cumulative effects thereof; among
13 those are: conservation, economics, aesthetics,
14 general environmental concerns, wetlands, cultural
15 value, fish and wildlife values, flood hazards,
16 flood plain value, land use, navigation, shoreline
17 erosion and accretion, recreation, water supply and
18 conservation, water quality, energy needs, safety,
19 food production and, in general, the needs and
20 welfare of the people.

21

22 The Corps of Engineers is soliciting comments from
23 the public; federal, state, and local agencies and
24 officials; Indian Tribes; and other interested

1 parties in order to consider and evaluate the
2 impacts of this proposed activity. Comments
3 received will be addressed in the Final
4 Environmental Impact Statement and considered by the
5 Corps of Engineers to determine whether to issue,
6 modify, condition or deny a permit for this
7 proposal. Comments are used to assess impacts on
8 endangered species, historic properties, water
9 quality, general environmental effects, and the
10 other public interest factors listed above.

11
12 **Mitigation:** Implementation of a mitigation plan to
13 compensate for unavoidable losses to aquatic
14 resource functions will be required if a permit is
15 issued. The DEIS/DEIR provides a conceptual outline
16 of MassDOT's proposed mitigation program; however
17 specific mitigation measures have not been
18 identified at this point.

19
20 **Section 106 Coordination:** All of the proposed
21 alternative routes would affect historic and
22 cultural resources, including properties eligible
23 for listing on the National Register of Historic
24 Places, National Historic Landmarks, and historic

1 districts that have cultural importance in the
2 affected communities. Consultation with the State
3 and Tribal Historic Preservation Offices on the
4 extent of the impacts on these resources is ongoing
5 as part of the NEPA and §404 review processes,
6 pursuant to Section 106 of the National Historic
7 Preservation Act, as amended.

8
9 **Endangered Species Consultation:** The New England
10 District, Army Corps of Engineers has reviewed the
11 list of species protected under the Endangered
12 Species Act of 1973, as amended, which might occur
13 at the project site. It is our preliminary
14 determination that the proposed activity for which
15 authorization is being sought is designed, situated
16 or will be operated/used in such a manner that it is
17 not likely to adversely affect any federally listed
18 endangered or threatened species or their designated
19 critical habitat. By this Public Notice, we are
20 requesting that the appropriate Federal Agency
21 concur with our determination.

22
23 **Coastal Zone Management Act:** The State of
24 Massachusetts has an approved Coastal Zone

1 Management Program. where applicable the applicant
2 states that any proposed activity will comply with
3 and will be conducted in a manner that is consistent
4 with the approved Coastal Zone Management Program.
5 By this Public Notice, we are requesting the State's
6 concurrence or objection to the applicant's
7 consistency statement.

8
9 **Availability of the DEIS/DEIR:** Interested parties
10 may view and download the DEIS/DEIR online at:
11 [http://www.nae.usace.army.mil/projects/ma/
12 SouthCoastRail/southcoastrail.htm](http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/southcoastrail.htm). A printed copy
13 of the document is also available to review at each
14 of the following locations:

- 15
16 1. State Transportation Library of Massachusetts
17 10 Park Plaza, 2nd Floor, Boston, MA
- 18 2. Russell Memorial Library, 88 Main Street,
19 Acushnet, MA
- 20 3. Attleboro Public Library, 74 North Main, Attleboro,
21 MA
- 22 4. Berkley Public Library, 3 North Main Street,
23 Berkley, MA
- 24 5. Boston Public Library, Central Library,

- 1 700 Boylston Street, Boston, MA
- 2 6. Thayer Public Library, 798 Washington Street,
- 3 Braintree, MA
- 4 7. Canton Public Library, 786 Washington Street,
- 5 Canton, MA
- 6 8. Dedham Public Library, 43 Church Street, Dedham, MA
- 7 9. Ames Free Library, 15 Barrows Street, North
- 8 Easton, MA
- 9 10. Fall River Public Library, 104 North Main
- 10 Street, Fall River, MA
- 11 11. Boyden Library, 10 Bird Street, Foxborough, MA
- 12 12. James White Memorial Library, 5 Washburn Rd.
- 13 East Freetown, MA
- 14 13. Lakeville Public Library, 4 Precinct Street,
- 15 Lakeville, MA
- 16 14. Mansfield Public Library, 255 Hope Street,
- 17 Mansfield, MA
- 18 15. Milton Public Library, 476 Canton Avenue,
- 19 Milton, MA
- 20 16. New Bedford Free Public Library, 613 Pleasant
- 21 Street, New Bedford, MA
- 22 17. Norton Public Library, 68 East Main Street,
- 23 Norton, MA
- 24 18. Thomas Crane Public Library, 40 Washington

- 1 Street, Quincy, MA
- 2 19. Turner Free Library, 2 North Main Street
- 3 Randolph, MA
- 4 20. Raynham Public Library, 760 South Main Street,
- 5 Raynham, MA
- 6 21. Sharon Public Library, 11 North Main Street,
- 7 Sharon, MA
- 8 22. Stoughton Library, 84 Park Street, Stoughton, MA
- 9 23. Taunton Public Library, 12 Pleasant Street,
- 10 Taunton, MA
- 11 24. West Bridgewater Public Library, 80 Howard
- 12 Street, West Bridgewater, MA

13

14 The following authorizations have been applied for,
15 or have been, or will be obtained:

16

17 (X) Permit, License or Assent from State.

18 (X) Permit from Local Wetland Agency or
19 Conservation Commission.

20 (X) Water Quality Certification in
21 accordance with Section 401 of the Clean Water Act.

22

23 **THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

24

1 Jennifer L. McCarthy
2 Chief, Regulatory Division

3 * * * * *

4
5 MR. ROSENBERG: A transcript of this
6 hearing will be prepared, and that record will
7 remain open, and written comments may be submitted
8 tonight or by mail, up until May 27th, including May
9 27th.

10 All comments receive equal consideration.
11 Anyone who wishes to send written comments should
12 forward those comments to our headquarters in
13 Concord, Massachusetts.

14 Lastly, I'd like to reemphasize that the
15 Corps of Engineers has made no decision with regard
16 to this permit. It is our responsibility to fully
17 evaluate the Massachusetts DOT's proposed activity
18 and its impacts to the aquatic resources prior to
19 any decision, and in order to accomplish that, we
20 need you.

21 Please note that the Corps does not have
22 a preferred alternative and has not yet selected a
23 permitable transportation route at this time. The
24 Corps must first identify the least environmentally

1 damaging practicable alternative, and we'll move on
2 from there. The process will not be completed until
3 the Final Environmental Impact Statement is released
4 and the record of decision is published.

5 Now although the Massachusetts Department
6 of Transportation has an ambitious schedule for the
7 completion of the necessary environmental reviews
8 and permitting, the Army Corps of Engineers has not
9 developed the schedule for the preparation of the
10 Final Environmental Impact Statement. The timing of
11 the Final Environmental Impact Statement and our
12 Record of Decision are contingent upon the public
13 comments we received and the data gaps that we need
14 to fill. Again, we are here to receive your comments,
15 not to enter into the discussion but to receive
16 those comments.

17 And any questions you have should be
18 directed to the record and not to the individuals on
19 this panel.

20 So if there's no objection, I will now
21 dispense with the reading of the public notice of
22 the hearing and have it entered into the record.

23 LIEUTENANT COLONEL HOWELL: (Nods.)

24 MR. ROSENBERG: Thank you, sir.

1 A transcript of this hearing is being
2 made to ensure a detailed review of all the comments.
3 A copy of the transcript will be available at our
4 Concord, Massachusetts headquarters for your review,
5 on our website for your use, or you may make
6 arrangements with the stenographer for a copy at
7 your own expense.

8 Individuals speaking today will be
9 called to the microphone in the order they signed in
10 and have provided for in our hearing protocol that
11 was also distributed in the hearing area -- in the
12 reception area.

13 When making a statement, please come
14 forward to one of the microphones on either side.
15 State your name and any interest you represent. As
16 there are many here to provide comment, you will be
17 provided, as I said earlier, three minutes to speak,
18 no more. Once again, please keep to this time
19 restriction so we avoid denying others the right to
20 speak.

21 This traffic signal behind me will
22 indicate the following: when that green light comes
23 on, you will have two minutes remaining; when the
24 amber light comes on, you will have one minute left;

1 and, of course, when the red light comes on, that
2 indicates your time has expired.

3 Please identify if you're speaking for
4 or representing the position of an organization. If
5 you're speaking for yourself, just say so.

6 I want to emphasize lastly that all who
7 wish to speak will have that opportunity to do so.
8 And once again, we have an additional stenographer
9 located outside the hearing room, should you wish to
10 dictate an individual statement for the record.
11 There are no time limitations on giving statements
12 to the other stenographer.

13 We will now receive your comments
14 according to our hearing protocols.

15 Our first speaker will be Stephen
16 Castellina, and he will be followed by Brad Washburn.

17 STEPHEN CASTELLINA: Thank you very
18 much. Can everybody hear me? Good.

19 My name's Stephen Castellina. I'm
20 Chairman of the Board of Selectmen from Berkley,
21 Massachusetts. The Town of Berkley is a rural town,
22 a nice quiet town at this point so far. We're south
23 of Raynham, in the section of 140 and Route 24.

24 I'm here to talk about the quality of

1 life in Berkley and try to protect the environment
2 and also the quality of life in Berkley.

3 We're concerned -- I'm concerned -- we're
4 concerned, the Board of selectmen, with what the
5 train will do to Berkley, with the noise, smoke,
6 vibration and also the pollutants from the trains.

7 We are concerned about the effects to
8 the environment, specifically on our drinking water
9 that comes out of all private wells. We don't have
10 public drinking water, and also we're concerned
11 about the effects on animals and on our wetlands.
12 We, in Berkley as well as residents request that any
13 replication -- replication or wetland restoration be
14 within the Town of Berkley and not elsewhere.

15 We support our fellow towns in opposition
16 to commuter rail trains through our towns. We
17 support the Towns of Stoughton, Raynham, and
18 especially the town which is most environmentally
19 affected, the Town of Easton.

20 In my opinion, the argument for equality
21 of rail service between Boston and all cities within
22 60 miles of Boston is bogus. Money would be better
23 spent on some less -- on such things as bus
24 improvement or no action; and the rest of the money

1 that you spend -- that you would spend with no
2 action or with bus improvement should be spent on
3 bringing businesses to Southeastern Massachusetts,
4 and then people won't have to travel to Boston.

5 we also feel that if -- if this train
6 goes through, that people just -- if any people are
7 taken off the roads by train, what's going to happen
8 is it will free up 24 a little bit more, and it will
9 be just as crowded as it is today.

10 I noticed one thing about the bus slide
11 that was shown by the MBTA, they told about the
12 price of the bus, but underneath it when they said
13 trains, they didn't say the cost of trains, which
14 is -- which is, you know, more than double the price
15 of the bus.

16 we'd also like to consider the fact that
17 more people work from home nowadays and more people
18 will continue to do this in the future, and there
19 might be no need at all to go to Boston.

20 we'd like to have -- as I said before,
21 we'd like the money spent on bringing business to
22 Southeast Massachusetts, and that will also decrease
23 the amount of traffic and need people in cars.

24 otherwise, when they talk about the

1 equality for New Bedford and Fall River, the other
2 lines don't disrupt and go through environmentally
3 sensitive areas like the Hockomock Swamp. As
4 Ms. Egan said, all wetlands are not equal, and we
5 want the Army Corps of Engineers to consider that.
6 Trestles and these things you're talking about seems
7 like it's going to make quite an impact to that
8 environmentally sensitive area, which is unique to
9 Massachusetts.

10 I leave you with one other -- one word
11 that I think -- this is my personal opinion about
12 this whole thing. It's a boondoggle. That's what
13 it is. It may be a better description than
14 boondoggle, this is a \$2 billion boondoggle. I know
15 the Corps of Engineers probably doesn't particularly
16 care how much it costs, but, please, do what you can
17 as Army Corps of Engineers to -- to either look at
18 the bus alternative, spend a little bit of money; it
19 may take a few cars off the road or do a no
20 alternative.

21 Thank you very much.

22 MR. ROSENBERG: Thank you, sir.

23 (Applause.)

24 MR. ROSENBERG: Thank you, sir. Our

1 next speaker is Brad Washburn, and he will be
2 followed by Shaunna O'Connell.

3 BRAD WASHBURN: Hi. Thank you.

4 My name is Brad Washburn. I'm the
5 Planning Director for the Town of Easton. I'll make
6 my comments brief because the town is planning on
7 submitting a more detailed comment letter within the
8 time frame of the public comment period, and also
9 tonight the Chairman of the Board of Selectmen for
10 the Town of Easton will be here as well providing
11 comments on the project.

12 Historically, the town has not supported
13 the Stoughton Alternative. The town is concerned
14 with the impacts associated with the project.

15 The DEIS states that you will develop
16 more specific mitigation measures during the final
17 design process for the LEDPA, and the town will
18 therefore request more specificity regarding -- I'm
19 sorry -- regarding the proposed mitigation
20 commitments for noted impacts to residential
21 properties adjacent to the right-of-way. Impacts to
22 historic districts and properties, particularly
23 those in North Easton Village, impacts to wetland
24 resource areas, namely, in the Hockomock Swamp,

1 traffic-related impacts, and public safety impacts,
2 including but not limited to grade crossings and the
3 town's water supply.

4 I do have a couple of questions I know
5 you can't answer, but just want to pose them for the
6 record. Basically when -- when will the more
7 specific mitigation measures be presented to the
8 public, and in what level of coordination or public
9 input does this process include? Will there be
10 opportunities for the public to comment on things
11 such as station design, traffic improvement projects,
12 locations of sound barriers and ballast mats? I'm
13 assuming it will be during project permitting, but
14 I'm wondering if that's during the final EIS/EIR
15 process.

16 Lastly, in terms of the public comment
17 period for the project, the town did submit a
18 request to extend the public comment period. My
19 understanding is that the federal comment period or
20 the -- the Army Corps of Engineers can accept
21 comments right up until the issuance of the permit,
22 but I think the MEPA process is the constraining
23 factor here; but, again, it's my understanding that
24 the secretary of the EPA can extend the public

1 comment period beyond what is stipulated in the MEPA
2 regs.

3 So, again, that's -- that's all the
4 comments for me, but the town will be submitting a
5 more detailed comment letter prior to the close of
6 the public comment period.

7 Thank you.

8 MR. ROSENBERG: Thank you, sir.

9 (Applause.)

10 MR. ROSENBERG: The next speaker is
11 Shaunna O'Connell, followed by Colleen Corona.

12 SHAUNNA O'CONNELL: Okay. Thank you
13 very much for holding this hearing in the first
14 place, and for allowing us all the opportunity to
15 speak.

16 As the representative for the City of
17 Taunton, I'm here to testify on behalf of the city's
18 best interest regarding a rail project. We are
19 pleased that the route preferred by the Mass. DOT is
20 the Stoughton route, as this is also the preferred
21 route of the City of Taunton. We do not support any
22 other route for the South Coast Rail.

23 We do not support the Whittenton route,
24 as this will result in 14 grade crossings throughout

1 our city, in a very densely populated area, and they
2 are very close together, and that will be a disaster
3 for our traffic flow. It will also cause public
4 safety threats through obviously the potential for
5 emergency vehicles being delayed at those stops.

6 This is the most -- the Stoughton route
7 is the most direct route from Boston to the
8 communities on the South Coast, and it is also the
9 least disruptive through our city as it only crosses
10 over five street grades.

11 The city has already acquired property
12 on Arlington Street that abuts the site of the
13 proposed downtown station, and we understand that
14 the state is going to examine our ability to support
15 a train station there. It is anticipated that the
16 state would assist the city in making improvements
17 around the Dean Street/Arlington Street intersections.

18 Our community is excited to be part of
19 the enhanced rail service in Southeastern
20 Massachusetts, and they do look forward to the
21 economic benefits the South Coast Rail may bring as
22 we seek to revitalize the economy and the communities
23 in this region.

24 If the project does indeed continue to

1 go forward, the City of Taunton looks forward to
2 working closely with Mass. DOT throughout the
3 proposed rail project to ensure the best results for
4 our city and for the state.

5 Thank you very much.

6 MR. ROSENBERG: Thank you, ma'am.

7 Our next speaker, Colleen Corona, who
8 will be followed by Charles Crowley.

9 COLLEEN CORONA: Thank you very much.
10 My name is Colleen Corona. I'm the Chairman of the
11 Board of selectmen for the Town of Easton.

12 I'd like to go on record as stating that
13 the Town of Easton does not support the Stoughton
14 Alternative. We have many significant concerns.
15 First of all, we feel that the environmental impacts
16 are significant, particularly to the Hockomock Swamp.

17 Easton is a town that relies solely on
18 wells for their water, and a train is scheduled to
19 pass by several of those wells, one in very close
20 proximity to the wells, so we have significant
21 concerns about our drinking water.

22 We have public safety concerns, as every
23 community has, that the train's going to pass
24 through. We're also concerned about our historic

1 resources. North Easton and South Easton have
2 significant historic resources, and particularly in
3 North Easton, the train will pass very, very close
4 to those historic resources and also through several
5 densely populated areas.

6 And lastly, I'd like to -- just like to
7 reiterate that the Hockomock Swamp is an area of
8 critical importance, and I'd like to reiterate our
9 concern about the train passing through that and
10 once again state that we do not support the
11 Stoughton Alternative.

12 Thank you very much.

13 MR. ROSENBERG: Thank you, ma'am.

14 (Applause.)

15 MR. ROSENBERG: Next speaker, Charles
16 Crowley, who will be followed by Frank Cook.

17 CHARLES CROWLEY: Thank you very much.

18 My name is Charles Crowley. I'm the
19 Mayor of the City of Taunton, and I'm very
20 enthusiastically in support of rail service coming
21 to the South Coast region, and I am very much in
22 favor of the direct Stoughton route.

23 It is the most economical way to get to
24 Boston, to Fall River. Everyone keeps talking about

1 what it means for us to be able to get to Boston,
2 but I think we have qualities in the South Coast
3 region to make people from Boston want to come here.

4 But the south -- the direct Stoughton
5 route is something where it goes through the
6 Hockomock Swamp. It's been doing that. The rail
7 service was established through there about
8 170 years ago, and we had far more detrimental
9 locomotives going through the Hockomock Swamp during
10 that period of time causing much more havoc; yet,
11 the Hockomock Swamp is thriving. We're going to
12 have much more economically friendly engines that
13 are going to be going through that area.

14 And I think having that direct route
15 coming down to Taunton, by the stations that already
16 were in Easton and in Raynham, and the Dean Street
17 station is the downtown station for Taunton. It's
18 a -- one of two transit-oriented districts that
19 we're created to try to enhance the economic
20 opportunities around that corridor that lead to
21 the -- to the development of this project.

22 The Whittenton Alternative we're very
23 much opposed to that. The community has gone on
24 record many times, and it has 14 grade crossings.

1 It will devastate the downtown area as will the
2 Attleboro route because they cross through our
3 downtown area, and the streets are so close together
4 that one particular train could really block off
5 many of the public safety vehicles that would
6 interact and bring safety to our community, the way
7 we're all spread out, 50 square miles. It's very,
8 very difficult for -- should that train dissect the
9 city in that area.

10 There's 14 grade crossings. The direct
11 Stoughton route has only five at grade crossings.
12 The Attleboro route cuts through what is the area
13 of -- the three-mile river area of critical
14 environmental concern that was established several
15 years ago. So in order to do that, you're cutting
16 through an environmentally friendly area that has 15
17 grade crossings that will dissect the city.

18 We have been a railroad center for years.
19 We've had ten railroad stations all operating at the
20 same time. So it's something we welcome, Taunton
21 being the gateway to the South Coast, and we applaud
22 those who supported the direct Stoughton route
23 because that is the way we can once again have a
24 rail service, return rail service to Southeastern

1 Massachusetts, and that's the best way to go.

2 Thank you.

3 MR. ROSENBERG: Thank you, sir.

4 (Applause.)

5 MR. ROSENBERG: Our next speaker is
6 Frank Cook, who will be followed by Christine
7 Santoro.

8 FRANK COOK: Good evening. My name is
9 Frank Cook. I'm the president of the Attleboro City
10 Council.

11 I want to thank the Army Corps of
12 Engineers for conducting this hearing tonight.

13 I and other members of the City Council
14 have appeared at previous hearings involving this
15 project, for example, a few years ago at Norton, and
16 I just wanted to reiterate the concerns that have
17 been raised in the past regarding the Attleboro
18 Alternative still remain of paramount concern to us.

19 This evening, although the focus of our
20 meeting tonight is on the environmental impact, I
21 also want to mention some of the safety concerns
22 shared by the -- the City of Attleboro has.

23 The Attleboro Alternative would result
24 in grade crossings over some of the key roads,

1 including Route 123 and other roads that are the
2 major route to Sturdy Memorial Hospital for
3 ambulances, for example.

4 Not to mention a lot of these trains
5 going through at a time when school children, school
6 buses would be on the roads and using some of
7 those -- some of those same roads at this point.

8 As is noted during the presentation
9 earlier this evening, the Attleboro Alternative
10 would have the greatest combined environmental
11 impact, and some of the concerns that we have in the
12 past, and these concerns we still have, are items
13 such as noise, vibrations. Mayor Crowley just
14 mentioned the concerns that we share also with
15 regard to the impact on the wetlands.

16 In terms of the noise and vibrations,
17 since Acela began operating through there, we not
18 only have more trains, but there's also for those
19 who are living in the -- along or adjacent to that
20 track area, a tremendous increase in the amount of
21 noise and also in the amount of vibration. So we're
22 very concerned about the potential environmental
23 impact of a project of this nature.

24 So, again -- again, we continue to be in

1 opposition to the Attleboro Alternative. I'm glad
2 to see some of the cost findings that are coming out
3 tonight as well as some of the environmental
4 comments that were made to indicate that this is not
5 a good choice and would urge the Corps to look very
6 carefully at this.

7 And, again, in terms of the Attleboro
8 Alternative, this does not seem to be the best
9 impact on the environment or making the environment
10 any better.

11 I do want to thank you for the time.
12 Again, just to reiterate, Attleboro continues to be
13 in opposition to the Attleboro Alternative.

14 Thank you.

15 MR. ROSENBERG: Thank you, sir.

16 Our next speaker is Christine Santoro,
17 followed by Melanie-Jane Deware.

18 CHRISTINE SANTORO: Good evening. My
19 name is Christine Santoro. I'm a resident of
20 Easton, and I am the Chairman of the Planning and
21 Zoning Board, and I thank you for this opportunity
22 to speak with you.

23 As planners, we deal with present effects
24 of development as well as future and long-term

1 effects of development, and although we recognize
2 the positive impacts of the railroad being
3 extension -- being extended, there are also negative
4 impacts that require mitigation, and our concern as
5 planners is that we will need mitigation for
6 the early present development, but also in the
7 future because the train will have future impacts
8 through the years. So when we think about mitigation,
9 I would like things to be considered as both present
10 and future mitigation.

11 Mitigation must directly alleviate some
12 of the negative impacts, not just environmental
13 as -- and as with water or the species involved but
14 also the historic buildings, as has been mentioned
15 before, with the train passing through over time,
16 those buildings will be affected, and down the road
17 we will need mitigation to restore those buildings.

18 There are many beautiful historic
19 buildings in Easton. We have a very tiny village
20 area and many homes near there, and not only will we
21 need sound barriers and trees to protect the homes
22 now but also in the future.

23 We're talking about a 100-year plan here.
24 We need mitigation that takes that into consideration.

1 So the rail will have a continuing
2 impact, and I think that in planning for this, we
3 need mitigation that will continually meet the needs
4 of those impacts and implications into the future.

5 Thank you.

6 MR. ROSENBERG: Thank you, ma'am.

7 (Applause.)

8 MR. ROSENBERG: Our next speaker,
9 Melanie-Jane Deware, who will be followed by James
10 Watson.

11 MELANIE-JANE DEWARE: I'm Melanie
12 Deware. I'm the Chairman of the Easton Historical
13 Commission, and I understand that a lot of the
14 concerns tonight deal with environment, but I'm
15 speaking from a historical perspective for the most
16 part.

17 The Easton Historical Commission is very
18 much in opposition to the proposed commuter rail
19 service that will go through our town for many
20 reasons, including its negative impact on historic
21 districts and sites.

22 The proposed route will bisect the North
23 Easton Village National Registry District, the
24 Richardson National Landmark District and the Ames

1 local historic district. Its proximity to these
2 districts as well as their associated buildings will
3 cause irreparable harm to them.

4 The project is ill-conceived on many
5 levels, and we feel that history cannot be mitigated.

6 The proposed increase in revenue to
7 local towns will not happen. How many people south
8 of Raynham really commute to Boston daily. The
9 Taunton bus that transported folks from Fall River
10 to Boston was canceled due to lack of ridership.

11 Do people from Fall River and New
12 Bedford want to commute an hour and a half each way
13 every day to go to work? A 2009 report based on
14 federal census data showed that only 1.4 percent of
15 the Fall River workforce takes public transportation
16 to work.

17 Are the people who make up their above
18 average unemployment rate qualified for and able to
19 afford the trip to Boston for jobs which don't even
20 exist?

21 And using Brockton as an example, they
22 have three commuter rail stations which all count as
23 mixed used development surrounding them that would
24 magically appear but haven't. Associated data shows

1 that their residents' use of public transportation
2 has not increased since their stations were built in
3 1997.

4 There are also a myriad of safety issues
5 regarding grade crossings in Easton, a severe lack
6 of safe and adequate parking, and permanent damage
7 to the Hockomock Swamp to consider as well.

8 We feel that the whole idea is a bad
9 one. Not enough people will use the rail line. It
10 will cause billions that we don't have, funneling
11 money from other pressing needs for repairs to roads
12 and bridges and funding for our schools, and it will
13 create more unfunded maintenance costs.

14 Additionally, the damage to local, state,
15 and national historic sites will be devastating.
16 Once our history is gone, it's gone.

17 We urge the Corps to consider this
18 proposal and spare Easton and our neighbors from the
19 cost and devastation to our history, environment,
20 and communities.

21 (Applause.)

22 MR. ROSENBERG: Thank you, ma'am.

23 Ladies and gentlemen, please, we're -- no
24 interruptions, please.

1 Thank you.

2 Our next speaker, James Watson, who will
3 be followed by James Ragazzo.

4 JAMES WATSON: I'm passing.

5 JAMES RAGAZZO: I'm passing.

6 MR. ROSENBERG: Both.

7 Our next speaker will be Heather Graf,
8 who will be followed by the Len Flynn.

9 HEATHER GRAF: Heather Graf, Norton's
10 representative to the Southeastern Massachusetts
11 Commuter Rail Task Force and Coordinator of Citizens
12 Concerned About Tracks.

13 We continue to support the
14 re-establishment of commuter rail service to the
15 cities of Taunton, New Bedford, and Fall River. The
16 Town of Norton are encouraged by the findings of the
17 Draft EIS.

18 We look forward to the final reports,
19 which should eliminate the Attleboro Alternative
20 from any further consideration for South Coast Rail.

21 Further comments will be submitted in
22 writing.

23 Thank you very much.

24 MR. ROSENBERG: Thank you, ma'am.

1 (Applause.)

2 MR. ROSENBERG: Our next speaker, Len
3 Flynn, who will be followed by Roy Nascimento. I
4 hope I got that right.

5 LEONARD FLYNN: My name is Leonard Flynn.
6 I'm Mansfield's Commissioner to the Southeast
7 Regional Planning and Economic Development District.

8 This is a letter from the Southeast
9 Regional Economic and Development District, dated
10 May 4, 2011.

11 Mr. Alan Anacheka-Nasemann, Army Corps
12 of Engineers, and Secretary Richard K. Sullivan,
13 EOEA.

14 Reference: Comments by SRPEDD of the
15 Draft Environmental Impact Statement, South Coast
16 Rail Project, released by the U.S. Corps of
17 Engineers.

18 Dear Mr. Anacheka and Mr. Sullivan:

19 The Southeast Regional Planning and
20 Economic Development District voted unanimously on
21 April 27, 2011, to commend the United States Army
22 Corps of Engineers for a thorough and objective
23 analysis to the South Coast Rail Project in the
24 Draft Environmental Impact Statement, dated February

1 2011.

2 SRPEDD supports the analysis in the
3 report of both the transportation and environmental
4 factors associated with the alternatives that were
5 evaluated.

6 We agree that the Stoughton Route
7 provides the best service to Taunton, Fall River,
8 and New Bedford, as measured by travel time and
9 ridership. We support the Corps' finding that
10 operational obstacles associated with both the
11 Attleboro and Rapid Bus Alternatives would make
12 these alternatives infeasible.

13 The fact that the Stoughton Route is
14 served mostly by trains already in service, as
15 opposed to dozens of new trips on an already heavily
16 traveled corridor make the Stoughton Alternative the
17 only viable choice from a transportation perspective.

18 SRPEDD is also in agreement with the
19 Whittenton Alternative through the City of Taunton
20 poses additional operational problems and should not
21 be considered further.

22 Specifically large number of grade
23 crossings in Taunton will be unnecessarily disruptive
24 and will add to the travel time, thus lowering

1 ridership numbers.

2 SRPEDD further agrees with the analysis
3 of environmental factors, including wetlands, air
4 quality, water resources, et cetera, and supports
5 the conclusion that the Stoughton Route performed
6 best on the measure of environmental impact; that
7 the fact the Stoughton Route follows rail beds that
8 were in use a little over 50 years ago and is an
9 obvious factor in minimizing the environmental impact.

10 We are very familiar with the corridor
11 as it passes through the Hockomock Swamp ACEC, and
12 agree with the conclusion that the wetlands impact
13 will be limited, especially if the trestle is
14 constructed. We would further request significant
15 mitigation to repair any degraded areas of the ACEC.

16 It should be pointed out there are many
17 factors beyond the present purpose that argue in
18 favor of the project and in favor of the Stoughton
19 Route. These factors include --

20 MR. ROSENBERG: Thank you, sir. Thank
21 you, sir.

22 LEONARD FLYNN: Okay.

23 MR. ROSENBERG: If you would, please,
24 just make sure that we get your entire statement by

1 putting it in the box. We can enter it in, and I
2 want to remind everybody again that there is a
3 stenographer outside by the reception area where
4 there are no imposed time restrictions.

5 Our next speaker is Roy Nascimento. He
6 will be followed by Kyla Bennett.

7 ROY NASCIMENTO: Good evening. Thank
8 you for the opportunity to comment today on the
9 Draft Environmental Impact Statement, prepared by
10 the U.S. Army Corps of Engineers.

11 My name is Roy Nascimento. I'm President
12 and CEO of the New Bedford Area Chamber of Commerce.
13 The Chamber of Commerce is a private, nonprofit
14 business association that serves nearly 1,000 member
15 businesses of all sizes from virtually all industries
16 and ten communities in the South Coast region, and
17 our mission is to serve the interest of member
18 businesses while advocating business advancement,
19 economic growth, and job creation for the benefit of
20 New Bedford and the South Coast region.

21 Let me begin by thanking and commending
22 the U.S. Army Corps of Engineers and its partners
23 for a thorough and objective analysis of the South
24 Coast Rail Project and the Draft Environmental

1 Impact Statement, dated February 2011.

2 The New Bedford Area Chamber of Commerce
3 remains a strong advocate for the extension of
4 commuter rail service from Boston to New Bedford and
5 other communities in the South Coast region of
6 Massachusetts.

7 The Chamber agrees with the conclusions
8 that identify the Stoughton Alternative as providing
9 the best service to the communities in the South
10 Coast region and providing the least environmental
11 impact.

12 The fact that the Stoughton Route is
13 served mostly by trains already in service as
14 opposed to dozens of new trips on an already heavily
15 traveled corridor make the Stoughton alternative the
16 only viable choice from a transportation perspective.

17 Also, the fact that the Stoughton Route
18 follows rail beds that were in use a little over
19 50 years ago is an obvious factor in minimizing the
20 environmental impact.

21 we believe the final report should
22 include double tracking the rail lines to provide
23 future capacity and faster service.

24 It is important that any design,

1 permitting, and building of the rail be completed
2 with an eye towards enhancing and expanding the
3 service in the future.

4 In addition, the Chamber also believes
5 that travel time and frequency of service is an
6 important -- are important factors to the success of
7 this project. To provide the greatest impact, we
8 urge that travel time from the South Coast to Boston
9 South Station be no more than 70 minutes.

10 Shorter commuting time gives businesses
11 greater access to more workers with specialized
12 skills, while residents of the region gain
13 connectivity to employment opportunities along the
14 Route 128 corridor and the business districts of
15 Boston.

16 We also encourage full service
17 throughout the day to meet demand and encourage
18 ridership, a minimum of three trains in the morning
19 peak period and three trains in the afternoon peak
20 period should be utilized.

21 This includes full weekend service and
22 intercity service between Taunton, New Bedford, and
23 Fall River to encourage regional mobility.

24 We'd also like to see a late evening

1 train service to Boston to be considered for
2 residents and visitors. Weekend and evening service
3 would help support our growing tourism economy by
4 connecting the Boston area to our new hotel, our
5 national park, our ferry service to Martha's
6 Vineyard and our vibrant arts and restaurant scene
7 in the South Coast.

8 The Chamber believes commuter rail
9 extension is critical to economic development and
10 growth in the region and in keeping with long-range
11 smart growth planning strategies that support the
12 environment and encourage development around priority
13 development areas.

14 Commuter rail extension to the South
15 Coast will also help meet existing and future demand
16 for public transportation and enhanced regional
17 mobility for residents, businesses, and visitors to
18 the region by reducing congestion and increasing
19 travel choice.

20 On behalf of the member businesses and
21 their thousands of employees, we encourage the Army
22 Corps and its partners to complete the review and
23 make the determination as quickly as possible.

24 Thank you for a project for us.

1 Thank you.

2 MR. ROSENBERG: Thank you.

3 (Applause.)

4 MR. ROSENBERG: Our next speaker is Kyla
5 Bennett, who will be followed by Scott Martin.

6 KYLA BENNETT: Thank you. Kyla Bennett,
7 representing PEER, a national nonprofit.

8 I'd like to preface my comments with
9 this caution. I am very cranky. I have been
10 struggling to read over 2,500 pages of a Draft EIS
11 that apparently is different than the other -- than
12 the one that the rest of the audience has been
13 reading, because I have not found it comprehensive
14 or complete. In fact, I found it disingenuous.

15 The DEIS has critical errors. For
16 example, incorrect project purpose stated on page 2-2.
17 It has missing documents on which the DEIS relies
18 heavily, like the CTPS January 2011 work trips to
19 Boston memo, and it also has information that's
20 simply not there, information required by the MEPA
21 certificates, like maps and costs of wetland
22 mitigation; hence, I am very cranky.

23 Someone once said that the definition of
24 insanity is doing the same thing over and over again

1 and expecting a different result. That's what I've
2 been doing on this project for more than ten years,
3 and I know that I am not insane; therefore, I believe
4 it is the project and perhaps the Commonwealth of
5 Massachusetts that is insane.

6 I know the state has been pushing you,
7 Corps, I have heard them push you. Please, don't
8 let their haste result in a shoddy work product or a
9 rush decision. You or EPA can stop the insanity
10 that's going on.

11 The state's own caps analysis states and
12 this is a quote, "The two routes through the
13 Hockomock Swamp showed the greatest estimated loss
14 in ecological integrity." How then can that be the
15 LEDPA? It is not possible. The bus is the LEDPA.

16 Even if the Corps were to come to the
17 incorrect conclusion that the Stoughton Alternative
18 is the LEDPA, it is not a permitable project.
19 Bisecting the Hockomock Swamp and the ACEC of
20 national significance and threatening water supplies
21 of a number of municipalities is contrary to the
22 public interest and would cause or contribute to
23 significant degradation of waters of the U.S. contrary
24 to this Clean water Act 404(b)(1) guidelines. I

1 want to leave you with three important thoughts.

2 Number one, we need an extension of
3 time. It's unreasonable to expect us to read 2,500
4 pages in 46 business days. You are making yourselves
5 vulnerable to a lawsuit without giving us an
6 extension.

7 Number two, the state needs to do a
8 supplemental DEIS, because they have not provided
9 the information necessary.

10 And, finally, the state's preferred
11 alternative is not legally permissible. Follow the
12 law and the science, not the politics. The bus is
13 the LEDPA.

14 Thank you.

15 MR. ROSENBERG: Thank you, ma'am.

16 (Applause.)

17 MR. ROSENBERG: Ladies and gentlemen,
18 please, no interruptions. Thank you.

19 AUDIENCE MEMBER: You have to chastise
20 the people from DOT, who were applauding in
21 favor -- of those speaking in favor of it.

22 MR. ROSENBERG: Thank you, sir.

23 Our next speaker will be Scott --

24 AUDIENCE MEMBER: Point of information,

1 please?

2 MR. ROSENBERG: No.

3 Our next speaker will be Scott Martin,
4 who will be followed by Doug Lewis.

5 At a break, you're welcome to come and
6 talk to me.

7 Sir.

8 SCOTT MARTIN: Thank you. My name is
9 Scott Martin. I'm from South Easton. I represent
10 myself and my family.

11 Based upon the fact that it doesn't
12 sound like anybody really wants a train through
13 their town, but they want to get some of the
14 benefits, I'm asking the question why?

15 I would like to know if a feasibility
16 study has truly been conducted to ensure long-term
17 financial stability of the project as well as the
18 potential usage of this rail line.

19 Job creation and environmental protection
20 are sound reasons but not if the future of the rail
21 generates an increase in the overwhelming deficit
22 the MBTA already has on the books.

23 One of the marketed purposes of this
24 expansion is to bring passengers seeking employment

1 from New Bedford to Fall River -- from New Bedford
2 and Fall River to Boston where the jobs are located.

3 Does the state not realize there are
4 plenty of unemployed people in Boston that could
5 fill those jobs if they existed?

6 There's also the cost of transportation.
7 If the ticketing price is structured similar to
8 current pricing, it will cost at least \$300 for
9 riders, based on Zone 8 to Middleborough being 250.
10 It's likely that the state will find enough riders
11 to pay \$300 a month for the train plus parking lot
12 fees to get into Boston in order to cover the
13 expense of the train. The stated benefit of
14 providing Boston workers access to affordable
15 housing in the South Coast is negated by the
16 prohibitive cost of the transportation. The train
17 loses its appeal when a parking pass and gas ends up
18 costing around the same.

19 what's more likely to happen is the
20 state will need to subsidize the tickets as well as
21 pay the operating expense differential, which will
22 lead to another deficit-feeding, state-run endeavor.
23 It's shortsighted thinking like that that landed us
24 a \$4.6 million bridge for horses to walk over

1 Route 24.

2 It created many jobs for about three to
3 four years, but in the end the money spent will
4 never be recouped. These same jobs could have been
5 directed at the hundreds of overpasses and bridges
6 that people and vehicles actually use that are in
7 serious disrepair.

8 I would also like to ask for an extension.
9 I know that we have about 24,000 residents in Easton,
10 and I would largely believe that the majority of
11 them oppose this, but none of them knew of this
12 meeting tonight.

13 There was a very poor notification method.
14 I think an extension and perhaps another meeting
15 with proper advertising and notification. If it
16 wasn't for the fact that I have some very proactive
17 neighbors, I wouldn't know about this tonight, and
18 you would see a lot more people in this auditorium
19 if they knew about it.

20 Thank you.

21 MR. ROSENBERG: Thank you, sir.

22 (Applause.)

23 MR. ROSENBERG: Our next -- ladies and
24 gentlemen, I ask that we continue to follow just one

1 simple rule tonight, just be polite. Please don't
2 interrupt the speakers that don't represent your
3 perspective, and, please, no applause for those that
4 do.

5 I certainly believe that everybody here
6 tonight has the right to express their opinion, so,
7 please, let's conduct this session in an orderly
8 fashion, so all in attendance will have an opportunity
9 to express themselves freely without the fear of
10 being belittled by those who do not agree with their
11 opinion.

12 So we will continue now. Mr. Lewis will
13 be our next speaker, followed by Dottie Fulginiti.

14 DOUG LEWIS: Thank you. My name is Doug
15 Lewis. I'm a resident of South Easton. I'm here to
16 represent myself and my family.

17 First and foremost, I'd like to see you
18 extend the time allocated to review this document.
19 It's not -- the 27th of May is not enough time.

20 From a ROI perspective, I don't understand
21 the purpose of this project. Is it to move people
22 from New Bedford/Fall River for work in Boston, or
23 is it to improve the economies of New Bedford and
24 Fall River?

1 If the purpose is to bring people from
2 New Bedford and Fall River for jobs, where is the
3 information regarding those jobs?

4 In addition, I believe the ridership
5 figures for the rail option are flawed and grossly
6 overinflated. In fact, as a point of reference, the
7 state originally estimated the Greenbush Line to be
8 4,200 riders. In a recently published article from
9 the Boston Globe, the ridership after three years is
10 averaging 2,100 riders or 50 percent of projection,
11 and the numbers are declining.

12 I have every reason to believe the state
13 is doing the same here. With the average cost of
14 \$1.6 billion, this project needs to be scrutinized
15 to the full extent, especially in light of what's
16 going on in today's economy where we are teetering
17 right now between another recession and possible
18 hyperinflation.

19 In looking at the documents, specifically
20 the sections for noise and vibration, I was upset to
21 see there are portions of Easton neighborhoods and
22 entire streets completely missing from the report,
23 i.e., from Prospect Street and Purchase Street.

24 I would, therefore, assume there are

1 other dwellings missing as well. This oversight
2 will directly increase the project cost as well as
3 add to the negative environmental impact of the
4 Stoughton Alternative. I ask the Army Corps to
5 please revisit this.

6 In my review of the documents thus far,
7 I believe the data to be incomplete and misleading,
8 which is very concerning. This also leads me to
9 believe the cost estimates for this project are
10 grossly underestimated, which goes back to the
11 original question, why are we doing this in the
12 first place?

13 If a transportation system, not South
14 Coast Rail is to be put in place, and, again, I am
15 not clear on its purpose, then I propose the Bus
16 Alternative, which is the least -- excuse me -- I've
17 got to -- this practicable word I have a problem
18 with -- environmentally damaging practicable
19 alternative, LEDPA.

20 Thank you for your time and consideration.

21 MR. ROSENBERG: Thank you, sir.

22 (Applause.)

23 MR. ROSENBERG: Our next speaker is
24 Dottie Fulginiti, followed by Heather Lewis.

1 DOTTIE FULGINITI: Hi. My name is
2 Dottie Fulginiti, and I'm from Easton, and I would
3 just like to note that I am against the train coming
4 through Easton.

5 I think it's environmentally
6 irresponsible. It will jeopardize our water supply
7 and our historic district. I also think it's
8 economically irresponsible. There's no benefit to
9 Easton for the train to come through. I think that
10 the money would be much better spent to revitalize
11 the South Coast. I think that there is good
12 opportunity down there, but I don't see why it has
13 to be connected by transportation.

14 I think that we could hire a limo to
15 drive every person from New Bedford to Boston for
16 the amount of money that we're intending to spend on
17 this project, and I agree with the representative
18 from Berkley that this is a boondoggle.

19 Thank you.

20 MR. ROSENBERG: Thank you, ma'am.

21 (Applause.)

22 MR. ROSENBERG: Our next speaker is
23 Heather Lewis, who will be followed by Steven -- it
24 looks like D-R-O-B-N-I-S.

1 STEVEN DROBNIS: Exactly.

2 MR. ROSENBERG: Thank you.

3 Ma'am.

4 HEATHER LEWIS: My name is Heather
5 Lewis. I'm a resident of Easton.

6 First of all, I'd like to request an
7 extension for the review period as well.

8 I have several environmental concerns to
9 highlight tonight and will follow up with written
10 comments reviewing those concerns as well as
11 additional concerns.

12 My first area of concern is the impact
13 to Easton's drinking water. The train will pass
14 extremely close to Easton's most productive drinking
15 water well at the end of Gary Lane. This well is
16 located in a Zone 1.

17 I have multiple concerns in this regard.
18 Mostly, I am concerned with the day-to-day impact of
19 a train travelling beside this well and the impact
20 to the quality of Easton's drinking supply.

21 I have been to South Station before and
22 looked at the trains and tracks. They are covered
23 with grime. I am concerned that this runoff of the
24 grime will end up contaminating Easton's drinking

1 water. Easton residents do not want this residue
2 and grime dripping into our water supply each and
3 every time a train passes. I ask the Army Corps to
4 review this concern carefully.

5 I also request that the two following
6 environmental questions be answered during the
7 review process: First, how can the Army Corps
8 justify bisecting an area of critical environmental
9 concern, let alone the largest vegetated fresh water
10 wetland in the state?

11 I also ask how will they mitigate for
12 the fragmentation of the Hockomock Swamp if this
13 Stoughton Alternative is chosen?

14 I have heard other citizens ask for data
15 to be checked and corrected. I would ask the same.

16 In the No. 3 slide from Kristina Egan
17 earlier, which described which alternative has the
18 least environmental impact, there is a discrepancy
19 between the listed items and then their quotation
20 from the DEIS. They are on that slide alone.

21 Lastly, I would like to bring to the
22 Army Corps' attention that the comments you receive
23 from residents of Fall River and New Bedford and the
24 residents -- representatives have been influenced by

1 the state.

2 As an example of influence just last
3 week Mass. DOT hosted a question and answer session
4 for residents of New Bedford and Fall River, quote,
5 "To help residents prepare for the hearing, and to
6 describe how to write a comment letter."

7 No such workshop was offered in Stoughton,
8 Easton, or Raynham where residents have serious
9 concerns. I believe this is an example of inequity
10 and that the state is trying to coach residents of
11 these towns who would like to see this project
12 completed.

13 I respectfully ask that the Corps keep
14 the state's motives in check when they listen to and
15 review the comments.

16 Thank you for the opportunity to share
17 several of my concerns.

18 MR. ROSENBERG: Thank you, ma'am.

19 (Applause.)

20 MR. ROSENBERG: Our next speaker
21 is -- our next speaker is Steven Drobniś.

22 STEVEN DROBNIS: Drobniś.

23 MR. ROSENBERG: Drobniś.

24 Thank you, sir.

1 And you will be followed by Diane
2 Peterson.

3 STEVEN DROBNIS: My name --

4 DIANE PETERSON: Pass.

5 STEVEN DROBNIS: My name is Steven
6 Drobnis of Stoughton, Massachusetts. I represent
7 myself.

8 I would like to speak against the
9 commuter rail and freight rail project going through
10 the Town of Stoughton. Currently, we have eight
11 street grade crossings and should you proceed with
12 this devastating program, the lives of our children
13 and citizens would be irreparably harmed.

14 First, there's a question how much is a
15 child's life worth. My value, it is priceless.
16 Many children have died from the trains at railroad
17 crossings.

18 Secondly, freight trains increase the
19 length of time that a gate blocks a roadway, which
20 is precious time when an ambulance or fire apparatus
21 is delayed from reaching its destination to save
22 property or a life. In just ten minutes, irreparable
23 brain damage occurs to an individual suffering a
24 heart attack.

1 Thirdly, our middle school is right next
2 to the train tracks and just consider 34 to 37
3 passenger trains a day blowing the whistle in
4 addition to numerous freight trains while our
5 children are attempting to study or take a test.
6 The high school is directly behind the middle school
7 as well.

8 Fourthly, hazardous material could be
9 transported by these freight trains through our
10 quiet, suburban community. The proposed LNG facility
11 in Fall River could possibly send LNG freight trains
12 and other hazardous material such as PCBs through
13 our heavily residential community, causing
14 catastrophic loss of life and property damage; and,
15 whereas, the Commonwealth of Massachusetts has taken
16 over the liability for the CSX rails and assumed
17 responsibility, this limits the liability for suit
18 against municipalities, including the state, to a
19 maximum of \$100,000 per person to my understanding.

20 In addition, the proposed \$2 billion
21 cost of this project when -- as an estimated 1,500
22 passengers per day is equal to close to one million,
23 333 dollars and 33 -- I mean, \$1,333,333 cost per
24 passenger. It would be less costly to buy each one

1 of them a Cadillac with free fuel for life.

2 should this project go forth, it will
3 bring economic hardship to our town, a nightmare in
4 traffic congestion, and undue financial burden to
5 our taxpayers. No rail project within the State of
6 Massachusetts has ever broken even or made a profit
7 and has only been a burden to the taxpayers of the
8 Commonwealth.

9 In closing, I can only hope and pray
10 that the Army Corps of Engineers and the Commonwealth
11 of Massachusetts reconsider this devastating proposal.

12 I thank you for your time and your
13 attention.

14 MR. ROSENBERG: Thank you, sir.

15 (Applause.)

16 MR. ROSENBERG: Our next speaker, Diane
17 Peterson who --

18 DIANE PETERSON: Pass.

19 MR. ROSENBERG: -- will be followed --

20 Pass. Yes, ma'am.

21 Mr. James Avita (phonetic
22 spelling) -- Avevto.

23 Mr. -- you'll have to pronounce your
24 name for me. I'm sorry.

1 You will be followed by Donald Bennett.

2 AUDIENCE MEMBER: Will you, please, put
3 him to the end of the list. He had to leave for a
4 few minutes.

5 JAMES AZEVEDO: Hi. My name is James
6 Azevedo, formerly a resident of Easton.

7 Since 1997, I have been pointing out the
8 dangers to Easton's wells to the Army Corps when
9 they had their office at Waltham and then in Concord.

10 I pointed out the four and a half miles
11 of wetlands connected to the Queset Brook Aquifer in
12 the three main wells, also, several wells that
13 belonged to West Bridgewater downstream.

14 Now, when asked when I was in their
15 office in 2002 what I was looking for, I said
16 "safety measures." He said "what?" And I said
17 "Retaining walls and drain pipes carry the effluents
18 away." He said "That would cost too much, 50, 60
19 million."

20 Evidently, somebody studied this, and if
21 they can't do it right the first time, why are we
22 letting them do it now?

23 Thank you.

24 MR. ROSENBERG: Thank you, sir.

1 (Applause.)

2 MR. ROSENBERG: Our next speaker, Kevin
3 Sullivan, who will be followed by Priscilla Chapman.

4 Kevin Sullivan.

5 Priscilla Chapman. Ms. Chapman will be
6 followed by John Malloy.

7 PRISCILLA CHAPMAN: Good evening. I'm
8 Priscilla Chapman. I'm speaking on behalf of Mass.
9 Audubon.

10 Mass. Audubon is an abutter to this
11 project through its ownership of the 954-acre
12 Assonet Cedar Swamp wildlife sanctuary in Lakeville
13 that would be crossed by this project.

14 We generally support commuter rail
15 improvements as an alternative to highway expansion
16 and a means to reduce greenhouse gas emissions. We
17 support the South Coast Rail Corridor Plan as a
18 means to preserve habitat and reduce vehicle miles
19 traveled.

20 At the same time this project bears
21 careful review as it involves potentially significant
22 adverse environmental impacts to wetlands of high
23 ecological significance and habitat for a number of
24 state-listed species.

1 Recognizing that Mass. DOT has identified
2 the Stoughton Route as the preferred alternative,
3 we're going to focus our comments on the resources
4 and impacts associated with that route, including
5 those in the Southern Triangle.

6 Reconstruction of the rail bed in the
7 Hockomock Swamp would cut through the largest
8 unfragmented and pristine area of wetland habitat in
9 Eastern Mass.

10 The DEIS utilized the U. Mass CAPS
11 Analysis to measure the loss of ecological integrity
12 and biodiversity that would result from each
13 alternative, and that analysis indicates that the
14 Stoughton Alternative would result in a major loss
15 of ecological integrity, 456 units as compared to
16 324 for Attleboro, and zero for the Rapid Bus. The
17 Stoughton Alternative also results in filling of
18 significant areas of wetlands, impacts to vernal
19 pools, diversion of a stream, and other impacts.

20 We request that you require preparation
21 of a Supplemental Draft Environmental Impact Statement
22 and report for the following reasons: The MEPA
23 scope required that the Draft EIR include a detailed
24 mitigation plan for impacts to wetlands, rare

1 species and biodiversity and wildlife, but the DEIS
2 states that the mitigation plans will be prepared at
3 a later date. Without the opportunity to review
4 proposed mitigation plans, the public is unable to
5 evaluate whether the project satisfies regulatory
6 standards.

7 The MEPA scope required an endangered
8 species impact analysis based on surveys and vernal
9 pool identification. To the best of our knowledge,
10 those were not provided for areas in the Southern
11 Triangle.

12 The DEIS identifies projected impacts of
13 induced growth and development, such as increased
14 greenhouse gas emissions, loss of forests and
15 farmland, and it says that those impacts will be
16 mitigated by implementation of the corridor plan.
17 We request a detailed implementation plan for how
18 that will happen to ensure that those offsets will
19 occur.

20 And, finally, the MEPA certificate
21 required the DEIS to address how the project and the
22 corridor plan will be finalized -- financed, and
23 that's not very much.

24 MR. ROSENBERG: Thank you. Thank you,

1 ma'am.

2 Thank you very much.

3 (Applause.)

4 MR. ROSENBERG: Our next speaker, John
5 Malloy, who will be followed by Edward Hands. Hahn,
6 Hands or Hahn?

7 JOHN MALLOY: Thank you. My name is
8 John Malloy, and I am from Stoughton, and I represent
9 myself.

10 I look at the cost of this project of
11 \$2 billion and think of the ridership projections,
12 and I have difficulty understanding those ridership
13 projections, as I have attended other meetings
14 because I had worked in Southeastern Massachusetts
15 for a period of 10 years. As such, I found that
16 folks who live in Fall River and New Bedford tend to
17 rely on Providence for medical services, for events,
18 and for recreation. They come to Boston only when
19 they need to come to Boston for some other reasons.

20 However, when I look also at the traffic
21 coming up Route 24 and heading into Boston, I see it
22 gets choked up on Route 24, just before it hits
23 Route 128, and most of the congestion begins going
24 west up 128, rather than into Boston. So I look at

1 the ridership projections and wonder about that.

2 Hearing folks speak tonight, I think of
3 \$2 billion would really help Fall River and New
4 Bedford a lot better than probably the train. I
5 only see the train as servicing a casino if it lands
6 in Southeastern Massachusetts.

7 So I'd ask -- I don't know if that falls
8 within the scope of the Army Corps of Engineers to
9 look at the ridership, but I would encourage them to
10 do so.

11 Thank you.

12 MR. ROSENBERG: Thank you, sir.

13 (Applause.)

14 MR. ROSENBERG: The next speaker
15 Edward -- Edmund Hands, followed by Michael Mazzuca.

16 EDMUND HANDS: Thank you for giving us
17 the opportunity to speak, and I hope it's become
18 clear that the -- the state is pushing the most
19 politically expedient route rather than a route that
20 is supported by the scientific evidence. I think it
21 dramatically underestimates the impact on the
22 Hockomock Swamp, and I join with my fellow citizens
23 in Easton in requesting additional time to analyze
24 that.

1 And just a brief look through, I notice
2 that it doesn't mention that marble salamanders are
3 found in the Hockomock Swamp. It underestimates the
4 potential of the right-of-way for turtle habitat,
5 saying it has been degraded by bicycles and dirt
6 bikes, but it doesn't really mention other areas and
7 other alternatives that may have been significantly
8 degraded as well.

9 Also, there are at least five buildings
10 in the North Easton area that are within 25 feet of
11 the track. These are historic buildings, and I
12 think we need a closer look at the impact of
13 vibrations on those buildings as well.

14 I oppose all rail transport for
15 passengers, and I kind of agree with the statement
16 that was made that that was yesterday's technology
17 for tomorrow. I support the bus route. It seems to
18 me that enhanced bus service is gaining a wider
19 range of looks throughout the country and in other
20 countries while rail seems to be falling behind.

21 We need to take a closer look at the
22 issue of freight traffic. I know we're supposed to
23 be evaluating passenger routes, but the Stoughton
24 Alternative now says it can carry freight, and the

1 potential of an accident in the Hockomock Swamp or
2 near our drinking water is something that deserves
3 increased scrutiny.

4 The cost of the project, I think, reflects
5 in the criteria that is used to determine the
6 correct route. Criteria 2.2 says it should not
7 significantly adversely affect the existing or
8 future capacity reliability and quality of the
9 regional transportation system. I think if you
10 build any rail route at between 2 billion and
11 \$4 billion, it's going to be like that really bad
12 draft choice that you make that you can't cut
13 because you put so much money into it; but if you
14 invest in a bus system, which seems to be the future
15 of transportation for passengers, you're going to be
16 spending half as much money. If it turns out to be
17 a mistake, you'd still have the opportunity to
18 correct it.

19 And, finally, on the issue of smart
20 growth, I'd like to point out that unlike times to
21 and from Boston, smart growth is a policy decision.
22 It is not a fact of nature or a law like the law of
23 gravity. There are alternative suggestions by
24 academics as well as other politicians, and the fact

1 that smart growth requires rail makes it a core
2 criteria to use.

3 MR. ROSENBERG: Thank you, sir.

4 Thank you.

5 (Applause.)

6 MR. ROSENBERG: Our next speaker is
7 Michael Mazzuca, followed by Donald Michaud.

8 MICHAEL MAZZUCA: My name is Mike
9 Mazzuca, and I'm from Easton Massachusetts, and I'm
10 here representing my two young sons because what
11 we're talking about is open, operating rails through
12 existing neighborhoods.

13 My kids love trains. I don't know how
14 I'm going to keep them off the tracks.

15 I read this here, and it says the purpose
16 of the rail is to more fully meet the existing and
17 future demand for public transportation between
18 Fall River and New Bedford and Boston, Massachusetts.
19 I think the key word there is demand, because I
20 don't think there is any demand.

21 I went to UMass Dartmouth for engineering.
22 I lived in Fairhaven. I worked in Fall River. I
23 had no plans of ever going from there to Boston. We
24 always went to Providence. I have people who still

1 work there. I have engineering friends, lawyer
2 friends, professional people who could get jobs in
3 Boston. I asked them if your job moved to Cambridge,
4 what would you do? They said I would drive in until
5 I found another job, or I moved, because there's no
6 way I am taking that much time on the train to go to
7 Boston. It's just not in the cards.

8 I'd also like to take a look at the bus
9 plan. I look in the rider -- in the draft report,
10 and I just want to know how a dedicated bus lane
11 with the zipper gets less ridership than expanding
12 the existing buses.

13 Thanks.

14 MR. ROSENBERG: Thank you, sir.

15 (Applause.)

16 MR. ROSENBERG: Our next speaker, Donald
17 Michaud, followed by Robert Mendillo.

18 DONALD MICHAUD: Good evening. My name
19 is Donald Michaud. I'm from Attleboro and a citizen
20 of the United States as well. I don't have to show
21 my card, I hope.

22 I would like to first thank the Corps of
23 Engineers for their study. It has been a lengthy
24 study, under changing circumstances, which has

1 lengthened their time of completing this study.

2 I'd like to also mention that I have
3 been here at many meetings. I have been to the
4 Norton meeting, the Lakeville meeting, the Fall
5 River meeting, the Freetown meeting, the Attleboro
6 meeting, and now I'm here at another meeting.

7 I have written many letters to the Corps
8 of Engineers and to the Mass. DOT, and I hope I -- I
9 wonder -- my question would be do I have to write
10 that same letter over again? Because in the letter,
11 I have stated 15 facts which supports the Stoughton
12 Alternative if there's to be a train that I would
13 choose the Stoughton Alternative for 15 different
14 facts, and of these facts, I will mention a few.

15 Fact: It has been the best cost-benefit
16 effectiveness versus the other.

17 Fact: The trip time is 72 to 74 minutes,
18 which is better than the other alternatives.

19 Fact: Less acres of wetlands will be
20 taken compared to the Attleboro Bypass -- compared
21 to the -- yeah, Attleboro Bypass and alternatives.
22 Stoughton is 6.74 acres versus Attleboro 7.82 to 8.5
23 acres. Middleborough is 3.61 acres.

24 Fact: It is compatible with the

1 existing rail system.

2 Fact: It is a straight shot to Boston.

3 Fact: It adds another direct rail line
4 to Boston. Fact -- and that's very important,
5 instead of just having the Old Colony Line, which
6 everything dumps into, at least if something
7 happens, and we've already had four times happening,
8 people being killed on that line and people stranded
9 in Boston they could be able to get out and get to
10 Taunton and get home a little earlier than four
11 hours later.

12 I guess I have another minute coming.

13 But the freight trains also is a
14 consideration. Boston -- Fall River has a big state
15 pier, and there's great potential for straight -- for
16 freight there, and as well as this gas situation
17 that they talk about.

18 So, I say I now recommend that only
19 the -- the Whittenton be eliminated and just
20 Stoughton if the train is to be the method.

21 And I now recommend that this Stoughton
22 Rail Alternative be -- be the one that the Final
23 Environmental Impact Report is chosen for.

24 And I thank you and have a good evening.

1 MR. ROSENBERG: Thank you, sir.

2 Our next speaker is Robert Mendillo, who
3 will be followed by Paul DiNicola.

4 ROBERT MENDILLO: Thank you. Good
5 evening. My name is Robert Mendillo. I'm a
6 resident of Stoughton. I've lived in Stoughton
7 since 1983, and I'm here speaking individually.

8 With all due respect, I'd like to begin
9 by chastising the Corps for holding the meeting in
10 Mansfield, not that I have anything against
11 Mansfield, but it seems to me that it would have
12 been much more appropriate to hold this meeting in
13 Stoughton or in Easton or Canton or some other city
14 or town along the route; and I think it is a slight
15 on the communities that are involved and that will
16 be most impacted by this, and I fear that it
17 represents an influence from the Mass. DOT because
18 I'm sure they do not want this hearing to take place
19 in a community or in communities that would be
20 opposed to this project. I note that it's in
21 Fall River and New Bedford and the people there
22 presumably support it. So I'm very much offended by
23 the notion that this proceeding is taking place not
24 in one of the towns that is affected.

1 Let me say this is the type of proposal
2 that I could generally support. I am a liberal
3 Democrat. I grew up with parents from The New Deal.
4 This is a project that helps people in a community
5 that needs some economic help. I'm in favor of the
6 trains. I've taken the trains into Boston for
7 25 years. So if people want to spend \$2 billion to
8 get four or 5,000 people into Boston at a cost of
9 \$400,000 per person, hey I'm for public works. That
10 maybe makes sense. It doesn't to me, but I guess I
11 could support it.

12 But what irritates me about this, and
13 I've been present when Ms. Egan has spoken on behalf
14 of Mass. DOT before is that there is absolutely
15 nothing in this proposal that in any way, manner, or
16 respect benefits the Town of Stoughton. There is no
17 mention of benefiting the Town of Stoughton or
18 frankly any other towns along the route.

19 Stoughton is a relatively poor town.
20 The downtown is not in good shape. This would ruin
21 downtown Stoughton. The dream of Mass. DOT is a
22 nightmare for the Town of Stoughton.

23 Ms. Egan has made it clear that there
24 would be no effort whatsoever to build a tunnel; so,

1 we have a relatively sleepy train system now in
2 Stoughton. That would be replaced, as many have
3 noted, by trains six or seven days a week, including
4 freight trains.

5 Helping the people of Fall River and
6 New Bedford is laudable, but not on the backs of the
7 people of Stoughton.

8 (Applause.)

9 ROBERT MENDILLO: We -- this would be
10 doing nothing other than sacrificing the people of
11 Stoughton so that people in New Bedford and Fall
12 River could arguably receive a benefit. We all know
13 that is complete and utter nonsense; and I would
14 urge the Corps because its mandate is not purely
15 environmental as people think it is or as people
16 think the definition is, but to consider issues of
17 economic injustice, aesthetics, overall quality of
18 life. On all of those points this is a disaster for
19 Stoughton.

20 MR. ROSENBERG: Thank you, sir.

21 ROBERT MENDILLO: Thank you.

22 (Applause.)

23 MR. ROSENBERG: Thank you very much.

24 Our next speaker is Paul De -- I'm

1 sorry -- DiNicola.

2 PAUL DiNICOLA: Yeah.

3 MR. ROSENBERG: He will be followed by
4 Priscilla Almquist-Olsen.

5 PAUL DiNICOLA: Thank you for letting me
6 speak. My name is Paul DiNicola. I'm from Easton.
7 I'm representing myself.

8 Along with many others from Easton, I
9 propose that there's an extension for the review of
10 this proposal.

11 One of the alternatives seems to be an
12 all-or-none option that we have here. It's either
13 rail or bus or nothing. I think we need to look at
14 an alternative hybrid, use existing train stations,
15 but maybe use buses.

16 One of the things that many people have
17 brought up is really the economic feasibility of
18 this, putting in a rail bed and all those are really
19 sunk costs, and if doesn't work out, it's just cost
20 and cost and cost.

21 If we did buses and see if you really
22 get the ridership for a while, bring them to
23 existing stations, do people really want to go?
24 Then you get a chance to say, do you get the numbers

1 that back what you want to do? And then you can
2 come back later to extend these trains and avoid all
3 of this other nonsense that appears to be going on
4 as far as, you know, disruption of the environment.
5 So I think people ought to look at some alternatives
6 that are least impact economically and even
7 environmentally.

8 The other concern around ridership and
9 all of this, just recently if you looked at the
10 census, Massachusetts lost a representative; so that
11 means population, we're losing it. Traveling to the
12 cities, you can look at what's happening to trains
13 and riderships. So I think, again, the feasibility
14 on this really, really needs to be looked at.

15 The rails, they haven't been used for
16 50 years. Well, guess what, Easton has changed.
17 Many of the other towns have changed dramatically
18 both in population and everywhere else where we're
19 building. Also, I think the environmental laws and
20 regulations and what we look for has changed over
21 this time. So to say it went there before and
22 go -- you know, we can just -- you pick up and do
23 the same thing without a real study and -- and
24 looking at what the impact to the town is a little

1 bit ridiculous. I don't think that that's -- you
2 can just go on 50 years.

3 And I -- let me see. Oh, yeah, I wanted
4 to question the DOT's statement about wouldn't need
5 a lot of cars if you use the Stoughton existing
6 line. Guess what? You heard people want -- I want
7 more runs out of New Bedford and all this. I want
8 so much of this. I want frequency. I extend the
9 time 70 minutes. You've got to add more cars.
10 You've got to add more trains, and to be honest, for
11 two stops, that is one of the highest delayed trains
12 I've seen, and I've ridden it for years; so, it's
13 not going to be that good of a line, and people are
14 just going to try it out and then avoid it. If you
15 get delays as much as you do on Stoughton, and then
16 you have to, you know, lengthen it because you're
17 going 70 minutes, it's just going to make it
18 unbearable for people to ride or do it today; and I
19 would say one of the last big train wrecks was on
20 that Stoughton line.

21 MR. ROSENBERG: Thank you, sir. Thank
22 you very much.

23 (Applause.)

24 MR. ROSENBERG: Next speaker, Priscilla

1 Almqvist-Olsen, who will be followed by Abdul Shibli.

2 PRISCILLA ALMQUIST-OLSEN: Good evening.

3 I rise in opposition to the Stoughton
4 proposal, but in support of the bus alternative. I
5 think tonight we have heard from many people about
6 what is in accordance with the public interest.

7 So I'm not going to repeat the
8 environmentally damaging impacts, the -- especially
9 the -- the problems with our water supply. As a
10 resident of North Easton and the Village, I'm going
11 to be awakened at 5:00 a.m. in the morning. I don't
12 know if that interests you, but it certainly does
13 me. I'm getting on in years. I'm 68. I know I
14 don't look it. I don't act it, but, you know what,
15 when that ambulance is called, I might be a victim
16 because the ambulance is going to be coming from the
17 other side of the tracks.

18 So, I was interested in what Lieutenant
19 Colonel Howell mentioned. He talked about the
20 impact on the human environment, and you heard many
21 people tonight talk about that, whether it's the
22 inaccessibility of services like the ambulance and
23 fire, police, or whether it's the potential damage
24 to our water supply. You've heard all those things.

1 But think about the human impact. Every day, waking
2 up at 5:00 a.m. from the blast of a train whistle.
3 We have someone in our audience today, who has a
4 house 20 feet from the tracks. All right. So -- so,
5 please, consider that.

6 We have five of the Henry Hobson
7 Richardson's buildings, which are internationally
8 known and historic. We have saved those for what?
9 A train to come -- we've saved them this year from
10 being destroyed. We're going to have condominiums
11 there, apartments. For what? For the train to come
12 past them within 25 feet to rattle them and cause
13 all kinds of damage?

14 We have a wastewater treatment plant
15 that's going in so that our downtown will be
16 revitalized with restaurants and so forth that
17 weren't formerly possible because of lack of sewer.
18 You're going to devastate the village of North
19 Easton. You're going to devastate the Hockomock
20 Swamp. You're going to create a problem for families
21 and children and safety issues.

22 Please, the future is not the train. My
23 daughter works for a company from Rockville, Maryland,
24 and when she moved from there to Princeton, they

1 said, well, please, stay. You can work from home,
2 and she does. She's more productive now. She has
3 video conferencing. She has 12 people under her.
4 She gets more done at home. The future is not
5 transportation. The future is technology when it
6 comes to jobs --

7 MR. ROSENBERG: Thank you.

8 PRISCILLA ALMQUIST-OLSEN: -- so I think
9 this is very shortsighted.

10 MR. ROSENBERG: Thank you, ma'am. Thank
11 you very much.

12 (Applause.)

13 MR. ROSENBERG: Next speaker, Abdul
14 Shibli. He will be followed by Darshan Murphy.
15 Mr. Shibli?

16 Darshan Murphy. Mr. Murphy will be
17 followed by Stephen Drown.

18 DARSHAN MURPHY: My name's Darshan
19 Murphy. I'm a resident of Easton, Massachusetts.

20 Colonel, Moderator, Kristina, I want to
21 cover also the human aspects. I know there's a lot
22 of political and cost issues behind this, but the
23 human, and I suppose some environmental reasoning is
24 certainly of higher value.

1 I'm on what's considered the zero foot
2 line. There's a portion of my home that comes
3 within less than 25 feet. At standard distances for
4 rail, the -- the barrier wall that has been
5 proposed -- and I don't have the facts -- would be
6 less than 15 feet from a point on my home.

7 I have a handicapped -- mentally
8 handicapped child, and I have two children that will
9 be within 25 feet of the rail, even with a retaining
10 wall, regardless of the safety measures, there's
11 always an imminent threat that safety can be
12 compromised.

13 The Town of Easton has extensive
14 environmental rules. I have a 100-foot dotted line
15 that goes through my kitchen because it is a wetland
16 barrier.

17 Two-thirds of my land is considered
18 environmentally safe, and I cannot do anything on
19 that land if I -- I have about 12 dead trees right
20 now on my land that would make it look a little bit
21 better and may serve nature by getting rid of them
22 and letting them compost or putting them to another
23 use, and per the statutes and stipulations of Easton,
24 those 12 trees could require a public hearing to

1 remove, and we're talking about putting tons of dirt
2 and other contaminants in the environment in and
3 around my home.

4 On to more environmental and animal
5 things. I learned today that the bluebird population
6 of Easton is dwindling. It now has to be hand cared
7 for by humans because of all the destruction that's
8 occurring by the natural industrialization of our
9 society.

10 Again, the grade crossings provide danger
11 and safety issues, particularly for the children.
12 Our towns do not have the money to build sidewalks.
13 I can throw rocks and hit my elementary school. If
14 you don't believe me, try it, but it requires a bus
15 because there's not a safe, direct route to my
16 elementary school, and my seven-year-old is more
17 than capable of walking about 450 yards.

18 Lastly, on the cost front, all of a
19 sudden, we are cutting jobs. We're cutting
20 everything, including environmental funds left and
21 right in this state, and my child cannot be educated.
22 There are teachers losing their jobs. The city does
23 not have enough money for my child; however, we have
24 \$2 billion to build a rail.

1 MR. ROSENBERG: Thank you, sir. Thank
2 you very much.

3 (Applause.)

4 MR. ROSENBERG: Our next speaker,
5 Stephen Drown. He will be followed by Stephen Ford.

6 Stephen D-R-O-W-N.

7 Stephen Ford. Mr. Ford will be followed
8 by John Musin (phonetic spelling).

9 STEPHEN FORD: Hi. My name is Stephen
10 Ford. I am a resident of Easton.

11 I'd first like to say I support all my
12 fellow residents of Easton and the concern of the
13 rail going through Easton. But in addition to that
14 I want to reiterate a lot of what they said, but one
15 thing I did want to bring up was my safety and
16 traffic concerns with all of the street grade
17 crossings across the whole project, actually, but
18 particularly in my area.

19 Reading the report, I didn't see a lot
20 of detail that outlined the method or the threshold
21 where bridges and tunnels would be required, you
22 know, where there's significant impact that there
23 needed to be some other structure to improve that
24 area.

1 And that was actually across a lot of
2 areas I was kind of concerned. Even in the noise
3 area, I did not see anything that described, you
4 know -- it definitely described, you know, the noise
5 level impact as severe, moderate, and low, but it
6 didn't say that there was a target or a threshold
7 that was needed to be met, and that's where my
8 concern is. So you can put up a wall, but if you
9 don't dampen it enough, I -- I'm kind of concerned.

10 So I'm looking for some more detail on
11 some more, you know, mitigation alternatives that
12 help -- help figure out what the true requirement is
13 and really what the project is going to be held
14 against. And that's what I wanted to voice tonight.

15 Thank you.

16 MR. ROSENBERG: Thank you, sir.

17 (Applause.)

18 MR. ROSENBERG: The next speaker, John
19 Muniz (phonetic spelling).

20 JOHN MONIZ: Moniz.

21 MR. ROSENBERG: Moniz. Thank you, sir.

22 Mr. Moniz will be followed by
23 Sally -- it looks like K-O-S.

24 JOHN MONIZ: First of all, I'd like to

1 extend my gratitude to the Army Corps of Engineers
2 to the duty that you've served our country; and in
3 the past couple of days, we all thank -- I thank
4 everyone in the military for what they've done and
5 given us the ability to have this open forum.

6 So thank you.

7 That being said, I am a resident of the
8 City of New Bedford. I am here solely on principle
9 alone. I was raised in a family that was taught to
10 stand up and voice your opinion for what you feel is
11 right. I feel South Coast Rail is right for my
12 area, which is the South Coast, New Bedford.

13 Now, ladies and gentlemen, here, you
14 have nothing to worry about. Absolutely nothing.
15 Because our state and local delegation in my area
16 for the past 25 years has completely and utterly
17 given us a disservice. So, therefore, this operation
18 will never take place. So you have nothing to worry
19 about.

20 As I look out in this crowd, I see
21 productive members of society, taxpayers, and people
22 who are willing to stand up and voice their opinion
23 because they don't want their home to be destroyed.
24 They don't want their children to be hurt. They

1 don't want their historical parts of their city to
2 be taken away from them. You're absolutely
3 100 percent right.

4 You have to understand that I am
5 marrying someone who drives 120 miles every single
6 day to work. So to those people who say, we don't
7 work from the South Coast in Boston, we do. We're
8 very small; so, therefore, \$2 billion does not, in
9 my estimation -- it's not deemed adequate. It's a
10 burden on you. It's a burden on me. It's a burden
11 on every taxpayer in the Commonwealth of
12 Massachusetts.

13 This state is in a financial shortfall,
14 and we're spending money right now on these
15 individuals here, the Army Corps, excluded, Ms.
16 Egan, and the entire South Coast Rail organization,
17 and at the end of 2012, we have no funding. So this
18 operation will never transpire. They do not have
19 funding at all. They have to fund themselves until
20 2012 or 2016. This will never happen, ladies and
21 gentlemen. You have to see where I'm coming from.
22 I have to stand up as a resident of New Bedford. I
23 have to come to these meetings and I have to voice
24 my opinion in support. In reality, it's never going

1 to happen.

2 So I sit here and I applaud you for
3 coming out and supporting your area, and I'm just
4 giving my opinion as a humble taxpayer. I'm
5 supporting mine. Don't worry. It's not going to
6 happen in our lifetime.

7 (Laughter.)

8 (Applause.)

9 JOHN MONIZ: Michael Dukakis stood up
10 25 years ago and said New Bedford was going to have
11 a South Coast Rail, and every governor since then
12 has said we're going to have a rail to New Bedford.
13 I'm 34, and when they started saying it, I had a
14 full head of hair. Not happening.

15 MR. ROSENBERG: Thank you.

16 JOHN MONIZ: There is no funding.

17 MR. ROSENBERG: Thank you, sir.

18 (Applause.)

19 MR. ROSENBERG: Our next speaker, Sally
20 Kos. You didn't stay within the lines. Is she
21 here?

22 KO -- it looks like K-O-S or K-O-G.

23 AUDIENCE MEMBER: Any Sallys?

24 MR. ROSENBERG: Yeah, from Westwood?

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No.

Donald Bennett?

AUDIENCE MEMBER: He's not here.

MR. ROSENBERG: Kevin Sullivan?

Abdul Shibli?

Stephen Drown?

Is there anybody here that would like to speak, who did not fill out a card, but would like to now give their comment?

Ladies and gentlemen, I'd like to reintroduce Colonel Howell with closing statements for today's meeting.

LIEUTENANT COLONEL HOWELL: We have heard a great many thoughtful statements this evening. Careful analysis will be required before a determination can be made and a decision rendered.

Written statements may be submitted to the Corps of Engineers until 27 May 2011. They will receive equal consideration with those presented tonight.

Each question or issue raised will be addressed in our Final EIS regarding the Commonwealth of Massachusetts South Coast Rail permit application.

1 We at the Corps of Engineers extend our
2 appreciation to all who took the time to involve
3 themselves in this public review process.

4 And, finally, before I conclude this
5 hearing, I'd like to extend my appreciation to the
6 City of Mansfield and the Qualters Middle School for
7 the use of this fine facility tonight, and the City
8 of Mansfield Police Department for their support.

9 And once again, thank you all for taking
10 the time to provide us with your thoughts, your
11 comments, and your concerns tonight.

12 Good night. And thank you for coming.

13 (Applause.)

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15 (At 9:08 p.m., the public hearing was
16 adjourned.)

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ORAL STATEMENTS

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3 JILL MACLEAN: My name is Jill Maclean,
4 M-A-C-L-E-A-N. I'm the Assistant City Planner for
5 the City of New Bedford, Massachusetts, and I'm the
6 City of New Bedford's representative to the South
7 Coast Commuter Rail Task Force. The address is 133
8 Williams Street, New Bedford, Mass., and that's City
9 Hall, the Office of Planning.

10 I just want to clarify that Mass. DOT
11 and the South Coast Rail Team were in New Bedford
12 last week for -- meeting for a Q and A session,
13 solely because I took the initiative as the
14 Assistant City Planner and the Commuter Rail Task
15 Force representative to ask them to come down.

16 I'm the one that put out the -- most of
17 the promotional materials for this meeting to ensure
18 that the citizens and the residents of New Bedford
19 could be fully versed on this project and could take
20 the opportunity to ask questions beforehand, knowing
21 that there would not be much of a presentation
22 during the actual Army Corps hearings. So, again,
23 it was under my initiative and my asking that South
24 Coast Rail Team came down to New Bedford and for no

1 other reason. They were not in the other towns
2 because apparently the other towns did not take that
3 initiative themselves. So that's one.

4 And, secondly, I just want to state, for
5 the record, that the City of New Bedford strongly
6 supports the Stoughton Direct Alternative. The 70
7 minutes to Boston is very important for commuters to
8 Boston but also those doing a reverse commute.

9 It will improve our economic development
10 opportunities in the City, as well as providing
11 tourism opportunities, access to the amenities that
12 we have on the South Coast. It's also important for
13 the connectivity of our region between the
14 tri-cities of Fall River, New Bedford, and Taunton
15 and the regions in between.

16 We also view it as an opportunity for
17 education, knowing that our students would be able
18 to go to Bridgewater State, even Massasoit State
19 College that offers different programs than may be
20 available in New Bedford or at U. Mass. Dartmouth,
21 as well, of course, as the universities in Boston
22 itself.

23 Thirdly -- I lost my train of thought.

24 My last point is that the cities of Fall

1 River and New Bedford are the only cities left in
2 the Commonwealth of their size and population that
3 do not have commuter rail service, and we believe
4 that this is very inequitable for our cities; and
5 over the decades, we've been promised this project
6 again and again. It has not come to fruition. This
7 time we actually have a governor that supports it,
8 and this project has been made a priority, and due
9 to that, there has been tremendous amount of
10 planning that has taken place.

11 We've developed the South Coast Economic
12 Development Corridor Plan, of which the City,
13 through that plan, has also made some movements to
14 already implement some of the recommendations.

15 The City of New Bedford has recently
16 completed its first master plan since 1964. The
17 Corridor Plan, along with the South Coast Rail
18 Project, play a tremendous role in both our
19 transportation and economic development sections of
20 our master plan, and we continue now to revise and
21 update our entire zoning code which includes the
22 transit-oriented development locations at the Whale's
23 Tooth station and the King's Highway station; and it
24 also includes the zoning for transfer development

1 rights which could protect open space in other towns
2 around us if the law is passed that we can use those
3 development rights across town boundaries, which we
4 are hopeful that it will, and we fully support that
5 as well as part of this project.

6 That's it.

7 And I guess just, lastly, I would like
8 to add that the citizens and the residents of the
9 South Coast continue to pay and have paid for many
10 decades for commuter rail service to every other
11 section of the Commonwealth, as I previously stated,
12 and yet, we still do not have it ourselves; and we
13 feel that this is a grave instance of unfairness,
14 and that we demand equity and rail service to the
15 City of New Bedford, Fall River, and Taunton.

16 Thank you.

17 DARSHAN MURPHY: My name's Darshan
18 Murphy, D-A-R-S-H-A-N, Murphy, M-U-R-P-H-Y. I live
19 at 34 Purchase Street, South Easton, Massachusetts.

20 This is a continuation of my prepared
21 remarks from the meeting, however you want to type
22 that out.

23 I wanted to also state that there is a
24 lot of wetland to the opposite side of my property,

1 and they would have to extend into that wetland at
2 least 100 feet, if not more.

3 And right now that wetland not only
4 contains water but is the home for at least 100
5 mallard ducks, and there's at least two to three
6 nests. I missed that.

7 I too want to reiterate that I didn't
8 know much about the meeting. It wasn't very well
9 publicized. I certainly did not know there was a
10 2,500-page report. I didn't even know the Army
11 Corps of Engineers was ready, and they -- I thought
12 that was another phase that hadn't happened yet; so,
13 again, the dissemination of information is very
14 poor.

15 I think they need to post signs even in
16 the middle of towns. Like, on signs, it says, you
17 know, a report's available or, you know, meetings or
18 some kind of advertisement more than just a
19 10-sentence paragraph, in a 10-page paper that only
20 a percentage of the people get, because that's how I
21 found out about the meeting.

22 I wanted to make a comment about another
23 person's -- or about Kristina's report that this was
24 supposed to be a 100-year project or that the

1 service could extend up to 100 years. I think
2 technologically that's impossible, and that a
3 reality check needs to be made on that.

4 Oh, and then they talked about how in
5 the Hockomock Swamp that there would be some kind of
6 raising of the train track or whatever, so that
7 animals could pass underneath, and I want to make it
8 very clear that animals probably will not pass
9 underneath of that; and most likely for the type of
10 environmental terrain that is, most animals are
11 going to leave or vacate the zone in and around the
12 track there because it's going to scare them, and
13 you will have destroyed any habitat ability in that
14 spot.

15 And then I ran out of time. I didn't
16 get to say that like everyone else, for me and my
17 family and the people around me that there's
18 significant noise issues. There's significant
19 vibration issues. There's significant pollutants,
20 such as leaks from the train, and brake dust, et
21 cetera. There will be significant emissions at my
22 home, and I stated before that the train is less
23 than 25 feet from my house.

24 And another thing not mentioned is that

1 if they decide to go with an electric train, there's
2 a lot of EMF danger, and, again, with two children
3 in my home, we don't want the EMF that close to our
4 home because the -- again, the electrical lines will
5 be within 25 feet of my home, and, again, those are
6 all detrimental to my children.

7 Thank you.

8 SCOTT MARTIN: My name is Scott Martin,
9 M-A-R-T-I-N. I live at 5 Porter Street, South
10 Easton, Massachusetts 02375.

11 One additional comment I would like to
12 make on the record is that learning of the improper
13 notification methods that were used for tonight's
14 meeting, I learned of when I arrived here.

15 I found out that there were postcards
16 sent out to surrounding towns but Easton was not one
17 of those that received it. Berkley and Canton were
18 both towns that received postcards notifying them of
19 this meeting. It would have been a much larger
20 showing of Easton residents because the majority of
21 them oppose this, and I think that it was an improper
22 procedure to hold the meeting in Mansfield as well
23 as not to notify people properly.

24 I think that another meeting should be

1 hold -- held as well as an extension on the deadline
2 for comments; and I'd like to see that happen so
3 that other Easton residents that were unaware of
4 tonight's meeting could actually make their thoughts
5 known.

6 Proper notification should go out
7 throughout newspapers, web sites, signs in the town,
8 postcards, mailings. For something this big and
9 that costs this much money, I think the more people
10 that are aware of it, the better and not hidden from
11 the public.

12 Thank you.

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1 Mansfield to Harvard Square. I now work in Boston,
2 but drive to work! My wife, who drove to Boston
3 college for her MSW program, would have benefitted
4 from a commuter rail system if it were available
5 then!

6 I am also currently teaching an
7 Economics course at Framingham State University and
8 during my lectures, emphasize the benefits of public
9 transportation given the price of gas, traffic
10 congestion, and global warming trends.

11 So, as you can imagine, having a
12 commuter rail through Easton would be good for young
13 families like us. Even now, for me, for my kids,
14 and also for my visitors. I have done some serious
15 work as an environmental economist (particularly
16 with one of Harvard's Environmental Policy programs)
17 and understand the pro and con arguments of building
18 a commuter rail system. I feel that given all the
19 scrutiny this project has received over the last
20 20 years (if not more), the economic, environmental,
21 and developmental benefits for Massachusetts are
22 overwhelming. Plus, as a resident, my family and I
23 feel that this will be very beneficial to us. My
24 son lives in Jamaica Plain and uses the public

1 transportation system when available. My daughter,
2 who went to Tufts for her undergraduate (as a
3 resident), and is an attorney working in NYC, is an
4 avid train rider, and will be able to come and visit
5 us more often if she can catch a commuter train to
6 North Easton from South Station! By the way, both
7 attended the Public Schools in Easton.

8 I hope I have conveyed in this brief
9 statement why I look forward to a rail connection
10 that is economical and completed without any
11 additional impediments. Please feel free to contact
12 me if you need more information or to provide
13 additional supporting materials.

14
15 Best regards,
16 M. Abdul Shibli.

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20 Written Statement of Randall H. Kunz, Chair
21 Southeastern Regional Planning and Economic
22 Development District

23
24 May 4, 2011

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Mr. Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2754

Secretary Richard K. Sullivan Jr., EOEEA
100 Cambridge Street, Suite 900
Boston, MA 02114
Attn.: MEPA Office (Aisling O'Shea)

RE: Comments by SRPEDD on the Draft Environmental
Impact Statement on South Coast Rail Released by the
U.S. Army Corps of Engineers

Dear Mr. Anachecka-Nasemann and Secretary Sullivan:

The Southeastern Regional Planning and
Economic Development District (SRPEDD) voted
unanimously on April 27, 2011 to commend the United
States Army Corps of Engineers for a thorough and
objective analysis of the South Coast Rail Project
in the Draft Environmental Impact Statement/Draft
Environmental Impact Report, dated February, 2011.

1 SRPEDD supports the analysis in the
2 report of both the transportation and environmental
3 factors associated with the alternatives that were
4 evaluated.

5 We agree that the Stoughton Route
6 provides the best service to Taunton, Fall River,
7 and New Bedford as measured by travel time and
8 ridership. We support the Corps' findings that the
9 operational obstacles associated with both the
10 Attleboro and Rapid Bus Alternative will make these
11 alternatives infeasible. The fact that the
12 Stoughton Route is served mostly by trains already
13 in service as opposed to dozens of new trips on an
14 already heavily traveled corridor make the Stoughton
15 Alternative the only viable choice from a
16 transportation perspective.

17 SRPEDD is also in agreement that the
18 Whittenton Alternative through the City of Taunton
19 poses additional operational problems and should not
20 be considered further. Specifically, the large
21 number of grade crossings in Taunton will be
22 unnecessarily disruptive and will add to the travel
23 time, and thus lowering the ridership numbers.

24 SRPEDD further agrees with the analysis

1 of environmental factors, including wetlands, air
2 quality, water resources, et cetera and supports the
3 conclusion that the Stoughton Route performed best
4 on the measure of environmental impact. The fact
5 that the Stoughton Route follows rail beds that were
6 in use a little over 50 years ago is an obvious
7 factor in minimizing the environmental impact.

8 We are very familiar with the corridor
9 as it passes through the Hockomock Swamp ACEC and
10 agree with the conclusion that the wetlands impact
11 will be limited, especially if the trestle is
12 constructed. We would further request significant
13 mitigation to repair any degraded areas of the ACEC.

14 It should be pointed out that there are
15 many factors beyond the project purpose that argue
16 in favor of this project and in favor of the
17 Stoughton Alternative. These factors include the
18 smart growth benefits of this investment and the
19 significant reduction in vehicle miles traveled and
20 subsequent greenhouse gas reductions. The region
21 also anxiously anticipates the projected economic
22 benefits that will be associated with the
23 restoration of commuter rail service to Southeastern
24 Massachusetts.

1 we believe that based upon the information
2 presented in the DEIS that the Least Environmentally
3 Damaging Practicable Alternative (LEDPA) should be
4 determined to be the Stoughton Alternative. SRPEDD
5 further supports the electric alternative with its
6 lower carbon footprint and faster travel time
7 between South Coast and Boston.

8 SRPEDD urges the Army Corps and its
9 partners to complete the review and make the
10 determination of the LEDPA as expeditiously as
11 possible. The region has been working on the
12 restoration of commuter rail service for more than
13 two decades, and we are anxious for the Corps to
14 complete its review so that Mass. DOT can proceed
15 with a financial plan and other aspects of this
16 project.

17 Thank you for the opportunity to comment
18 on this very important regional project.

19
20 Sincerely,

21
22 Randall H. Kunz, Chair

23 Southeastern Regional Planning and Economic
24 Development District

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c.c. Kristina Egan, Mass. DOT.

* * * * *

Written Statement of Roy Nascimento
President and CEO
New Bedford Area Chamber of Commerce

Comments of Roy Nascimento
President and CEO
New Bedford Area Chamber of Commerce

Before a public hearing of the
U.S. Army Corps of Engineers on
the Draft Environmental Impact Statement
on South Coast Rail

wednesday, May 4, 2011
Qualters Middle School
Mansfield, MA
7:00 p.m.

Good evening. I would like to thank you
for the opportunity to comment today on the Draft

1 Environmental Impact Statement prepared by the U.S.
2 Army Corps of Engineers for the South Coast Rail
3 Project. My name is Roy Nascimento, and I am
4 President and CEO of the New Bedford Area Chamber of
5 Commerce.

6 The New Bedford Area Chamber of Commerce
7 is a private, nonprofit business association that
8 serves nearly 1,000 member businesses of all sizes
9 from virtually all industries in ten communities in
10 the South Coast region. Our mission is to serve the
11 interests of member businesses while advocating
12 business advancement, economic growth, and job
13 creation for the benefit of New Bedford and the
14 South Coast region of Massachusetts.

15 Let me begin by thanking and commending
16 the U.S. Army Corps of Engineers and its partners
17 for a thorough and objective analysis of the South
18 Coast Rail Project in the Draft Environmental Impact
19 Statement, dated February, 2011.

20 The New Bedford Area Chamber of Commerce
21 remains a strong advocate for the extension of
22 commuter rail service from Boston to New Bedford and
23 other communities in the South Coast region of
24 Massachusetts.

1 The Chamber agrees with the conclusions
2 that identify the Stoughton Alternative as providing
3 the best service to the communities in the South
4 Coast region and providing the least environmental
5 impact. The fact that the Stoughton Route is served
6 mostly by trains already in service as opposed to
7 dozens of new trips on an already heavily traveled
8 corridor make the Stoughton Alternative the only
9 viable choice from a transportation perspective.
10 Also, the fact that the Stoughton Route follows rail
11 beds that were in use a little over 50 years ago is
12 an obvious factor in minimizing the environmental
13 impact.

14 we believe our final report should
15 include double tracking the rail lines to provide
16 future capacity and faster service. It is important
17 that any design, permitting, and building of the
18 rail service be completed with an eye towards
19 enhancing or expanding the service in the future

20 In addition, the Chamber also believes
21 that the travel time and frequency of service will
22 be important factors to the success of this project.
23 To provide the greatest impact, we urge that travel
24 time from the South Coast to Boston South Station be

1 nor more than 70 minutes. Shorter commuting time
2 gives businesses greater access to more workers with
3 specialized skills, while residents of the region
4 gain connectivity to employment opportunities along
5 the Route 128 corridor and in the business districts
6 of Boston. We also encourage full service
7 throughout the day to meet demand and encourage
8 ridership. A minimum of three trains in the morning
9 peak period and three trains in the afternoon peak
10 period should be utilized. This includes full
11 weekend service and inter-city service between
12 Taunton, New Bedford, and Fall River to encourage
13 regional mobility. We would also like to see a late
14 evening train service to Boston to be considered for
15 residents and visitors. Weekend and evening service
16 would help support our growing tourism economy by
17 connecting the Boston area to our new hotel, our
18 national park, our ferry service to Martha's
19 Vineyard, and our vibrant arts and restaurant scene
20 here in the South Coast.

21 The Chamber believes commuter rail
22 extension is critical to economic development and
23 growth in the region and in keeping with long-range
24 "Smart Growth" planning strategies that support the

1 environment and encourage development around
2 priority development areas. Commuter rail extension
3 to the South Coast will also help meet existing and
4 future demand for public transportation and enhance
5 regional mobility for residents, businesses, and
6 visitors to the region by reducing congestion and
7 increasing travel choice.

8 on behalf of our Chamber member businesses
9 and their thousands of employees, we encourage the
10 Army Corps and its partners to complete the review
11 and make the determination of the Least
12 Environmentally Damaging Practicable Alternative
13 (LEDPA) as quickly as possible. This is an
14 important project for the South Coast region. The
15 cities of Fall River and New Bedford are some of the
16 largest municipalities within a 50-mile radius of
17 Boston without rail transit service, service that
18 will provide a much needed link between job
19 opportunities and affordable housing for the
20 residents of the state. We have been waiting for
21 the restoration of this rail service for more than
22 two decades, and we are anxious for this process to
23 be completed, so that the state can move on to the
24 next critical step in the project.

1 Thank you. We appreciate your
2 consideration of our views on this very important
3 economic development issue.

4
5 Roy M. Nascimento, IOM
6 New Bedford Area Chamber of Commerce

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8 * * * * *

9
10 Written Statement of Melanie-Jane Deware, Chairman
11 Easton Historical Commission

12
13 May 4, 2011

14 The Easton Historical Commission
15 vehemently opposes the proposed commuter rail
16 service through our town for many reasons, including
17 its negative impact on numerous historic districts
18 and sites.

19 The proposed route will bisect the North
20 Easton Village National Register District, the
21 Richardson National Landmark District, and the Ames
22 Local Historic District. Its proximity to these
23 districts as well as their associated buildings will
24 cause irreparable harm to them. The project is

1 ill-conceived on many levels. History cannot be
2 mitigated.

3 The promised increase in revenue to
4 local towns will not happen. How many people south
5 of Raynham commute to Boston daily? The Taunton bus
6 that transported folks from Fall River to Boston was
7 cancelled due to lack of ridership. Do people from
8 Fall River or New Bedford want to commute 1 1/2
9 hours each way, every day, to go to work? A 2009
10 report based on federal census data showed that only
11 1.4 percent of the Fall River workforce took public
12 transportation to work. Are the people who make up
13 their above-average unemployment rate qualified for
14 and able to afford the trip into Boston for jobs
15 which don't even exist?

16 Using Brockton as an example: with
17 three commuter stations, where are the promised
18 mixed-use developments that the state predicted
19 would magically appear around them? Associated data
20 there shows that their residents' use of public
21 transportation has not increased since the stations
22 were built in 1997. The city's crime rate has
23 increased. Could there be a connection?

24 There are also a myriad of safety issues

1 regarding grade crossings, a severe lack of safe and
2 adequate parking, and permanent damage to the
3 Hockomock Swamp to consider as well.

4 The whole idea is a bad one. Not enough
5 people will use this rail line; it will cost
6 billions that we don't have (funneling money from
7 other pressing needs for repairs to roads and
8 bridges and funding our schools); and it will create
9 more unfunded maintenance costs. Additionally, the
10 damage to local, state, and national historic sites
11 will be devastating. Once our history is gone, it's
12 gone. We urge you to reconsider this proposal and
13 spare Easton and our neighbors from the costs and
14 devastation to our history, environment, and
15 communities.

16
17 Melanie-Jane Deware

18 Chairman

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20 * * * * *

21
22 Written Statement of Priscilla Chapman

23 Taunton Watershed Advocate

24 Mass Audubon

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Comments to the
U.S. Army Corps of Engineers and the
Massachusetts Environmental Policy Act Office
Regarding the South Coast Rail Project,
Draft Environmental Impact Statement and
Environmental Impact Report
Public Hearing, May 4, 2011
Priscilla Chapman, Taunton Watershed Advocate

On behalf of Mass. Audubon, I submit the following preliminary comments on the Draft Environmental Impact Statement and Environmental Impact Report, (DEIS/R) for the South Coast Rail Project, based on our review to date. Additional detailed comments will be submitted prior to the end of the public comment period. Mass Audubon is an abutter to the project through its ownership of the 954-acre Assonet Cedar Swamp wildlife sanctuary in Lakeville which would be crossed by the proposed project. We have followed this project since 1997 and submitted previous comments to the Massachusetts Environmental Policy Act Office and the Army Corps of Engineers, and we have participated in the Commuter Rail Task

1 Force since 2007.

2 Mass. Audubon generally supports commuter
3 rail improvements as an alternative to highway
4 expansion and as a means to reduce emissions of
5 greenhouse gases. We support the South Coast Rail
6 Corridor Plan that identifies Priority Protection
7 and Priority Development Areas as a means to achieve
8 concentrated development on appropriate land in
9 close proximity to transit and other infrastructure,
10 preserve habitat, and reduce vehicle-miles traveled.
11 At the same time, this project bears careful review
12 as it involves potentially significant adverse
13 environmental impacts to wetlands of high ecological
14 significance and habitat for a number of state-listed
15 species. This review needs to include sufficient
16 information to ensure that impacts to those resources
17 are avoided and minimized as much as possible and
18 that unavoidable impacts are adequately mitigated as
19 required by federal and state environmental laws.

20 Recognizing that the Massachusetts
21 Department of Transportation has identified the
22 Stoughton Route as its "preferred alternative," we
23 focus our comments on the resource areas and
24 projected impacts associated with that route,

1 including resources and impacts associated with the
2 Southern Triangle of existing freight lines from
3 Taunton to New Bedford and Fall River that are
4 proposed to be upgraded, and the extent to which the
5 DEIS/R demonstrates compliance with the requirements
6 of the Massachusetts Wetlands Protection Act (MWPA),
7 the Massachusetts Endangered Species Act (MESA), and
8 the state and federal Clean Water Acts (CWA).

9 **Summary.** The DEIS/R does not provide
10 adequate baseline information regarding potentially
11 impacted natural resources, detailed mitigation
12 plans for unavoidable impacts, and a detailed
13 blueprint for implementation of the Corridor Plan to
14 demonstrate that projected benefits of the Plan will
15 materialize. The Scope for the Massachusetts
16 Environmental Policy Act (MEPA) review required that
17 the Draft EIR include a detailed wetlands and rare
18 species mitigation plan, but the DEIS/R states that
19 the mitigation plan will be prepared at a later
20 date. For these reasons, we request that you
21 require preparation of a Supplemental Draft
22 Environmental Impact Statement and Report (SDEIS/R).
23 The following comments summarize our concerns. We
24 will submit additional detailed comments by the end

1 of the comment period.

2 **Baseline information.** The DEIS/R fails
3 to provide adequate baseline information regarding
4 important resources and impacts to those resources
5 by the project, especially in the Southern Triangle
6 portion of the rail corridor. In addition to Mass.
7 Audubon's land, the Southern Triangle lines also run
8 through other sensitive areas, including public
9 conservation lands owned by the Mass. Department of
10 Conservation and Recreation in the Acushnet Cedar
11 Swamp (an Area of Critical Environmental Concern and
12 a National Natural Landmark). The Scope for the
13 DEIS/R requires information on the number and
14 location of stream crossings associated with each
15 alternative (p. 27). During a site visit to the
16 portion of the rail line that crosses the Assonet
17 Cedar Swamp on November 16, 2011, conducted by three
18 Mass. Audubon staff members, Project Director
19 Kristina Egan, and other project staff, several
20 culverts and streams that flowed along the
21 right-of-way (ROW) were observed that are not
22 identified in the DEIS/R. Although the Southern
23 Triangle involves refurbishment and improvement of
24 existing freight lines rather than entirely new

1 construction as in other portions of the project, it
2 is nonetheless important to document resources and
3 impacts along this portion of the route. In
4 particular, it is important that the boundary
5 between existing rail berms and wetlands be defined
6 in relation to actual plans for the rail upgrading
7 work so that impacts can be properly estimated and
8 that the condition of culverts and bridges where
9 water flows under the berm be documented to identify
10 where these structures would need to be replaced.
11 In this section of our comments on the Environmental
12 Notification Form (ENF), we requested that the
13 proponent complete a survey of all streams and
14 culverts along the ROW. We reiterate that request.
15 The DEIS/R should also provide construction details
16 of all stream crossings where work is proposed to
17 allow full evaluation of potential impacts.

18 **Rare species and vernal pool surveys.**
19 The MEPA Scope required that "the DEIR should
20 include an endangered species impact analysis based
21 on adequate species survey and habitat assessment
22 for each alternative based on consultations with
23 NHESP..." It also called for consultations with
24 NHESP, Mass. Audubon, and other impacted conservation

1 landowners in determining which areas should be
2 field surveyed for wetlands and rare species (p. 24).
3 To the best of our knowledge, no rare species
4 surveys were conducted in sensitive areas along the
5 existing New Bedford and Fall River ROWS, including
6 the Assonet and Acushnet Cedar Swamps; nor can we
7 find any record of consultation with NHESP or
8 conservation landowners in the DEIR. The MEPA Scope
9 also required that the DEIR "identify potential
10 vernal pools, initially using maps and aerial
11 photography and then verify in the field ..." It
12 stated that "Potential vernal pool identification
13 and certification should be conducted for areas
14 within the right-of-way of the rail alignment and
15 within a reasonable distance of the ROW ... The
16 DEIR should include the result of vernal pool
17 investigations, including a description and mapping
18 of those meeting the criteria for certification"
19 (p. 26). It appears that no new vernal pool
20 investigation was conducted for the Southern
21 Triangle. Table 4.14-5, "Vernal Pools within 100
22 Feet of South Coast Rail Alternatives" lists no
23 vernal pools on the New Bedford line in the Assonet
24 or Acushnet Cedar Swamps. At least one and possibly

1 two potential vernal pools were observed on the
2 portion of the line that crosses the Assonet Cedar
3 Swamp during the above-referenced site visit.

4 Our written comments will provide a
5 complete list of additional baseline information
6 that should be included in an SDEIS/R, as required
7 by the MEPA scope

8 **Impacts associated with the Stoughton**
9 **Alternative.** The DEIS/R indicates that impacts
10 associated with construction of the Stoughton
11 Alternative will include:

12 11.9 acres of permanent wetlands
13 alteration;

14 Filling of 1.7 acres of vernal pool and
15 loss of 55 acres of supporting vernal pool buffer
16 habitat;

17 3,480 feet of permanent alteration of
18 bank;

19 Diversion of an intermittent stream that
20 runs along the existing berm;

21 Loss of 32.5 acres of rare species
22 habitat, including loss of Atlantic white Cedar
23 Swamp that provides habitat for Hessel's Hairstreak
24 butterfly, a state-listed species;

1 Barrier impacts to blue-spotted
2 salamander and Blanding's turtle, both state-listed
3 species.

4 The DEIS/R utilizes the University of
5 Massachusetts "Conservation Assessment and
6 Prioritization System" (CAPS) model to measure the
7 loss of ecological integrity and biodiversity that
8 would result from each alternative. Ecological
9 integrity is defined as the ability of an area to
10 support plants and animals and the natural processes
11 necessary to sustain them over the long term. The
12 CAPS model creates a grid over the Commonwealth of
13 Massachusetts and calculates the "index of
14 ecological integrity" for each cell of the grid
15 based on eight different ecological factors. The
16 analysis indicates that the Stoughton Alternative
17 would result in a major loss of ecological integrity.
18 This loss would be 456.9 units, compared to 324.8
19 units for the Attleboro Alternative and zero for
20 Rapid Bus. The CAPS analysis attributes a large
21 portion of this loss to "indirect impacts." Habitat
22 within the Hockomock Swamp has regenerated along the
23 alignment of a rail line abandoned many decades ago
24 - with the rails and ties removed and vegetation

1 regrowing to close the canopy in many locations. As
2 the DEIS/R so clearly demonstrates, the proposed
3 project is much more than reactivation of a former
4 rail corridor. Reconstruction of the rail bed in
5 the Hockomock Swamp would cut through "the largest
6 unfragmented and pristine area of wetland habitat in
7 eastern Massachusetts" (p. 4.14-6). Impacts are
8 likely to include introduction of invasive plants,
9 opportunistic predators, and changes in temperature
10 of vernal pools and wetlands adjacent to the track
11 from the creation of an opening in the canopy
12 through the Hockomock Swamp. Regarding impacts to
13 the Pine Swamp, the DEIS/R states "Reconstructing
14 the rail could create a barrier to the movement of
15 vernal pool organisms between pools or between
16 breeding and non-breeding habitat;" also that
17 "Reconstructing the track to require vegetation
18 removal which could alter the microclimate of vernal
19 pools close to the track" (P 4.14-87).

20 **Induced growth.** The DEIS/R also
21 identifies projected impacts of induced growth and
22 development from the project, compared to the "no
23 build" scenario. Examples of the projected impacts
24 are: increased vehicle miles traveled (VMTs);

1 increases in greenhouse gas emissions related to new
2 dispersed development, and loss of forest and
3 farmland. The Stoughton Alternative would add
4 75,422 VMTs per day and 20,750 tons per year of
5 greenhouse gas emissions and would increase loss of
6 forestland by 575 acres and loss of farmland by
7 313 acres over the "no-build" alternative. The
8 DEIS/R acknowledges the likelihood that loss of
9 forestland would also result in loss of carbon
10 sequestration but does not quantify additional
11 greenhouse gas emissions increases that would result
12 as it should.

13 The DEIS/R states that these impacts
14 would be reduced by implementation of the Corridor
15 Plan and evaluates the degree of mitigation provided
16 by "high" and "low" implementation scenarios. Mass
17 Audubon supports vigorous implementation of the
18 Corridor Plan. We are concerned that the DEIS/R
19 fails to provide a detailed blueprint for that
20 implementation to document that impacts of induced
21 growth will, in fact, be offset, and other projected
22 benefits will be provided. We request that a
23 detailed implementation plan be developed and
24 included in an SDEIS/R which includes a demonstrated

1 financial commitment to the needed state, regional,
2 and local planning and land use regulatory reforms
3 that will be needed to fully implement the Corridor
4 Plan.

5 **Mitigation plans.** Despite the
6 significance of the projected impacts, the DEIS/R
7 fails to provide mitigation plans to replace lost
8 resources and their functions and values. Without
9 the opportunity to review proposed mitigation plans,
10 the public is unable to evaluate whether the project
11 satisfies regulatory standards of the MWPA, MESA,
12 and the state and federal CWA. The MEPA Certificate
13 on the ENF for this project specifically required
14 detailed description of proposed mitigation measures
15 for impacts to rare species (p. 24), wetlands
16 (p. 27) and biodiversity and wildlife (p. 29).

17 In some cases projected impacts may be
18 difficult to mitigate. For example, attempts to
19 replicate or restore Atlantic white Cedar Swamp have
20 yielded mixed results in the past. Vernal pool
21 species that encounter barriers to migration may not
22 relocate to other pools. Rare species such as
23 Blanding's turtle may decline if habitat is
24 fragmented. Invasive plants, once introduced, may

1 be difficult to remove without continuous monitoring.
2 The NEPA/MEPA review should acknowledge the
3 difficulties of these challenges and provide
4 detailed mitigation plans with an evaluation of the
5 likelihood of success in an SDEIS/R.

6 **Project cost and mitigation.** The MEPA
7 Certificate required that the DEIS/R provide a
8 detailed analysis of costs, including construction,
9 operation and mitigation costs, for each of the
10 alternatives (emphasis added), as well as an
11 assessment of costs associated with implementation
12 of the smart growth aspects of the project (p. 16).
13 As noted above, the document lacks mitigation plans.
14 The cost of mitigation cannot be estimated without
15 the mitigation plans. The Certificate also required
16 the DEIS/R to address how the project and the
17 Corridor Plan will be financed; this analysis is not
18 provided. An SDEIS/R should include the full cost
19 of mitigation in total project costs and an
20 explanation of how the project and Corridor Plan
21 will be financed.

22 Thank you for considering these comments.

23
24 Priscilla Chapman

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C E R T I F I C A T E

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3 We, Marianne Kusa-Ryll, Certified
4 Realtime Reporter, and Julie Thomson Riley, Certified
5 Realtime Reporter, do hereby certify that the
6 foregoing transcript is a true and accurate
7 transcription of our stenographic notes on May 4,
8 2011, to the best of our knowledge, skill, and
9 ability.

10
11
12 /s/ Marianne Kusa-Ryll
13 Marianne Kusa-Ryll, RDR, CRR

14 /s/ Julie Thomson Riley
15 Julie Thomson Riley, RDR, CRR
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