

Part A

Original Comment Documents

Federal Agencies

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United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
408 Atlantic Avenue – Room 142
Boston, Massachusetts 02110-3334



May 26, 2011

9043.1
ER 11/298

Mr. Alan Anacheke-Nasemann, Project Manager
U.S. Army Corps of Engineers
New England District
Regulatory Division
696 Virginia Road
Concord, MA 01742-2751

RE: COMMENTS
Draft Environmental Impact Statement
South Coast Rail Project
Boston, New Bedford, Fall River, MA

Dear Mr. Anacheke-Nasemann:

The U.S. Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed South Coast Rail Project. This is a response to Public Notice NAE-2007-00698, dated March 23, 2011, and the DEIS. This response includes comments by the Department's U.S Fish and Wildlife Services (Service) and the National Park Service (NPS). The Applicant, the Massachusetts Department of Transportation, is proposing to establish commuter passenger transit service between Boston and the Cities of New Bedford and Fall River, Massachusetts.

Description of Proposed Action

The project purpose as defined by the Army Corps of Engineers (ACOE) is "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility." Sixty-five alternatives were initially identified by the Interagency Coordinating Group, which included representatives from federal, state and tribal agencies. These 65 alternatives were combined into 38 alternatives by grouping similar alternatives together and dismissing alternatives that were not transportation alternatives. A three-step criterion approach was then applied to the remaining alternatives. Step 1 evaluated whether an alternative met the overall project purpose. Step 2 evaluated those alternatives that met the project purpose as determined in Step 1. Step 3 determined if any of the remaining alternatives should be dismissed based on potential impacts to the aquatic or natural environment. Ultimately, the alternatives analyzed in the DEIS include:

- No-Build (Enhanced Bus) Alternative
- Attleboro Electric Alternative
- Attleboro Diesel Alternative
- Stoughton Electric Alternative
- Stoughton Diesel Alternative
- Whittenton Electric Alternative
- Whittenton Diesel Alternative
- Rapid Bus Alternative

The Attleboro Alternatives would use existing commuter and freight rail tracks and a segment of new right-of-way. Three existing commuter rail stations would be modified and eight new stations constructed. Both electric and diesel options are evaluated. The Attleboro Alternatives would directly impact 20.6 acres of wetlands.

The Stoughton Alternatives would use existing commuter and freight rail tracks and a segment of out-of-service rail right-of-way. Three existing commuter rail stations would be modified and ten new stations would be constructed. Both electric and diesel options are evaluated. The Stoughton Alternatives would directly impact 11.94 acres of wetlands.

The Whittenton Alternatives would use existing commuter and freight rail tracks and two segments of out-of-service rail right-of-way. Three existing commuter rail stations would be modified and ten new stations would be constructed. Both electric and diesel options are being evaluated. The Whittenton Alternatives would directly impact 10.4 acres of wetlands.

The Rapid Bus Alternative would use existing highway rights-of-way and in some locations a new dedicated bus lane. Rapid bus routes would use six new stations. The Rapid Bus Alternative would directly impact 21.5 acres of wetlands.

The proposed project also includes two overnight layover facilities, one in Fall River and one in New Bedford. Three alternative sites are under consideration in Fall River, and two alternatives sites are under consideration in New Bedford.

In addition to direct wetland impacts, all of the alternatives will have temporary and secondary impacts to aquatic resources, including vernal pools and their supporting habitat. Other impacts that have been identified include loss of upland habitat and habitat fragmentation.

U.S. Fish and Wildlife Service

These comments are provided in accordance with the Fish and Wildlife Coordination Act 16 U.S.C. 662, *et seq.*; the Clean Water Act 33 U.S.C. 1344 (m); the Migratory Bird Treaty Act 16 U.S.C. 703-712; and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531, *et seq.*).

General Comments

The ACOE plans to identify the Least Environmentally Damaging Practicable Alternative (LEDPA) after completion of the public review of the DEIS. Secondary impacts to the

environmental community have not been fully identified and will be more fully addressed upon the selection of the LEDPA. Similarly, specific measures to mitigate for unavoidable direct and secondary impacts to aquatic resources and other wildlife will be developed once a LEDPA has been chosen.

The DEIS refers to areas that have potential vernal pools throughout the document. The Department recommends that these areas be evaluated to determine their presence or absence, as well as their quality in order to permit avoidance, minimization, or mitigation for impacts to existing vernal pools and their supporting habitat.

L-054.01

Endangered Species Act

Based on information currently available to us, the northern red-bellied cooter (*Pseudemys rubriventris*) is the only federally listed threatened or endangered species known to occur in the project area. According to our files, and from information provided to us by the Massachusetts Natural Heritage and Endangered Species Program, the northern red-bellied cooter only occurs along the existing Middleborough line near the Nemasket and Taunton Rivers. As it is our understanding that no work is planned along this section of the line at this time, we have no further concerns regarding this project and the northern red-bellied cooter. If our understanding of the project is incorrect, or if new information becomes available on the occurrence of listed species in the project area, this determination may be reconsidered.

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Specific Comments

The Massachusetts Audubon Society has designated two Important Bird Areas (IBAs) within the Study Area: the Hockomock Swamp and the Freetown-Fall River State Forest/Southeastern Massachusetts Bioreserve. Table 4.14-1 lists birds that may be found in the project area. The list identifies several area-sensitive and forest-interior avian species such as the hermit thrush (*Catharus auttatus*), wood thrush (*Hylocichia mustelina*), chestnut-sided warbler (*Dendroica pensylvanica*), veery (*Catharus fuscescens*), black and white warbler (*Mniotilta varia*), black-throated blue warbler (*Dendroica caerulescens*), black-throated green warbler (*Dendroica virens*), Canada warbler (*Wilsonia canadensis*), ovenbird (*Seiurus aurocapillus*) and others. There are also wetland-dependant breeding birds listed in the table, such as the state-listed least bittern (*Ixobrychus exilis*) and pied-billed grebe (*Podilymbus podiceps*), northern waterthrush (*Seiurus noveboracensis*), Louisiana waterthrush (*Seiurus motacilla*) and common yellowthroat (*Geothlypis trichas*). A more detailed assessment of area-sensitive and wetland-dependant breeding bird species should be undertaken. We recommend that a site-specific breeding bird survey be conducted (if adequate existing data is not available) once a LEDPA has been identified. This information once incorporated in the mitigation plan is essential when defining species specific impacts, avoidance strategies, and mitigation measures necessary to offset or compensate for impacts to wetland-dependant migratory bird species and their associated habitats.

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The Migratory Bird Treaty Act (MBTA) prohibits taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department. Neither the MBTA nor its implementing regulations at 50 CFR Part 21 provide for permitting of “incidental take” of migratory birds. While take of migratory birds does not include habitat destruction or alteration, direct taking of birds, nests, eggs, or parts

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thereof is likely to occur if clearing or other ground disturbance occurs within migratory bird nesting habitat during the nesting season when eggs or young are likely to be present. Vegetation removal activities should not occur during this time.

The DEIS provides statements of fact and refers to surveys, but does not provide the scientific references throughout. We suggest that the Final Environmental Impact Statement (FEIS) provide scientific references for factual statements and surveys, and include them in the bibliography section. Examples of statements without references include:

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- **Page 4.15-6:** "Populations of pure blue-spotted salamanders occur north of the hybridization zone with Jefferson salamanders . . . There are 102 towns in Massachusetts where blue-spotted salamanders have been observed. Over 172 occurrences have been documented since 1981, as well as 27 historic occurrences that were documented prior to 1981."
- **Page 4.15-6:** "... breeding season [blue-spotted salamanders] lasts from mid-March to late April. Eggs are often laid singly or in a small egg mass, which cling lightly to overhanging vegetation or fall to the bottom of the pond."
- **Page 4.15-7:** "In Massachusetts, riparian areas are the preferred habitat of wood turtles... spend most of the spring and summer in mixed or deciduous forests, fields, hayfields, and riparian wetlands including wet meadows, bogs, and beaver ponds. They return to the streams in late summer or early fall to their favored overwintering location."
- **Page 4.15-13:** "In June 2008, habitat evaluations and surveys along the Stoughton Alternative were conducted for the state-threatened Blanding's turtle. This survey was performed because the NHESP database indicated the presence of Blanding's turtles in the vicinity of the existing railroad bed."
- **Page 4.15-23:** The DEIS states that based on the "2001 rare species studies," suitable habitat was found for several species, including the Hessel's hairstreak and the water-willow stem borer. These studies, however, are 10 years old, and "suitable habitat" may no longer be available. We suggest that the FEIS reference more recent scientific studies or develop plans to conduct surveys to assess the habitat for those species, and provide appropriate mitigation actions if necessary.

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Mitigation

The ACOE plans to identify the Least Environmentally Damaging Practicable Alternative (LEDPA) after completion of the public review of the DEIS. Specific measures to mitigate for unavoidable direct and secondary impacts to aquatic resources and other wildlife will be developed once a LEDPA has been chosen.

Direct wetland impacts of the proposed alternatives range between 10 and 22 acres. The DEIS states that, based upon regulatory requirements, these impacts would be mitigated at a 1:1, 2:1, or 3:1 ratio, depending upon the habitat type impacted. The ACOE's New England District Compensatory Regulation Guidance (Guidance) states that in most cases, it will be necessary to compensate for temporary and secondary impacts to prevent a net loss in aquatic resource functions. Table 2 of the Guidance, *Recommended Compensatory Mitigation for Temporary*

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and/or Secondary Impacts, includes secondary impacts that the Department would like to see included in a mitigation plan, such as: clearing of upland forest and/or scrub-shrub vegetation within 100' of the stream bank or outermost channel of braided stream; permanent conversion of forested wetlands to other cover types; removal of forested wetland cover for a new corridor; and removal of the forested cover of vernal pool buffer (w/in 250' of pool) when the percentage of disturbance exceeds 25 percent of the total VP buffer area. Mitigation to aquatic resources should include appropriate upland buffers.

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Conclusion

The Department recommends that the Applicant provide more site-specific information and that the FEIS more specifically identify impacts to aquatic resources and wildlife. This information and analysis are important to assess the impacts, and will aid in avoiding, minimizing and compensating for them. Please contact Maria Tur, U. S. Fish and Wildlife Service, New England Field Office, 70 Commercial Street, Suite 300, Concord, NH 03301; phone: (603) 223-2541 for additional information.

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National Park Service

L-054.08

New Bedford Whaling National Historical Park

New Bedford Whaling National Historical Park (Park) is located in New Bedford, Massachusetts. The South Coast Rail project seeks to connect this city via train with Boston. As the proposed project holds several potential major benefits for the national park (as follows), the Park strongly supports its implementation.

It would be a huge economic boon to the area. Businesses and residents would relocate to New Bedford and as a result the city's tax base would grow significantly. The City is a legislated partner in a park that is by design a partnership park, and success is mutually interdependent. With that increased tax base would come more funding for tourism initiatives, historic preservation projects, and educational programs in which the Park and the City could collaborate, thus better ensuring adequate stewardship of our cultural resources as well as the development and maintenance of infrastructure and services that provide for a high quality visitor experience.

It would increase park visitation. According to the Park's 2010 comprehensive visitor survey, a surprisingly low percentage of the Park's visitation is from the Boston area, given that this is one of the major metropolitan centers in the United States and is within 60 miles of the park. Although a car trip without traffic is theoretically only one hour, with traffic -- which is common -- the time can escalate up to two to two-and-a-half hours. In providing a convenient option around these delays, the proposed rail would open up a new audience that could connect with the park's history and significance.

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It would make park-related travel cleaner, safer, easier and more efficient. Although the Park does have employees that commute from the Boston area, for others the commute is a deterrent to applying for jobs. The proposed rail would alleviate that, opening up a new pool of recruits for the Park. It would also make the periodic business travel by Park staff to the NPS Regional Office and other parks in Boston quicker, less costly, and more environmentally friendly.

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Beyond these general benefits that would be incurred from the project as a whole, the Park strongly endorses the electric rail option over diesel. New Bedford has been positioning itself as a leader in the development of alternative energy, from the manufacturing of photovoltaic cells to the assembly of offshore wind apparatus, and this would be very much in keeping with that direction. The National Park Service also strives to be a leader in environmental practices, and should be forward thinking in terms of the environmental impact our children will have to bear and choose the greener option. For more information about the Park, please contact Jennifer Nersesian, Superintendent, New Bedford Whaling National Historical Park, 33 William Street, New Bedford, MA 02740

L-054.11

Taunton Wild and Scenic River

The DEIS correctly identifies the need to coordinate with the NPS regarding the status of the Taunton River as a National Wild and Scenic River. Each of the rail alternatives involves the Fall River Secondary line which parallels the Taunton River terminating in potential new rail stations in Fall River.

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Some of the particular areas of highest concern and potential impact to resources of interest to the Wild and Scenic River include: water quality impacts from construction and stormwater runoff; rail line crossings of the Taunton and tributaries; the selection and siting of a layover facility; design and construction of the major transportation hub envisioned for North Fall River (Fall River Depot).

The proposed route crosses through or close to many significant natural and cultural landscape features identified during the Wild and Scenic River Study, including the Hockomock Swamp, Peace Haven site, and many others. Significant coordination will need to occur to ensure that impacts to these resources are fully understood, minimized or eliminated or mitigated.

The selection and design of a Fall River layover site is of particular concern, as all three currently identified sites are riverfront, although the Weaver's Cove East is at least separated from the riverfront by the existing tracks. In reviewing the DEIS, information about potential layover sites beyond the three identified sites or whether there might be other possible layover sites with less potential impact to the Taunton riverfront area could not be found.

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The major Fall River Depot station could be a beneficial feature drawing people to the downtown waterfront area, and, as preliminarily discussed in the DEIS, should include waterfront pedestrian and bike access amenities, and should link and enhance a vibrant urban waterfront for the City of Fall River. Please contact Jamie Fosburgh, New England Team Leader Northeast Region Rivers Program, 15 State Street, Boston, MA 02109 for more information.

L-054.14

Acushnet Cedar Swamp National Natural Landmark

Construction activities associated with track upgrades for a commuter rail to New Bedford will have noise impacts on the National Natural Landmark (NNL) Acushnet Cedar Swamp. The existing freight rail tracks are immediately adjacent to the eastern edge of the NNL. Scheduling any construction near the NNL during the fall or early winter would minimize noise impacts during critical wildlife breeding season during the spring and early summer.

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There will likely be additional noise impacts from increased train traffic by the NNL if commuter rail service is initiated to New Bedford. We would be interested in whether there are ways to reduce train noise levels, particularly during critical breeding seasons in the spring and early summer.

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It is concluded on page 4.14-73 of the DEIS that reconstructing the section of track adjacent to the Acushnet Cedar Swamp for commuter rail service will not create any additional barrier to wildlife movement. However, construction activities have potential to temporarily impede wildlife movement. Scheduling any construction near the NNL outside known peak wildlife movement periods would minimize any barrier effects. Of greater concern, is the potential permanent impact on wildlife movement due to the increased train traffic. This should be assessed.

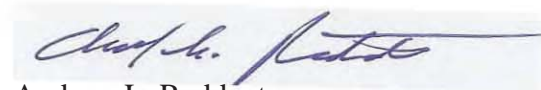
L-054.16

It is stated in the DEIS that the proposed Church St. Site Layover Facility, which is separated by Route 140 from the Acushnet Cedar Swamp, will have no impact on the swamp. It is unclear from the DEIS whether there is any hydrologic connection between Acushnet Cedar Swamp (NB-22) and the small section of wetland (NB-23.1) located between the proposed layover facility site and Route 140. Given the potential for increased run-off, potentially containing pollutants, an assessment of this is recommended. For additional information regarding the Acushnet Cedar Swamp, please contact Deb DiQuinzio, National Natural Landmarks Program, 15 State Street, Boston, MA 02109.

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Thank you for the opportunity to review and comment on this DEIS. Please contact me at (617) 223-8565 if I can be of assistance.

Sincerely,



Andrew L. Raddant
Regional Environmental Officer

cc: Aisling O'Shea, MEPA (aisling.o'shea@state.ma.us)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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May 27, 2011

OFFICE OF THE
REGIONAL ADMINISTRATOR

Colonel Philip T. Feir
Commander, New England District
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Re: EPA Comments on the South Coast Rail Project Draft Environmental Impact Statement/
Draft Environmental Impact Report (CEQ file number 20110095) and Response to Corps Public
Notice File Number NAE-2007-00698

Dear Colonel Feir:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), Section 404 of the Clean Water Act (CWA), and Section 309 of the Clean Air Act (CAA), we have reviewed the U.S. Army Corps of Engineers' (Corps) Draft Environmental Impact Statement (DEIS) for the South Coast Rail Project in southeastern Massachusetts.¹ This letter serves as our comment on the DEIS and the Corps' Public Notice of a CWA Section 404 permit for the project. The DEIS was prepared following an extensive public and interagency coordination process led by the Massachusetts Department of Transportation (MassDOT) and the Corps that began in 2008. EPA was an active participant in that process as a cooperating agency.

The DEIS details plans by MassDOT to improve public transit service between the cities of New Bedford and Fall River and Boston. As described in the DEIS, the basic project purpose is "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts." (DEIS page 1-1). The DEIS considers the No Build alternative, three rail service alignment alternatives (the Attleboro, Stoughton and Whittenton routes) with options for diesel and electric service, and a Rapid Bus alternative to achieve the project purpose. As required by the Massachusetts Environmental Policy Act (MEPA), MassDOT (in the preface to the DEIS) identifies the Stoughton route as its preferred alignment for the project. The Corps has not yet identified the Least Environmentally Damaging Practicable Alternative (LEDPA) for the project and it intends to use public comments on the DEIS to help make that determination prior to issuance of the Final Environmental Impact Statement (FEIS).

EPA supports the Commonwealth's desire to expand transportation mode choice in the South Coast region in an environmentally responsible manner. The DEIS explains that increasing

¹ We note that the joint DEIS has also been prepared to allow MassDOT to meet the requirements of the Massachusetts Environmental Policy Act.

transit access to the South Coast will result in improvements to regional air quality (through reductions in Vehicle Miles Traveled) and reductions in greenhouse gas emissions, support opportunities for transit oriented development, and stimulate overall economic development in the region². We believe a major transit project for the region that meets the basic project purpose also has the potential to bring these benefits, particularly air pollution reductions and support for sustainable development in the South Coast region.

Regardless of the transit alternative ultimately selected, continuing firm commitments and funding by the Commonwealth will be necessary to support a smart growth future for the region. We commend MassDOT for its significant investments to date in working with communities and regional planning agencies to develop the 2009 *South Coast Rail Economic Development and Land Use Corridor Plan*. The corridor plan is based on smart growth principles and describes the steps necessary to promote more sustainable development in the South Coast region in conjunction with increased transit service. MassDOT is supporting the plan by providing smart growth technical assistance to communities in the region. EPA encourages MassDOT to continue their collaborative efforts in order to maximize the smart growth benefits that accrue to any future public transportation investments.

The Corps' analysis of the project under NEPA and the CWA is a critical step in the decision making process for this project, against the backdrop of the longstanding public controversy regarding alternatives and alignments, sources for project funding and operation, and related concerns about the potential for significant direct and indirect impacts to communities and the natural environment. Our attached comments highlight a number of concerns and comments about the project and the DEIS that will need to be addressed during the remainder of the NEPA/404 process. With a few notable exceptions (more fully described below and in the attachments to this letter) we believe the DEIS effectively discusses potential impacts associated with the project alternatives. The DEIS also thoroughly analyzes potential induced development effects and potential impacts to environmental justice communities.

The DEIS provides sufficient information to support the conclusion that the Attleboro alternatives are not practicable and can be eliminated. We also believe the information in the DEIS adequately supports the Corps' decision to continue consideration of the other rail alternatives and the Rapid Bus alternative at this time. We recognize that the Commonwealth does not believe that the Rapid Bus alternative achieves their goals. In this regard, we will review any additional information provided by the Commonwealth and comments received on the DEIS to inform our recommendation to the Corps on the LEDPA.

Our concerns about the DEIS are related to the characterization of direct and indirect (secondary) impacts to wetlands and other waters of the U.S., and the scoring system used to compare impacts and rank the various alternatives under consideration. These result in understating

² Reestablishment of transit service to South Coast region has been extensively studied on and off over the past twenty years, with the most recent effort following the release of the Commonwealth of Massachusetts' Executive Office of Transportation and Public Works report entitled, "South Coast Rail: A Plan for Action" dated April 4, 2007. That report, and others that precede it, highlight the Commonwealth's desire to increase transit access to the South Coast region of the state.

impacts to aquatic resources in the Stoughton and Whittenton alignments and overstating impacts to aquatic resources from the Rapid Bus alternative. Based on these and other concerns detailed in the attachment to this letter, we believe the DEIS does not provide enough information for EPA to assess compliance with the Section 404(b)(1) Guidelines. We will make our recommendations to the Corps for the LEDPA determination, among other issues, once we have the opportunity to review and discuss with the Corps additional information concerning impacts to aquatic resources.

As explained above and described in detail in Attachment B to this letter, the Region may have serious concerns regarding alternatives and direct and indirect (secondary) adverse impacts to aquatic resources. In the event that we do not agree with the Corps District's ultimate conclusions regarding those issues, including practicability of alternatives, severity of impacts, and whether a compensatory mitigation plan could adequately address those impacts, we are preserving our ability to raise these unresolved issues to senior officials at both EPA and the Department of Army.³

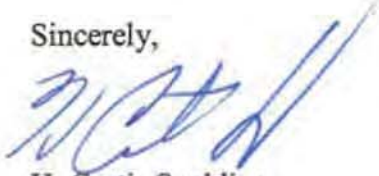
In addition, and in accordance with EPA's national rating system, a description of which is attached to this letter, we have rated the DEIS EC-2-"Environmental Concerns-Insufficient Information." As noted above and in Attachment B, additional information is needed on the full extent of the impacts of the alternatives on aquatic resources, which is necessary to, among other reasons, inform our recommendation regarding the LEDPA. Attachments A and B to this letter offer some recommendations regarding additional information that should be provided going forward in the NEPA and Section 404 process.

We appreciate the opportunity to participate in numerous workgroup meetings to discuss the project over the past few years and to provide our comments on the DEIS and Public Notice. We encourage MassDOT and the Corps to continue to reach out to local, state and federal agencies and the public for input as the NEPA/404 process advances. EPA recognizes the importance of this project to the Commonwealth, and we reiterate our commitment to work with the Corps and MassDOT to continue to review new information as it is developed, and to address outstanding issues as the NEPA/404 processes advance for the project.

³ We believe the proposed project may have a substantial and unacceptable impact on aquatic resources of national importance. This letter follows the field level procedures outlined in the August 1992 Memorandum of Agreement (MOA) between EPA and the Army Corps of Engineers, Part IV, paragraph 3(a), regarding 404(q) of the Clean Water Act, 33 U.S.C. 1344(q). After we have evaluated the project further, and as required by Part IV, paragraph 3(b) of the MOA, I will notify you within 25 calendar days of the date of this letter (i.e., no later than June 21, 2011) whether and why we believe the project will have substantial and unacceptable adverse impacts to aquatic resources of national importance.

Please feel free to contact me or Timothy Timmermann of EPA's Office of Environmental Review at 617-918-1025 or Matt Schweisberg of EPA's Office of Ecosystem Protection at 617-918-1628 if you wish to discuss these comments further.

Sincerely,



H. Curtis Spalding
Regional Administrator

Enclosures

cc:

U.S. Army Corps of Engineers New England District
Alan Anacheke-Nasemann, Senior Project Manager
Regulatory Division, Permits and Enforcement Branch
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Kristina Egan
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Tom Chapman, Supervisor
U.S. Fish and Wildlife Service
New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301

Summary of Rating Definitions and Follow-up Action

Environmental Impact of the Action

LO--Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

Attachment A: Detailed EPA Comments on the South Coast Rail Project Draft Environmental Impact Statement

Environmental Effects from Induced Growth

General

The DEIS provides an excellent analysis of the potential for environmental effects from growth that may be induced by the build alternatives. The approach is one of the best that we have seen in our review of Environmental Impact Statements, and may serve as a model for future transportation projects. The DEIS makes a compelling case that smart growth development of the South Coast region is better for the environment than “business as usual,” regardless of the transit improvements ultimately implemented. One concern we have, however, is whether MassDOT can ensure that future development will follow a smart growth pattern since it will take concerted commitments by state and local governments as well as the private sector to make this happen. We commend MassDOT for the significant investments it has made to date in developing the 2009 *South Coast Rail Economic Development and Land Use Corridor Plan* and providing technical assistance to communities in the South Coast region. We recognize that Chapter 7 of the Corridor Plan addresses implementation, as does the DEIS (page 5-27), but both in a relatively general manner. The magnitude of environmental impacts from induced growth will depend on the extent to which smart growth is achieved, so it is important to understand the actions that the Commonwealth commits to undertake.

L-068.01

We recommend that the FEIS describe firm, detailed commitments that the Commonwealth is prepared to make to support a smart growth future for the region. For example, one of the assumptions made in creating the smart growth scenario is that “infrastructure constraints will be overcome within reason” and that the Commonwealth will help “support investments in infrastructure to realize more compact development.” (DEIS page 5-12) Adequate water and sewer infrastructure will be important to successfully implement compact development in some communities. However, since the Massachusetts Department of Environmental Protection (DEP) no longer allocates points for wastewater projects based on a community’s Commonwealth Capital (smart growth) score, it does not appear as if wastewater infrastructure funding is currently being targeted at projects in communities committed to smart growth. As a means to address this particular barrier to smart growth, the FEIS could describe whether the Commonwealth (DEP) would change its priority ranking process for the State Revolving Fund in order to support smart growth in the South Coast region (or elsewhere). This is just one example of the kinds of investments and commitments the Commonwealth could make to support compact, smart growth development in the area to be affected by the project. Also, the FEIS should address the extent to which the Commonwealth will commit resources to protecting the Priority Preservation Areas, in addition to establishing a regional transfer of development rights program. Without these kinds of investments in both development and conservation, future growth is more likely to follow Scenario 1 (business as usual), and the region will not reap the environmental benefits of smart growth that are described for Scenario 2 in this DEIS.

Additional detailed comments on the Chapter 5.0 of the DEIS:

Page 5-13. As we noted when we reviewed the Secondary and Cumulative Impacts Technical Report, we do not understand why Scenario 2 includes some No-Build growth, but Scenario 1 does not, at least as described in the DEIS. Confusingly, in the Indirect Effects section on page 5-23 both Scenario 1 and Scenario 2 are described as including baseline plus induced growth. It is not clear which statement is accurate. If, in fact, one scenario includes baseline growth but the other does not, this makes it difficult to compare the two scenarios. This difficulty is illustrated in a comparison of Table 5-2 with Figures 5-9 through 5-11, which do appear to include No-Build growth in both scenarios. For example, under Scenario 2 for the Stoughton alternative, Table 5-2 shows that New Bedford will lose 567 fewer households than No-Build. Since the No-Build projection for New Bedford is that it will lose 1,283 households, this implies that under Scenario 2 New Bedford will lose a total of 716 households (1,283 minus 567). Yet Figure 5-10 (Scenario 2: Stoughton Alternative, Total Growth) indicates that New Bedford will lose 607 households, not 716. We recommend that both scenarios treat No-Build growth in the same manner throughout the document, and discrepancies such as these be reconciled and corrected. If the differences between scenarios (in terms of whether they include No-Build growth) affect the environmental impacts analyses, these will need to be corrected also so that fair comparisons can be made.

L-068.02

Page 5-15. Table 5-2 provides estimates of the expected growth in households for each of the alternatives, including growth in four Rhode Island communities (Tiverton, Portsmouth, Bristol, and Warren) that may be affected by the project. We note, however, that the Rhode Island household growth is not depicted in Figures 5-3 through 5-11 and we recommend that this growth be shown, along with growth in the Massachusetts communities. For Figures 5-6 through 5-11, information on No-Build growth should be available from Rhode Island's Office of Statewide Planning.

L-068.03

Page 5-17. Assumptions for Future Growth Scenario. We had recommended during agency meetings that the analysis of potential environmental impacts that could be attributed to induced growth include stormwater runoff. Runoff from development is a significant contributor to poor water quality in southeastern Massachusetts and elsewhere, and we continue to believe that an estimate of potential impacts from induced development should be made. One approach would be to estimate the amount of impervious surface that will be created by induced development, and use hydrologic data to calculate the annual runoff from these impervious surfaces. We recognize that some of this runoff will be directed to stormwater treatment systems or otherwise absorbed before it reaches waterways, but having an estimate of the maximum potential for stormwater contamination would be useful in the comparison among alternatives.

L-068.04

Page 5-18, first bullet. Here and elsewhere in Chapter 5 we recommend that it be made clear when only direct impacts to wetlands are being discussed, and not the full suite of direct, indirect/secondary, and cumulative impacts. For example, at a minimum we recommend that this first sentence read: "Residential housing development typically results in minor **direct** impacts to wetlands because of local, state, and federal legal protections."

L-068.05

Page 5-20, Table 5-4. Is there a typographical error in the “Loss of Forest Land” category? As shown, the “high” smart growth scenario results in a greater loss of farmland than the “low” scenario, which doesn’t match what is described in the text.	L-068.06
Page 5-23, second paragraph. We recommend either deleting the last sentence (“Thus, certain regulated resources experience improvements, rather than degradations, over time.”) or providing a more complete description. Depending on the kind of wetlands mitigation provided, it can be a long time before mitigation replaces lost values and sometimes mitigation is not successful. In other words, successful wetland mitigation (especially wetland creation) is more complex than this last sentence implies.	L-068.07
Page 5-24. Table 5-5. We note that although the build scenarios (Scenario 1 and 2) reduce the loss of population (households) from Fall River and New Bedford as compared with No-Build, they do not stem the loss completely. Even the smart growth scenario (Scenario 2) still results in the loss of several hundred households from each city.	L-068.08
Page 5-35, Table 5-11. Although the text indicates that the analysis does not include indirect impacts to wetlands, this should be made even clearer in the table. For example, the title of Table 5-11 could read “ Direct Wetland Impacts (Acres of Loss)” instead of simply “Wetland Impacts (Acres of Loss)”.	L-068.09
Pages 5-42 to 5-43. There is an error in Table 5-15. We believe that the VMT projections for Scenario 2 are incorrect, and should be replaced with projections developed by VHB on 12/11/09. Specifically, under Scenario 2 in Table 5-15, the VMT increase for Attleboro should be 2,829,380, for Stoughton the increase should be 2,826,264, and for Rapid Bus it should be 3,147,190. These revised estimates were developed by VHB on 12/11/09 in response to EPA’s comments on the Secondary and Cumulative Impacts Technical Report. We commented that the VMT reduction factor (from 43 VMT/household/day to 26 VMT/household/day) for Scenario 2 should <u>only</u> be applied to those households living in smart growth areas (PDAs), and not to those living outside PDAs. VHB subsequently revised the estimates, and it is these revised numbers that should be presented in Table 5-15.	L-068.10
Page 5-44. Section 5.3.2.9. Economic Effects, Scenario 1. There appears to be a typographical error in the second sentence. The sentence states that wetland losses are evaluated below, but this section is on economic effects.	L-068.11
Page 5-67. Table 5-23. There appear to be typographical errors in the table, since the text indicates that the changes associated with Scenario 2 (in terms of incremental and percent change land conversion) are negative (meaning less land will be developed), not positive, but the table shows the opposite.	L-068.12

Environmental Justice

L-068.13

The Environmental Justice (EJ) analysis conducted by the Corps for the South Coast Rail DEIS was guided by the requirements of Massachusetts Executive Office of Energy and Environmental Affairs (EEA) Environmental Justice Policy, Executive Order 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and U.S. Department of Transportation (DOT) Order 5610.2 Environmental Justice in Minority and Low-Income Populations. These policies direct agencies to identify and address disproportionately high and adverse human health or environmental effects of their activities on minority and low-income communities.

The Council on Environmental Quality's (CEQ) Environmental Justice Guidance Under the National Environmental Policy Act (December 1997) provides 6 guiding principles including 1) considering the composition of the affected area to determine whether minority populations, low-income populations, or Indian tribes are present in the area affected by the proposed action, 2) considering relevant public health data and industry data concerning the potential for multiple or cumulative exposure to human health or environmental hazards in the affected population, to the extent such information is reasonably available, 3) recognizing the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed agency action, 4) developing effective public participation strategies, 5) assuring meaningful community representation in the process, and 6) seeking tribal representation in the process in a manner that is consistent with the government-to-government relationship between the United States and tribal governments.

L-068.14

In addition, in the ENF, the Secretary of EOEEA identified several environmental justice requirements for the DEIR including:

- defining and mapping EJ populations in project area,
- describing tangible benefits to EJ communities,
- identifying potential disproportionate impacts on EJ communities and any proposed mitigation, and;
- presenting strategies to enhance public participation in the environmental review process.

EPA believes that the DEIS meets the requirements of these guidance documents, and that the analysis appropriately evaluates the potential for disproportionate adverse impacts to environmental justice populations (as defined by the Commonwealth of Massachusetts EJ policy) – specifically evaluating adverse impacts due to land acquisition (neighborhood disruption/fragmentation, residential displacements, and business/job displacements), increases in noise levels and air pollution and compares these impacts to non-environmental justice neighborhoods. Impacts to EJ populations are expected to be minimal in all of these areas except for noise.

The analysis shows that at a regional level, moderate and severe noise impacts would not be predominately borne by residents of EJ neighborhoods in any of the alternatives. However, at the community level, it shows that in all the rail alternatives, the noise impacts in Fall River would be predominately borne by EJ communities. In addition, the affected community level

L-068.15

analysis shows EJ communities in some of the study area municipalities would be disproportionately affected by noise impacts relative to non-EJ communities in these municipalities (i.e., Canton, Taunton, and Stoughton). However, the DEIS notes that severe impacts will be mitigated and a noise mitigation plan will be developed. Two types of noise mitigation measures will be considered for rail noise abatement: noise barriers and building noise insulation. EPA recommends that the impacted communities be involved with the development of the noise mitigation plan and have an opportunity to participate in decisions regarding the mitigation plans for their neighborhoods. It is not clear whether the mitigation plans will be enforceable. The FEIS should describe how these plans will be enforced and how they plan to address any unforeseen impacts to these communities.

L-068.15

Environmental justice is not only about identifying and addressing adverse impacts of a project on communities but also ensuring that affected communities have access to the benefits of a project. Possible benefits of this project described in the DEIS include increased property values and improved access to jobs, colleges, hospitals, and Boston, as well as the potential for transit-oriented development in the vicinity of the new stations. While all of the alternatives will benefit EJ populations, the amount of benefit will vary depending on the alternative and community. For example, the analysis states that the Attleboro and Stoughton Alternatives would provide the greatest overall benefits to EJ populations; and the rapid bus alternative would provide fewer benefits when compared to rail but would also result in the least overall adverse impacts to EJ populations (primarily from noise).

L-068.16

The DEIS also notes that some of the benefits may come with unintentional consequences. For example, increased property values may have an adverse impact to EJ populations if it results in gentrification. The FEIS should discuss approaches for minimizing gentrification and loss of community cohesion and adoption of these approaches (e.g. affordable housing options) should be an integral part of planning discussions for the project.

L-068.17

In terms of selecting the preferred alternative, EPA recommends that the Corps/MassDOT follow the CEQ's Environmental Justice Guidance Under the National Environmental Policy Act (December 1997) which states "that when the agency has identified a disproportionately high and adverse human health or environmental effect on low-income populations, minority populations, or Indian tribes from either the proposed action or alternatives, the distribution as well as the magnitude of the disproportionate impacts in these communities should be a factor in determining the environmentally preferable alternative. In weighing this factor, the agency should consider the views it has received from the affected communities, and the magnitude of environmental impacts associated with alternatives that have a less disproportionate and adverse effect on low-income populations, minority populations, or Indian tribes." In this case, all of the alternatives under consideration provide benefits to EJ populations and the question that should be addressed by the Corps/MassDOT is whether identified adverse impacts can be adequately addressed.

L-068.18

The DEIS outlines an extensive stakeholder involvement process to date including project flyer distribution to EJ neighborhoods, translation of materials, availability of interpreters at public meetings, use of ethnic newspapers, and community workshops in impacted EJ communities. EPA recommends that this public outreach strategy be continued as the project moves forward.

L-068.19

Public participation will become even more critical as the project moves from planning to implementation/construction. Outreach should especially be targeted to those communities who will be disproportionately impacted by noise.

L-068.19

EPA also supports the continued consultation with Native American tribes to determine if any of the alternatives would have an adverse effect on undocumented cultural resources.

L-068.20

Water Supply Impacts

Based on information presented in the DEIS (see DEIS Table 4.17-30), the Stoughton Electric/Diesel alternative set appears to have the least potential to impact drinking water quality, especially with regard to stormwater discharges to water bodies, Interim Wellhead Protection Areas, and Zone IIs.

L-068.21

Section 4.17 of the DEIS (Water Resources) adequately assesses most potential environmental impacts to affected reservoirs and wellfields, pollutant fate and transport, mitigation practices for spill containment and prevention from the rail alternatives, and provides an exhaustive overview of existing regulations and permit authorities for water resources in the affected towns. We note, however, that the discussion of potential impacts from the Rapid Bus Alternative is incomplete. Apart from cursorily mentioning salt as a stormwater pollutant from roads, impacts from the use of winter deicing chemicals for the Rapid Bus Alternative on existing highways, bus terminals, impervious surfaces and proposed lane additions in Raynham, Bridgewater and Brockton are given scant attention in the DEIS. We recommend that more discussion and data, including existing sodium/chloride concentrations in stormwater, surface water and ground water in affected Zone IIs, be provided for the Rapid Bus Alternative. Table 4.17-27 of the DEIS summarizes the wells, water systems, and Zone II stormwater discharges for the Rapid Bus Alternative. It would be helpful if the FEIS included the following information to better understand the potential magnitude of impacts:

L-068.22

- the existing sodium/chloride concentrations in water supplies, reservoir tributaries, and stormwater discharges;
- what Best Management Practices (BMPs) are proposed for salt application optimization and reduction,
- how salt is stored near Zone II areas;
- whether there are highly sensitive zones that require more attention; and
- if sodium chloride concentrations are increasing over time, and, if so, what remedies are proposed for reductions.
- the current concentrations of stormwater constituents (including sodium and chloride) in public water supplies with Zone Is and IIs penetrated by the Rapid Bus road alternative. These data are available from Massachusetts Department of Environmental Protection (MassDEP) and affected drinking water systems as a result of routine Safe Drinking Water Act monitoring for inorganics, metals and organics. If such concentrations are approaching or exceed federal/state Maximum Contaminant Levels (MCLs), the FEIS should explain the remedies and BMPs proposed to reduce concentrations. EPA believes that understanding existing water quality conditions prior to project construction is necessary to better assess any future environmental impacts.

Stormwater Permitting Requirements

The DEIS correctly identifies the requirement for a National Pollutant Discharge Elimination System (NPDES) permit for stormwater associated with construction activities associated with any of the Build Alternatives. EPA has issued the *NPDES General Permit for Storm Water Discharges From Construction Activities* (“Construction General Permit” or “CGP”), which authorizes stormwater discharges that meet the permit’s eligibility criteria. Where stormwater discharges are proposed into Outstanding Resource Waters (“ORW”), operators must file a WM 08B Notice of Intent with MassDEP prior to seeking CGP authorization from EPA.

L-068.23

For all Rail Alternatives, the DEIS indicates that maintenance and cleaning functions will be performed at proposed layover facilities. Pursuant to 40 CFR 122.26(b)(14), facilities engaging in such activities are considered to be engaging in an industrial activity and require an NPDES permit for stormwater discharges from such facilities. EPA has issued the *Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity* (“MSGP”), which authorizes stormwater discharges that meet the permit’s eligibility criteria. As with the CGP, operators must file a WM 08B Notice of Intent with MADEP prior to seeking MSGP authorization from EPA where discharges are proposed to an ORW.

Both the CGP and MSGP include specific provisions related to the eligibility and control of discharges to impaired water bodies, with or without established Total Maximum Daily Loads (“TMDLs”). Though the DEIS refers to MADEP’s 2006 *Massachusetts Integrated List of Waters* to obtain the impairment status of relevant water bodies, the proponent is reminded that it must reference the most current list (at this time, 2010) of waters available at the time of permitting. If EPA or MADEP determines that certain proposed discharges are not eligible for coverage under the CGP or MSGP, the proponent must obtain an individual NPDES permit for such discharges.

L-068.24

Air Quality

EPA believes the air quality analysis in the DEIS is reasonable and thorough. The inputs and methodology in the analysis are consistent with other air quality analyses prepared for transportation projects in Eastern Massachusetts. The appropriate MOBILE6 emission factor model and CAL3QHC microscale program were used to prepare the regional and microscale air quality analyses. In general, we concur with the air quality summary and conclusions presented in the DEIS. When compared to the No Build scenario, the analysis concludes that none of the build alternatives will result in an increase of volatile organic compounds (VOCs) or nitrogen oxides (NOx) [precursors to ozone], in fact, a reduction of VOC and NOx for the build alternatives are projected in future years. In addition, the microscale analysis demonstrates that the build alternatives will not result in violation of the one-hour or eight-hour national ambient air quality standard for carbon monoxide.

L-068.25

Chapter 2 of the DEIS (page 2-6), incorrectly identifies the eight-hour ozone classification for Eastern Massachusetts as “severe”. The Boston-Lawrence-Worcester (E. Mass), MA eight-hour ozone nonattainment area consisting of ten counties in eastern Massachusetts (Barnstable

L-068.26

County, Bristol County, Dukes County, Essex County, Middlesex County, Nantucket County, Norfolk County, Plymouth County, Suffolk County, and Worcester County) is classified as moderate. See 40 CFR 81.322. This classification should be corrected in the FEIS. L-068.26

We encourage MassDOT to commit to the construction air quality impact mitigation measures, and emission reduction measures at rail layover facilities which are identified in Section 7.4.6 (pages 7-15 and 7-16) of the DEIS. These commitments should be included in the Corps FEIS and Record of Decision for the project. L-068.27

We note that the Attleboro diesel locomotive alternative will require all new rolling stock, (purchase of new train sets consisting of locomotive engine, coaches and cab), while both the Stoughton and Whittenton diesel locomotive alternatives would extend existing services and may be able to utilize a number of existing train sets. As the construction period for diesel train alternatives range from four to seven years, new locomotive engine purchases would likely be built to Tier 4 emissions standards that apply to newly-built locomotives starting in year 2015. EPA also encourages, wherever possible, implementation of an accelerated timeline for locomotive rebuilding, thereby providing emission controls earlier than currently required. When rebuilding locomotive engines, EPA encourages re-manufacture to the cleanest emission control practicable at the time. L-068.28

DEIS Scoring System

Background

The DEIS describes a scoring process (DEIS page 3-121) that was developed to demonstrate the relative performance of the alternatives with respect to specific criteria. The scoring system was applied to determine how well the alternatives met the project purpose, whether they are practicable, and whether they result in positive (beneficial) air quality impacts. The scoring system was also used to compare a range of environmental impacts across alternatives, and ultimately to provide an assessment of the overall performance of each alternative. L-068.29

General Comments

The Council on Environmental Quality regulations implementing NEPA require the alternatives analysis in all EISs to include the alternative of “no action” (40 CFR 1502.14(d)) to provide a benchmark to enable a comparison of the effects of alternatives (Question 3, CEQ’s Forty Most Asked Questions about CEQ’s NEPA Regulations). In practice, agencies typically have used the no action (also known as the no build) alternative not only to compare alternatives with respect to impacts but also to show how they perform when compared to what would occur if no action were taken. In this case, while the DEIS does include discussion of a no-action alternative (as defined on DEIS page 3-31), the scoring system relied on in the DEIS to draw comparisons and conclusions about which alternatives meet the project purpose, it omits any comparison of the alternatives to the no build condition⁴. Instead, the DEIS scores alternatives based solely on how well they perform as compared to the best performing alternative, and assigns a letter grade (A- L-068.30

⁴ EPA recommended this comparison in our January 9, 2009 scoping comments on the project and during an Interagency Coordination Group meeting on October 22, 2009.

F) to the relative comparison score. We believe this approach in the scoring system introduces a bias to the process because it masks the fact that an alternative that performs less well than the optimum one still can achieve the purpose of the project. Using a scoring system that compares alternatives' performance to the future no-build baseline would be a more objective presentation of the comparison and would be consistent with the intent of the CEQ regulations. In addition, we believe the assignment of grades with the ultimate use being a comparison of "Counts of Grade "F" is misleading. The use of the system results, for instance, in the grade "F" for the Rapid Bus alternative under both the "VMT" and "Regional Mobility" criteria, even though the Rapid Bus alternative reduces VMTs and results in an increase in regional mobility. The assignment of a failing grade fails to recognize that all of the build alternatives reduce VMTs and increase regional mobility, albeit with the rail alternatives performing better than Rapid Bus. The subsequent tally of "failing" grades to rank alternatives further compounds this problem.

L-068.30

We believe that the Corps should incorporate the no-build alternative into their comparisons of alternatives, consistent with the intent of the CEQ regulations. We also believe the Corps should eliminate the score and grade components of the criteria tables, and instead simply present, for each criterion, the performance information for each of the alternatives. This performance information is already contained in the criteria tables, so our suggestion would be simple to implement and would result in a much clearer and more relevant depiction of information related to the practicability determinations.

ATTACHMENT B

SECTION 404(b)(1) GUIDELINES EVALUATION FOR THE SOUTH COAST RAIL TRANSPORTATION PROJECT

I. INTRODUCTION

The U.S. Environmental Protection Agency New England Region (“the Region”) prepared this document to describe and evaluate the effects of the proposed construction of the South Coast Rail transportation project located in southeast Massachusetts on streams, wetlands, and wetland dependent wildlife. This document utilizes the information presented in the current Clean Water Act § 404 Public Notice (“the PN”); the South Coast Rail Project Draft Environmental Impact Statement (“the DEIS”), which also serves as the substantive application for a CWA section 404 permit; several site visits by EPA Regional staff; and other information collected during the history of the proposed project. The text summarizes the Region’s current position on alternatives in the context of § 230.10(a) of EPA’s Clean Water Act § 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230) (“the Guidelines”) and analyzes the environmental impacts of the proposed project in the context of §§ 230.10(b) and (c) of the Guidelines. After carefully examining the DEIS, PN, and other information, we do not believe there is sufficient information to determine compliance with the Guidelines. Our rationale follows. L-068.31

II. ECOLOGICAL RESOURCES

A. Landscape Setting

Descriptions exist of the geologic, topographic, soils, and other landscape features within the project study area. DEIS at sections 4.1, 4.2, and 4.10 - 4.18. As with nearly all of southern New England, southeast Massachusetts has been influenced substantially by human disturbance, including agriculture (especially the cranberry industry), industrial development, and urbanization. Section 4.2.2 of the DEIS provides additional detail describing existing land use conditions within the project study area.

B. Aquatic Resources

Principal wetland systems and water bodies are described in DEIS sections 4.16.2.1 and 4.16.2.2. Major river systems in the project study area are listed in Table 4.17-1. These streams, rivers, and wetland systems that exist in the project study area and alternatives corridors are described more fully in DEIS sections 4.16 - 4.18.

C. Ecological Functions

The river, stream and wetland systems within the South Coast Rail project area provide a broad range of ecological functions for the landscape. Field work by MassDOT's consultants and visits to the project study area by Regional staff documented that, taken in total, the stream and wetland systems provide all 13 functions and values listed in the Corps Highway Methodology-Descriptive Approach.¹ While most of these systems do not provide all 13 functions and values individually, some do. With respect to wildlife expected to be found in the project study area, a review of Tables 4.14-1, 4.14-2, and 4.14-3 shows that greater than 80% of birds, 90% of mammals, and 90% of amphibians and reptiles are wetland dependent, respectively. This information is notable and elevates both the importance of these aquatic resources as well as the significance of expected adverse impacts from the proposed project.

L-068.32

Figures 4.16-2a – 4.16-2q, and 4.16-3a – 4.16-8w of the DEIS provide the standard graphical summary of principal functions and values for each individual wetland area that would be impacted directly by each of the South Coast Rail alternatives. This is helpful visually for an overview of wetland functions and values along the various alternative corridors. On the other hand, the DEIS contains neither a detailed narrative explanation of these ecological functions and values nor an explanation of how these wetland specific ecological functions contribute to the functioning of the broader aquatic systems of which they are a part (i.e., a watershed perspective). Such explanations would provide a more thorough understanding of the importance of these aquatic resources as well as the significance of expected adverse impacts from the proposed project. The FEIS should contain these explanations.

L-068.33

III. DESCRIPTION OF THE PROPOSED ALTERNATIVES

MassDOT and the Corps, in initially surveying the range of possible options, identified 65 potential alternatives for the project by soliciting input from the Massachusetts Bay Transportation Authority, an Interagency Coordinating Group (ICC), the Commuter Rail Task Force, and the public through a series of public meetings. This list was then narrowed down to five alternatives encompassing four routes and three modes for further analysis by MassDOT, and Corps, and the ICC.

In Section 3 of the DEIS, the Corps ultimately evaluated eight different alternatives:

1. No-Build (Enhanced Bus) Alternative
2. Attleboro Electric Alternative
3. Attleboro Diesel Alternative
4. Stoughton Electric Alternative
5. Stoughton Diesel Alternative
6. Whittenton Electric Alternative
7. Whittenton Diesel Alternative

¹ U.S. Army Corps of Engineers. 1993. The Highway Methodology Workbook: Integrating Corps Section 404 Permit Requirements with Highway Planning and Engineering and the NEPA EIS Process. NEDEP-360-1-30. U.S. Army Corps of Engineers, New England District, Concord, MA.

8. Rapid Bus Alternative

A. No-Build (Enhanced Bus) Alternative

The No-Build Alternative would consist of continued investment in the existing regional transportation network with no new rail or bus service provided in Southeastern Massachusetts. Bus schedules would be enhanced based on existing bus service routes to Fall River and New Bedford. There are no proposals to increase Taunton commuter bus service.

This alternative may include a new expanded park-and-ride/bus station near the Route 24/140 highway interchange, near the Route 106/24 park-and-ride lot, or at the Mt. Pleasant park-and-ride lot. Incentives would also be created to enable private commuter bus service operations to acquire a new fleet of fuel efficient and clean emission buses. The DEIS indicates that regardless of the outcome of MassDOT's proposal, the No-Build alternative is expected to be implemented.

B. Attleboro Alternatives (Electric and Diesel)

The Attleboro Alternatives would provide new commuter rail service from New Bedford and Fall River to South Station through Attleboro using the New Bedford Main Line, the Fall River Secondary Line, the Attleboro Secondary Line, a new bypass track and the Northeast Corridor. The Boston-New Bedford route would be 60.4 miles long and the Boston-Fall River route would be 57.9 miles long. Both alternatives would be a new rail service without established stopping patterns and would only stop at major stations.

Both alternatives would require eight new commuter rail stations, major reconstruction at three existing commuter rail stations, and minor work at the existing commuter rail station at Route 128. Construction would also include the creation of a third track along the Northeast Corridor between the proposed Attleboro Bypass and the Readville Interlocking in Boston²; reconstruction of a new two-track railroad on a new right-of-way between the Northeast Corridor and the Attleboro Secondary; and reconstruction of existing tracks from the Attleboro Bypass to Weir Junction as a single track with one siding. Construction, reconstruction, or widening of 44 bridges and 39 railroad at-grade crossings would also be required. Two overnight layover facilities, one on the New Bedford Main Line and one on the Fall River Secondary Line, would be required as well. Additionally, the Attleboro *electric* alternative would involve construction of a traction power system including one main substation in Taunton, one switching station in Attleboro, and six paralleling stations (one in Norton, one in Berkley, two in Freetown, one in New Bedford, and one in Fall River).

C. Stoughton Alternatives (Electric and Diesel)

The Stoughton Alternatives would provide commuter rail service to from New Bedford and Fall

² A fourth track option was also evaluated to attempt to address anticipated service deficiencies identified with the three track alternatives.

River to South Station through the Northeast Corridor, the New Bedford Main Line, the Fall River Secondary Line, the Attleboro Secondary to Weir Junction in Taunton and an extension of the existing Stoughton Branch to Taunton. They would extend existing commuter rail services along these corridors with already established stopping patterns. The Boston-New Bedford route would be 54.9 miles long and the Boston-Fall River route would be 52.4 miles long.

Construction for these alternatives would include reconstruction of existing tracks of the Stoughton Line from Canton Junction to Stoughton as a double track; construction of new tracks on existing, abandoned right-of-ways from Stoughton to Winter Street in Taunton as one to two tracks; and reconstruction of existing tracks from Winter Street in Taunton to Weir Junction as a single track. These alternatives, as well as the Whittenton alternative discussed below, include an 8500 foot long elevated trestle that would carry the trains through a portion of Hockomock Swamp. Construction, reconstruction, or widening of 45 bridges and 46 railroad at-grade crossings would be required, as well as construction of ten new commuter rail stations and major reconstruction at two existing commuter rail stations. They would also require two overnight layover facilities, one on the New Bedford Main Line and one on the Fall River Secondary Line. Separately, the electric alternative would require construction of a traction power system including two main electric substations (one in Easton and one in New Bedford), two switching stations (one in Canton and one in Berkley), and six paralleling stations (one in Easton, one in Taunton, two in Freetown, one in New Bedford, and one in Fall River).

D. Whittenton Alternatives (Electric and Diesel)

The corridor for the Whittenton Alternatives is a variation of the corridor for the Stoughton Alternatives. The corridor would follow the same route as the Stoughton Alternatives but would swing northwest around Taunton and use the inactive Whittenton Branch right-of-way instead of continuing north in a straight line towards Taunton. As a consequence, the Whittenton Alternatives would avoid traversing the Pine Swamp, which the Stoughton Alternatives directly intersect. This alternative would also extend existing commuter rail service with established stopping patterns. The Boston-New Bedford route would be 56.5 miles long and the Boston-Fall River route would be 54.0 miles long.

For this route, the following would need to be constructed: reconstruction of existing tracks of the Stoughton Line from Canton Junction to Stoughton as a double track; construction of new tracks on an existing, abandoned rail right-of-way from Stoughton to Raynham Junction as one to two tracks; construction of new tracks on an existing rail right-of-way from Route 138 in Raynham to Whittenton Junction as a single track; and reconstruction of existing tracks on the Attleboro Secondary from Whittenton Junction to Weir Junction as a single track. Construction, reconstruction, or widening of 42 bridges and 53 railroad at-grade crossings is also required. Construction for commuter rail stations, layover facilities, and the traction power system (for the electric alternative) would be the same as for the Stoughton alternatives.

E. Rapid Bus Alternative

The Rapid Bus Alternative would provide rapid express bus service from New Bedford, Fall River, and Taunton to South Station using a proposed dedicated, primarily reversible bus lane to be built along Routes 24, I-93/128, and 140. North of I-495, buses would use a combination of new zipper bus lanes, new reversible bus lanes, two-way bus lanes, existing zipper HOV lanes, and existing HOV lanes, along with a short section in mixed traffic. South of the I-495 interchange in Raynham, buses would travel in the general purpose lanes with mixed traffic. The Boston-New Bedford route would be 56.4 miles long and the Boston-Fall River route would be 51.5 miles long.

The Alternative would be a new transportation service with four branches. It would create six new rapid bus stations and major expansion of the bus terminal at South Station. Additionally, the Rapid Bus Alternative would provide eight peak period trips between each terminal station and Boston's South Station. Inbound service would originate from New Bedford, Fall River, downtown Taunton, and Taunton Silver City Galleria. Each branch would have a maximum of two stations in the South Coast region.

The Alternative would require improvements to highway infrastructure along Route 24 (construction of a third lane from Route 140 to I-495; widening of Route 24 to accommodate movable barriers; and construction of a zipper bus lane from I-495 to Harrison Boulevard); and Route 128/I-93 (construction of a reversible bus lane from Harrison Boulevard on Route 24 to Logan Express Lot; and construction of a two-lane bus roadway from Logan Express Lot to existing HOV zipper lane on the Southeast Expressway). Twenty bridges and 11 highway interchanges would also have to be constructed, reconstructed, or widened.

IV. ALTERNATIVES ANALYSIS

A. Analysis of Alternatives

EPA's § 404(b)(1) Guidelines prohibit a discharge of dredged or fill material if there "is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences." 40 C.F.R. § 230.10(a). This fundamental requirement of the § 404 program is often expressed as the regulatory standard that a permit may only be issued for the "least environmentally damaging practicable alternative" or LEDPA. Where (as here) the basic project purpose is not water dependent, and it involves fill in wetlands, practicable and less environmentally damaging alternatives are presumed to exist unless clearly demonstrated otherwise by the applicant. The burden to demonstrate compliance with the alternatives test and rebut the presumptions rests with the applicant, in this case MassDOT. Furthermore, the level of documentation needed to demonstrate compliance with the Guidelines – including the alternatives test – is commensurate with the severity of the impact. See 40 C.F.R. § 230.6 and the introductory note to § 230.10.³

³ See also the August 23, 1993 Memorandum to the Field issued by EPA and the Corps of Engineers entitled

The Corps has defined the basic project purpose in this case as follows: “to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts.” DEIS at 1-1. The Region participated with the Corps in developing this definition of basic project purpose, and we agree that it represents an appropriate characterization of the project purpose to ensure that a reasonable range of alternatives is examined.

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The Corps characterized the “basic” project purpose as being relevant only to whether a project is water dependent or not. *Id.* The Corps then identified an “overall” project purpose, to be used to evaluate whether there are less environmentally damaging practicable alternatives, as: “to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts to enhance regional mobility.” *Id.* at 1-2. The Region did not learn of the Corps’ decision to develop a separate “overall” project purpose until we received the DEIS, and we do not agree with the Corps’ establishment of a different project purpose definition to be used in the alternatives analysis. The Region and the Corps’ New England District’s longstanding interpretation and practice has been to define the “basic” project purpose both for determining whether a project is water dependent and for determining whether alternatives are practicable (in light of the basic project purpose).

The Corps relies on the following language in 40 C.F.R. § 230.10(a)(2) to support its approach: “An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of *overall project purposes*.” (emphasis added). However, the very next sentence states that “...an area not presently owned by the applicant which could be reasonably be obtained, managed, or utilized *in order to fulfill the basic purpose of the proposed activity* may be considered.” (emphasis added). Clearly the terms “overall” and “basic” are intended to be used interchangeably. Indeed, the preamble to the Guidelines states, in the discussion of alternatives (as distinguished from the water dependency discussion): “We consider it implicit that, to be practicable, an alternative must be capable of achieving the basic purpose of the proposed activity.” Guidelines Preamble, “Alternatives,” 45 Fed. Reg. 85335, 85339 (December 24, 1980).

The 1993 Highway Methodology Workbook, which the Region and the New England District have utilized for almost twenty years, also treats the two terms interchangeably. For example, on page 5 the Workbook states “The Corps will define this overall/basic project purpose broadly to ensure that a reasonable range of alternatives will be examined,” and “This [NEPA] ‘purpose and need’ differs from the Corps section 404(b)(1) Guidelines statement of ‘overall/basic project purpose.’” In addition, the Workbook repeatedly displays a diagram of the permit process which refers only to the Corps’ identification of the basic project purpose and makes no mention of the establishment of a separate overall project purpose. The Region’s view is consistent with the Corps’ guidance issued in the Hartz Mountain Development Corporation Permit Elevation, which addresses the issue of

“Appropriate Level of Analysis Required for Evaluating Compliance with the § 404(b)(1) Guidelines Alternatives Requirements.” <http://water.epa.gov/lawsregs/guidance/wetlands/flexible.cfm>

defining the basic project purpose in the context of the alternatives analysis, not water dependency: L-068.34

The Guidelines alternatives analysis must use the “basic project purpose,” which cannot be defined narrowly by the applicant to preclude the existence of practicable alternatives. On the other hand, the Corps has some discretion in defining the “basic project purpose” for each Section 404 permit application in a manner which seems reasonable and equitable for that particular case.

HQUSACE Review Findings, Hartz Mountain Permit Elevation, 1989, at 4.

The Region’s comments on the practicability of alternatives are therefore framed in terms of satisfying the basic project purpose. As discussed further below, however, even if the Corps’ “overall” project purpose formulation were used, we do not believe it would make a difference to our analysis in this case.

The Corps does not identify the LEDPA in the DEIS, but MassDOT does identify the Stoughton family of alternatives as its preferred corridor.⁴ DEIR at P-8. Based on the information provided in the DEIS, the Region believes that the only alternatives shown to be impracticable are the Attleboro Alternatives, for reasons discussed below. While the remaining Stoughton, Whittenton, and Rapid Bus Alternatives differ in the extent to which each satisfies the basic project purpose, none has been clearly shown to be impracticable. As discussed in Section V. below, the Region believes that additional information is needed to determine which is the least environmentally damaging to the aquatic environment and, hence, the LEDPA.

1. Practicability of the Alternatives

Before turning to an analysis of the alternatives, we would like to outline our concerns about the process used by the Corps to score the alternatives. The DEIS presents the differences among all of the various alternatives (except for the no-build alternative), by comparing their relative performances under several specific criteria. The best performing alternative under any given criterion is the baseline against which the other alternatives are compared and assigned a relative score, which is then expressed as a letter grade (A through F). While this approach provides a simple way to portray the general and relative performances of each alternative with respect to the evaluation criteria, it has no direct bearing on the question of whether any particular alternative is practicable under 40 C.F.R. § 230.10(a) or can meet the basic project purpose. We believe the approach introduces a bias to the evaluation because it obscures the fact that an alternative that performs less well than the optimum one still can achieve the purpose of the project. The approach may inform the applicant as to which build alternatives are “best” or “better” from its perspective, L-068.35

⁴ MassDOT has not stated a preference between the diesel and electric variations of the Stoughton alternative.

but it does not generate a "score" that addresses whether or not an alternative is practicable. As a result, from the standpoint of the 404 review process, it creates confusion by obscuring the determinative fact that an alternative that performs less well than the optimum one still can achieve the purpose of the project. An alternative that is "practicable" under § 230.10(a) cannot be rejected simply because it does not perform as well as other alternatives, including the preferred alternative. Therefore, in reviewing the factual information presented in the DEIS's alternatives screening discussion, the Region has considered each alternative's performance relative to whether it can meet the basic project purpose in light of costs, logistics, and existing technology, rather than whether it can perform best or better than other alternatives. Furthermore, we strongly recommend that in the FEIS, the Corps should eliminate the score and grade components of the criteria tables, and instead simply present, for each criterion, the performance information for each of the alternatives. This performance information is already contained in the criteria tables, so this change would be simple to implement and would result in a much clearer and more relevant depiction of information related to the practicability determinations.

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a. The Stoughton, Whittenton, and Rapid Bus Alternatives

As noted above, in order to be practicable, an alternative must be available and capable of being done. The DEIS does not identify any issues related to the availability of the Stoughton, Whittenton, and Rapid Bus Alternatives. The properties on which the alternatives would be built are all available by virtue of being either owned or obtainable by the Commonwealth.

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"Capable of being done" takes into consideration cost, existing technology, and logistics. The preamble to the Guidelines provides clarification on how cost is to be considered in the determination of practicability: "*Our intent is to consider those alternatives which are reasonable in terms of the overall scope/cost of the proposed project.*" Guidelines Preamble, "Alternatives", 45 Fed. Reg. 85335, 85339 (December 24, 1980). The preamble to the Guidelines also states that "[i]f an alleged alternative is unreasonably expensive to the applicant, the alternative is not 'practicable.'" *Id.* at 85343. The EPA and Corps 1993 Memorandum to the Field (cited in footnote 2 above) emphasizes that "... it is not a particular applicant's financial standing that is the primary consideration for determining practicability, but rather characteristics of the project and what constitutes a reasonable expense for these projects that are most relevant to practicability determinations."

The applicant's preferred alternatives -- Stoughton electric and diesel -- would cost \$1.88 billion and \$1.48 billion, respectively. DEIS at 1-8. We assume, for purposes of this comment letter, that the applicant has determined that the costs associated with the Stoughton alternatives are practicable; otherwise it would not have selected Stoughton to be its preferred alternative. The Whittenton electric and diesel alternatives, at \$1.81 billion and \$1.41 billion, respectively, would be slightly less expensive. *Id.* The Rapid Bus alternative would be the least expensive at \$812 million. *Id.* Thus, none of these alternatives should be rejected as impracticable on the basis of cost.

The DEIS does not identify either technological or logistical issues that would preclude any of these

five alternatives from being considered practicable. Therefore, the key question is whether any of them would fail to satisfy the basic project purpose.

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Considering the various evaluation criteria described in chapter 3 of the DEIS, the Region concludes that all five of the alternatives would satisfy the basic project purpose, i.e., would "more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts." ⁵ All of them would improve the quality of transit services over existing conditions; meet a substantial portion of ridership demand (ranging from 44% to 63%); and provide a "comparable or competitive travel time and improved reliability" compared to existing peak commuting conditions. *Id.* at 3-123, 3-124. In addition, while not required to satisfy the basic project purpose, all of the alternatives would provide a benefit of reduced vehicle miles traveled.

The DEIS identifies additional "sub-criteria" related to the practicability of the alternatives, using the same scoring approach described above. These sub-criteria are the cost per rider, construction schedule, and on-time performance. None of the information presented related to these criteria demonstrates that any of the five alternatives (Stoughton, Whittenton, and Rapid Bus), would fail to meet the basic project purpose.

The DEIS states that the Rapid Bus Alternative would be the least cost-effective alternative, based on the balance of capital and maintenance costs of the service to the benefit of the service (expressed as the number of riders projected to use the system). *Id.* at 3-130. We have several comments about this criterion. First, the DEIS states that the cost/benefit metric, expressed as cost per rider, includes the cost of environmental mitigation. However, an environmental mitigation plan has not yet been developed, and in the Region's opinion the cost of mitigating the impacts to the aquatic environment from the rail alternatives would be substantially higher than the cost associated with mitigating the impacts to the aquatic environment from the Rapid Bus Alternative (see discussion in Section VI, below). Therefore, we believe that the cost per rider figures portrayed in Table 3.3-11 (DEIS at 3-131) are incomplete and inaccurate. We expect that including the likely mitigation costs would bring the cost per rider figures closer together. In addition, even if there is a substantial disparity in cost per rider, that does not render the Rapid Bus Alternative impracticable or unable to meet the basic project purpose. From an overall cost standpoint (which is how practicability is evaluated), it is the least expensive alternative, and it would, notwithstanding the cost per rider, meet a substantial portion of ridership demand (44%), thus "more fully meet[ing] existing and future demand for public transportation...." Furthermore, we note that the cost per rider estimate for Rapid Bus was approximately \$32 in a Cost Effectiveness Comparison distributed at an Interagency Coordinating Group meeting in 2009, as compared with the nearly \$100 estimate included in the DEIS. The FEIS should explain why the cost per rider estimate for Rapid Bus increased by over 3-fold between these two documents, as compared with the other alternatives for which the cost estimate changed little, if any.

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⁵ We do not necessarily agree that every criterion evaluated in the DEIS is essential to the determination of whether an alternative would be practicable and satisfy the basic project purpose. For the purpose of this comment letter, we have nonetheless considered the information provided for each criterion.

The DEIS also evaluates whether the alternatives would improve regional mobility. As discussed above, the Corps identified the “overall” project purpose to be “to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts to enhance regional mobility.” This is the same as the basic project purpose with the addition of the clause “to enhance regional mobility.” While the Region does not agree with the Corps’ distinction between “basic project purpose” and “overall project purpose” from the standpoint of the alternatives analysis, in this particular case we do not believe there is a meaningful difference between the two. That is, more fully meeting the demand for public transportation between Fall River/New Bedford and Boston will, by definition, enhance regional mobility.

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In evaluating regional mobility, the DEIS considered both the connectivity between Fall River/ New Bedford and Boston, and interregional connectivity. All of the alternatives clearly enhance mobility between Fall River /New Bedford and Boston.

The Region believes that the goal of improving interregional connectivity, similar to MassDOT’s goal of supporting smart growth planning and development strategies in the affected communities, is properly viewed as a desirable benefit of the project rather than a fundamental aspect of the basic project purpose (or even the “overall” project purpose as described by the Corps). In other words, the absence of improved interregional mobility would not be a proper basis for concluding that an alternative fails to meet the basic project purpose. Nonetheless, we note that all of the alternatives do improve interregional connectivity to some extent, although the rail alternatives would be much more effective in this regard than the Rapid Bus Alternative. We also note that MassDOT envisions a feeder bus service to train stations “to connect the urbanized communities in the study area to the South Coast stations.” DEIS at 1-17. This feeder bus network would provide enhanced bus service from the communities to the train stations to provide an alternative to driving to stations. *Id.* The FEIS should evaluate whether an expansion of the local bus network as an adjunct to the Rapid Bus Alternative would further enhance interregional connectivity.

We recognize that the Rapid Bus Alternative does not perform as well as the rail alternatives for some criteria. We also believe that there may be additional steps that could be taken that would result in better performance of this alternative. We recommend that the FEIS evaluate the following issues related to the Rapid Bus Alternative:

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* Performance: We note that travel speeds for the Rapid Bus service are based on the posted speed of the adjacent travel lanes. The FEIS should discuss areas like Route 24 where the bus will operate in its own designated lane and whether the bus route can be designed to be operated safely at higher speeds to reduce overall travel times for this alternative.

* Congestion: The FEIS should describe solutions that could be implemented to address congestion that the bus service will face as it enters the mixed traffic portion of its route along the Southeast Expressway. Improvements to address congestion issues will benefit the Rapid Bus Alternative as well as the general commuting public utilizing shared portions of the proposed travel corridor.

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* **Ridership:** Ridership on the Rapid Bus Alternative suffers due to a number of issues described in a May 2010 Central Transportation Planning Staff memo in DEIS Appendix 4.1-J (page 10). That memo reads in part, "There are five major factors contributing to why the rapid bus alternatives produces lower performance measures, than the commuter rail alternatives. These factors are:

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- Run times are longer to South Station, with the exception of bus only versus Whittenton Diesel, in which the rail alternative is three minutes slower than the Rapid Bus Alternative.
- The commuter rail alternatives serve several more stations
- Lack of connectivity with the Orange Line Station
- Transfer times between the rapid bus and the rapid transit lines are a little longer than with the commuter rail lines
- Fewer new stations being provided in areas of proposed growth
- Lack of intra-regional connectivity / no intermediate stations

Together these factors produce between 52% and 65% of the daily boardings and 35% to 50% of the auto diversions that, for instance, the Stoughton Diesel rail alternatives produce."

The FEIS should make it clear whether any one change, or combination of changes, to the Rapid Bus Alternative would result in a meaningful change in ridership. In particular, the FEIS should explore what it would take to provide a connection between the proposed Rapid Bus service and the MBTA's Orange Line and what effect additional stations in areas of proposed growth could have on ridership.

* **Rapid Bus Equipment:** The DEIS at Page 3-110 indicates that buses "could" feature amenities. Based upon comments made by MassDOT representatives and its consultants throughout the process leading up to the DEIS, it has been our understanding that the buses "would" be "state of the art" with comfortable seating and wifi, etc., to attract ridership and give high quality service. We believe that the FEIS should be revised to reflect previous verbal commitments by the Commonwealth to provide this level of service for the Rapid Bus.

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b. The Attleboro Alternatives

EPA is persuaded, based on the information in the DEIS, that the Attleboro Alternatives would fail to meet the basic project purpose due to an interlocking set of confounding performance/logistical issues which characterize this alignment alone.

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As background, transportation modeling underlying the DEIS indicates that the limiting condition for all rail scenarios is the terminal throat interlocking capacity and terminal approach capacity at South Station. DEIS, Appendix 3.2-A (Systra Consulting, Inc., A Draft Network Simulation Analysis, August 2009) at 14. When capacity is reached and exceeded by train volume, congestion

in the terminal throat causes late arrivals. These in turn further exacerbate the problem of expeditiously clearing or loading platform tracks. The Northeast Corridor (“NEC”) is another potential capacity bottleneck. DEIS at 3-133; Appendix 3.2-B (Systra Consulting, Inc., Technical Memorandum, Analysis of South Coast Rail Attleboro Alternative PM Peak Period, Using Back Bay as Northerly Terminal (Tower I and South Station Effects Removed), October 29, 2009). The NEC is an active rail line running between New York and South Station in Boston. From Attleboro to Boston, the corridor experiences heavy use, including Amtrak Regional and Acela service, MBTA commuter rail service, and freight rail service. The Attleboro Alternatives would provide commuter rail service to South Station using the Northeast Corridor, proposed Attleboro Bypass, Attleboro Secondary, New Bedford Main Line and Fall River Secondary.

The Attleboro Alternatives suffer from the combination of severe logistical issues. First, they would cause overwhelming congestion in the Tower 1 terminal interlocking throat at South Station. This issue is distinct for the Attleboro Alternatives, because they would entail the introduction of new trains to the system, rather than extensions of existing trains as under the Stoughton and Whittenton Alternatives. As a result, they fail, under any modeled scenario (even at substantially reduced train volumes), to achieve the MBTA on-time standard in the morning peak and fare even worse in the evening peak. The overall on-time performance for the diesel alternative would be less than 50%, and the electric alternative would be on time only slightly more than 50%. DEIS at 3-132. Additionally, the Attleboro Alternatives would cause or compound on-time performance issues throughout the regional south side transportation system, including Worcester, Franklin, Needham, and Providence Lines.

To determine whether the performance of the Attleboro Alternatives could be improved independent of the South Station capacity issue, the DEIS evaluated a modeled scenario that effectively removed the South Station constraint by terminating rail service at Back Bay Station. This scenario revealed that the NEC by itself acts as a bottleneck with respect to the Attleboro Alternatives. Irrespective of South Station constraints, the NEC north of the Readville Station lacks adequate capacity to support increased train volumes associated with the Attleboro Alternatives. An Attleboro-to-Back Bay scenario would still operate with unacceptable on-time performance, while negatively impacting the on-time performance of four other south side commuter rail lines. For example, on time performance for AM peak period trains for the electric Attleboro alternative would be 84.6%—meaning that that 15.4% of the northbound commuter rail trains serving the Needham, Franklin, Providence and Stoughton lines would arrive late every morning—and 64.1% for the PM peak. DEIS, Appendix 3.2-B, Memorandum of MassDOT to Army Corps on South Station Planning and South Coast Rail (May 5, 2010), at 6. While this is an improvement over the Attleboro-to-South Station alternatives, it falls below the MBTA service policy and is well short of the performance of the No-Build scenario. DEIS, Appendix 3.2-B (Systra Consulting, Inc., Technical Memorandum, Analysis of South Coast Rail Attleboro Alternative PM Peak Period, Using Back Bay as Northerly Terminal (Tower I and South Station Effects Removed), October 29, 2009), at 3. Thus, the DEIS indicates that even after assuming away the South Station choke point, the Attleboro Alternatives

still result in major cascading problems on the NEC.⁶

To break the NEC bottleneck and ensure that the Attleboro Alternatives would have an acceptable on-time performance, the DEIS concluded that a fourth track would need to be constructed alongside the NEC. The additional fourth track would begin near Readville Station; extend through Forest Hills Station and Ruggles Station/Massachusetts Avenue; and terminate at Back Bay Station. As explained by the DEIS, this potential fix would itself raise an array of issues sufficiently significant and complex to render it logistically impracticable. It is estimated that it would take between 10 to 12 years to construct the fourth track, with a cost of an additional \$2.48 billion. Among other things, the project would require placing the Orange Line in an approximately 2-mile tunnel from Ruggles Station through Back Bay (with the 1.4-mile stretch from Ruggles Station to Massachusetts Avenue requiring new construction); rehab and replacement of almost one mile of existing subway tunnel to accommodate commuter rail trains; shuttle service, at an estimated cost of \$281,000,000, to continue servicing the riders of the Orange Line during construction of the connections to the tunnel; major renovation (defined as reconstruction of headhouses, vertical circulation, and platforms) of six stations; acquisition of nine residential, commercial, or state properties; and significant property impacts due to construction or operation of the fourth track, including to Southwest Corridor Park, a 4.7 mile, 52-acre linear park stretching from Forest Hills Station to Back Bay Station that is owned and maintained by the Massachusetts Department of Conservation and Recreation. Permanent impacts to Southwest Corridor Park would result from the loss of 2.85 acres of parkland, and temporary impacts would include the loss of 8.54 acres of parkland throughout construction.

The Region believes that the DEIS demonstrates that the Attleboro Alternatives would not be practicable alternatives to meet the basic project purpose because they would offer very untimely service even at comparatively infrequent intervals, combined with the fact that they are predicted to compromise, rather than enhance, the existing public transportation infrastructure. Moreover, the only way to remedy these deficiencies is to construct a fourth track, which itself has serious flaws that render it impracticable, including an additional cost that would more than double the overall cost to greater than \$4 billion; a significantly longer (4-5 years vs. 10-12 years) construction schedule; lengthy and substantial disruptions to the existing Orange Line commuter services and an important inner city park that runs through environmental justice communities; and a wide-ranging, complex subsurface construction project (with all its attendant uncertainties) in the center of Boston.⁷ For all of these reasons, EPA believes it is reasonable to dismiss the Attleboro Alternatives from further consideration.

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⁶ The Attleboro Alternatives would have a greater impact on the Northeast Corridor than the other alternatives for two main reasons. First, they would use a longer segment of the NEC corridor (29 miles for the Attleboro Alternative compared to 15 miles for the Stoughton Alternative and Whittenton variant). Second, they would entail new trains, not extensions of existing trains as under the Stoughton Alternatives and Whittenton variants, thereby requiring new operating slots on 29 miles of the already congested NEC.

⁷ We also note that the Federal Rail Administration has indicated to the Corps that it considers the fourth track alternative to be infeasible. *Id.* at 1-24.

c. Conclusion

In conclusion, the Region believes that, based on current information in the DEIS, the Stoughton, Whittenton, and Rapid Bus Alternatives are all practicable and would meet the basic project purpose. We also believe that further evaluation of issues associated with the Rapid Bus Alternative should be conducted to determine the extent to which there could be improvements in that alternative's overall performance. Finally, we agree that the Attleboro Alternatives are not practicable alternatives and need not be considered further.

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V. ADVERSE ENVIRONMENTAL IMPACTS

According to the DEIS, the construction of the Rapid Bus and Rail Alternatives would have substantial adverse impacts to aquatic resources and wetland dependent wildlife. See DEIS sections 4.16.3.1 – 4.16.3.5.

DEIS section 4.16.3.2 describes the methodology used to evaluate direct adverse impacts and explains that “[e]ach alternative corridor was assessed for the presence of wetland resources within and adjacent to the right-of-way, and the impacts associated with them. For purposes of this evaluation, wetlands within 100 feet of the right-of-way are considered to be adjacent.” In footnote 1 for Table 4.16-38 on page 4.16-56, the DEIS further explains that the 100 foot distance was measured from the centerline of each corridor. The Region believes that the 100 feet should have been measured from the edge of clearing for the corridor right-of-way for a more accurate inventory of aquatic resources and a better evaluation of adverse impacts.⁸

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With respect to vernal pools, on page 4.14-16, the DEIS states that, “[p]otential vernal pools do not receive protection under the Massachusetts Wetland Protection Act Regulations, *or under any other state or federal wetlands protection laws*” (emphasis added). This statement is inaccurate, as pools that do not meet state certification criteria may still be subject to federal jurisdiction and regulated under the CWA. Also, it appears that for the purposes of the alternatives analysis and impact evaluation, only those vernal pools within 100 feet of the centerline for an alternative were evaluated. Although the Region recognizes that time constraints and resource limitations make it challenging, it should be recognized that in order to properly assess the impacts of each alternative upon vernal pool resources, all pools (whether certified or potential) within at least 300 feet of the limit of disturbance (not the centerline) should be identified and evaluated.⁹ Existing literature, especially Calhoun and deMaynadier (2008) and Klemens and Calhoun (2002)¹⁰, suggest that

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⁸ The Region made this point at a meeting of the Wetlands Working Group. See meeting summary of April 16, 2009.

⁹ This wider zone for identification and evaluation of vernal pool impacts would only apply to portions of the alternatives corridors that are not currently bordered by development or other intensive land uses.

¹⁰ Calhoun, A.J.K. and P.G. deMaynadier (editors). 2008. Science and Conservation of Vernal Pools in Northeastern North America. CRC Press, Boca Raton, FL.

Calhoun, A.J.K. and M.W. Klemens. 2002. Best development practices: conserving pool-breeding amphibians in

distances up to 750 feet may be relevant in some landscapes. For the situation here, 300 feet (see footnote 6) is clearly reasonable.¹¹ Field work in 2008 and 2009 identified several pools which had not previously been identified, and certified several pools previously classified as potential using state guidelines. It would be helpful for the FEIS to include a description of the methodology that was used for locating and documenting vernal pools in the field in order to better understand the possibility that additional pools may have been missed.

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Sections 4.16.3.3 – 4.16.3.5 present quantifications of impacts to aquatic resources according to both state and federal laws. The quantifications are confusing. Except for the explanation on page 4.16-61 that equates the Commonwealth's bordering vegetated wetlands category with wetlands under Clean Water Act section 404, little else is clear. For instance, in Table 4.16-57, it is unclear if the Commonwealth's category of bordering land subject to flooding (BLSF) also would be jurisdictional, either in whole or in part, under CWA section 404. The FEIS needs to clearly present impact acreage and characterizations separately according to Massachusetts law, then for the federal Clean Water Act.

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As explained above under Section IV, the Region believes that the information describing the logistical challenges for constructing and operating the Attleboro Alternatives (electric and diesel) renders them impracticable. Therefore, we do not address adverse impacts for the Attleboro Alternatives, concentrating instead on the Rapid Bus, Whittenton, and Stoughton Alternatives.

A. Water Quality Impacts (Section 230.10(b))

The DEIS, particularly Section 4.17 (Water Resources), presents an adequate evaluation of water quality impacts that could result from construction and operation of the Rapid Bus, Stoughton and Whittenton Alternatives. The discussion and conclusions are sound. However, the Region recommends that MassDOT confirm the classifications identified for the water bodies described in section 4.17.2.2 with the Massachusetts Department of Environmental Protection ("MassDEP"). For example, we believe that MassDEP considers the Assonet River to be Class SA, not Class B. Water quality classifications can be a confusing area because some water bodies change names as they flow through different towns. Though this will likely not change the conclusions drawn on the impacts to water resources, addressing this point in the FEIS would ensure an accurate assessment of water quality impacts.

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B. Significance of Impacts (Section 230.10(c))

1. Direct Impacts

a. Rapid Bus

residential and commercial developments in the northeastern U.S. MCA Technical Paper No. 5. Metropolitan Conservation Alliance, Wildlife Conservation Society, Bronx, NY.

¹¹ See footnote 8.

As shown in Table 4.16-57 of the DEIS (page 4.16-97), the Rapid Bus Alternative would result in approximately 21.5 acres of wetlands being directly filled. In addition, approximately 2.1 acres of vernal pools would be filled, bringing the total acreage for direct filling to wetlands and other waters of the U.S. to approximately 23.6 acres. This alternative would require modifications to 13 existing stream crossings. In addition to permanent impacts, there would be approximately 8.7 acres of temporary direct impacts to wetlands, 1.4 acres of temporary direct impact to vernal pools, and temporary alteration of 1,120 linear feet of "bank."¹² The filling would result from numerous, mostly small fills along both sides of the widened and improved roadways. A few larger fills would occur within the medians of Interstate 93 and State Route 24, and within the confines of existing interchanges along State Route 24.

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While the acreage for both wetlands filled and total waters filled would be greatest under this alternative, the Region believes that the severity of the impact upon the affected wetlands and waters would be less than that associated with the Stoughton and Whittenton alternatives. The existing roadways that would be widened and upgraded are heavily used roadways along mostly developed corridors where the adjoining wetlands and waters are, in numerous locations, already degraded. The small, incremental filling of wetlands and other waters along those existing roadways that would occur at numerous locations would have mostly minor to moderate adverse impacts to those aquatic resources. Some water quality maintenance functions would be affected, as would small amounts of wildlife habitat. As described in section 4.15.3.3, the Rapid Bus Alternative would have the fewest adverse impacts upon rare wetland dependent wildlife species. Individually and cumulatively, the Region would not be seriously concerned about these impacts. Still, these adverse impacts would require some degree of compensatory mitigation to address their harmful effects.

L-068.51

b. Stoughton and Whittenton

As shown in Table 4.16-57 of the DEIS (page 4.16-97), the Stoughton Alternative (diesel or electric) would fill approximately 11.9 acres of wetlands and 1.7 acres of Outstanding Resource Waters, for a total of 13.6 acres of direct wetland fill. This total does not include an uncalculated amount of fill in wetlands identified as "Other Federal" but not quantified (see Tables 4.16-3 to 4.16-7 and 4.16-18 to 4.16-22). Approximately 68% (8.1 acres) of the impacts to wetlands would occur to forested wetlands. In addition to the permanent impacts there would be 12.6 acres of temporary direct impact to wetlands and 2.6 acres of temporary direct impact to vernal pools. There are 132 stream crossings (68 in the Southern Triangle); 34 of the affected streams are perennial. It is unclear whether impacts or modifications would occur to all of these crossings, as the DEIS states that exact impacts will be calculated during the final design process once a LEDPA is determined. This alternative also would alter approximately 3,480 linear feet of "bank, plus an additional 1,216 linear feet of temporary impacts to bank." *Id.*

L-068.52

¹² As explained more generally immediately above, it is unclear what portion of this figure represents areas that would come under the jurisdiction of CWA section 404, or whether this portion is represented by another category of resource impact. Again, the FEIS needs to explicitly and separately clarify jurisdictional waters of the U.S.

As shown in Table 4.16-57 of the DEIS (page 4.16-97), the Whittenton Alternative (diesel or electric) would fill approximately 10.3 acres of wetlands and about 1 acre of Outstanding Resource Waters, for a total of approximately 11.3 acres of direct wetland fill. This total does not include an uncalculated amount of fill in wetlands identified as "Other Federal" but not quantified (see Tables 4.16-3 to 4.16-7). Approximately 66% (6.9 acres) of direct fill would occur in forested wetlands. In addition to the permanent impacts there would be 10.4 acres of temporary direct impact to wetlands and 1.3 acres of temporary direct impact to vernal pools. The number of stream crossings is unspecified, but there would be at least 68 within the Southern Triangle. This alternative also would alter the same approximately 3,480 linear feet of bank, plus 1,216 feet of temporary bank impact as the Stoughton Alternative. *Id.*

L-068.53

Both the Stoughton and the Whittenton corridors would pass through the Hockomock Swamp, which represents one of the few remaining bioreserves in southern New England that provide enough contiguous habitat to support area sensitive wildlife in a safe and stable condition. EPA designated the Hockomock Swamp as a Priority Wetland based on its high quality characteristics (including wildlife habitat value) and vulnerability to environmental degradation in September, 1987. The Commonwealth designated it an Area of Critical Environmental Concern ("ACEC") in 1990. The designation document states "The Hockomock Swamp clearly is unique in all of Massachusetts. It is the largest vegetated freshwater wetland in Massachusetts. Its significance is enhanced by the fact that so many resource features are present in this area - wetlands, floodplains, rivers and streams, lakes and ponds, extensive wildlife and rare and endangered species and natural areas, regional aquifers, farmlands, historic and archaeological resources, and scenic views and landscapes. The uniqueness of the habitat of the Hockomock area cannot be overstated."¹³ In addition, the Stoughton corridor would pass through the ecologically significant Pine Swamp, which is an Atlantic White Cedar wetland that supports a state-listed butterfly. The direct permanent and temporary adverse impacts to these important aquatic resources and to other wetlands and streams in the corridor, would, in the Region's view, be substantial and more severe than those associated with the Rapid Bus Alternative.

2. Secondary Impacts

a. Aquatic Resources

Secondary impacts are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. The DEIS (page 4.16-63) correctly defines secondary impacts and provides an accurate generic discussion of the types of secondary impacts that must be considered. The DEIS explains that along existing active rail lines (e.g., the Fall River Secondary), secondary impacts would likely be "negligible" because "reconstruction of the right-of-way ... would not result in additional fragmentation of aquatic habitat because the existing embankment would be re-used and existing culverts and bridges would be replaced in-kind." Generally, the Region agrees and is less concerned about secondary adverse impacts to adjoining wetlands and water bodies where there are existing,

¹³ http://www.mass.gov/dcr/stewardship/acec/acecs/designations/hock_des.pdf, at 7-8.

active rails lines. In contrast, the Region is greatly concerned about secondary adverse impacts to aquatic resources along those portions of the Stoughton and Wittenton corridors where no embankment exists or where a narrow embankment has been abandoned for decades and the forest canopy now is mostly unbroken. Section 4.14 on Biodiversity, Wildlife and Vegetation, presents a thorough description and reasonable evaluation of secondary adverse impacts upon aquatic resources and wetland dependent wildlife. Still, we believe that the evaluation is lacking adequate detail in a few areas, as explained below.

L-068.54

Along portions of the rail corridors where we are more concerned, examples of secondary impacts that may result from this project include downstream changes in hydrology and water quality, decreased primary productivity due to removal of vegetation, and habitat fragmentation and degradation. Degradation of habitat specifically refers to a decrease in the health or ecological integrity of the existing habitat. Edge effect can be viewed as a reduction in habitat integrity at the boundary of a transportation corridor caused by construction disturbance, vegetation clearing, storm water runoff, or other degrading factors that extend into the natural habitat. For example, the DEIS explains that, “[i]n locations where single track sections are proposed (much of the Southern Triangle, sections of the Stoughton Line and along the Whittenton Branch), the canopy gap will vary between approximately 40 to 80 feet in width. In locations where double track sections are proposed, the canopy gap will vary between 60 to 100 feet in width.” Page 4.16-80 of the DEIS notes that “[c]anopy clearing would be required along the right-of-way where the elevated trestle would be located within the Hockomock Swamp to accommodate additional height requirements associated with the trestle. Canopy clearing generally occurs within upland forest, though portions would occur in wetland resources. Canopy clearing would not result in additional impacts to wetland resources as this work would occur in uplands.” We disagree with this assessment of the potential for additional impacts. In forested wetlands with a closed or nearly closed canopy, e.g., substantial portions of the Stoughton alignment through the Hockomock Swamp, even an opening of 40 feet could set in motion serious immediate and longer term secondary adverse impacts to adjoining wetlands and wetland dependent wildlife. The FEIS should provide a more thorough and specific evaluation of the potential for adverse impacts from canopy clearing, especially across the Hockomock Swamp.

Several types of environmental harm would result from the construction and operation of the Stoughton or Whittenton Alternatives. Outright loss of between approximately 10 – 12 acres of wetland habitat would occur. Adjacent aquatic and wetland habitats would be damaged by sedimentation during construction. Even with standard erosion and sediment control measures, decades of experience with these types of projects shows that it is common that physical barriers/controls are not maintained as well as they should be and damage to adjoining aquatic resources occurs. In addition, and especially in forested and shrub wetlands, loss of canopy cover would increase surface and water temperatures and alter light penetration into adjoining areas. Surface water circulation and flow patterns could be altered, possibly drying out some wetlands or making others wetter, both of which would result in substantial changes to plant and wildlife communities. Interruption and/or other decreases of the nutrient production and export functioning of some of these wetland systems to be filled or affected could occur, damaging downstream aquatic

L-068.55

communities. All of these adverse impacts would contribute to fragmentation effects that would be caused by both these rail alternatives, and lead to an overall decrease in the productivity and functioning of the affected aquatic systems. The nature, extent, permanence, and severity of these types of secondary impacts need to be more fully evaluated in the FEIS. L-068.55

With respect to methods employed to evaluate secondary impacts, on page 4.14-20, the DEIS explains that only vernal pools located within 100 feet of the centerline for an alternative were analyzed. For the Stoughton Electric Alternative, Table 4.14-13 shows that 91 vernal pools would be adversely affected by direct and secondary impacts. For the Whittenton Electric Alternative, Table 4.14-16 shows that 68 vernal pools would be adversely affected by direct and secondary impacts. However, and as explained above, that 100 foot distance is inadequate to properly assess secondary adverse impacts. It is likely that additional pools that would be affected by secondary adverse impacts from construction and operation of the Stoughton and Whittenton Alternatives were not included in the evaluation. For example, on page 4.14-36, the DEIS explains that for the Stoughton Alternative, “[t]here are several other clusters of vernal pools near the Stoughton Line, located outside of the 100-foot buffer, including a cluster of certified and potential vernal pools south of the North Easton station site; a cluster of certified vernal pools in Easton, between Foundry Street and the utility corridor; a cluster of potential vernal pools north of Bridge Street in Raynham; and a cluster of potential vernal pools south of Pine Swamp in Raynham and Taunton. Vernal pools in the Hockomock Swamp found between Foundry Street and Raynham Park also support a large population of spotted turtles (*Clemmys guttata*), no longer a state-listed species but still an important biodiversity concern.” Impacts to these additional pools should be factored into the analysis to enable a thorough evaluation of each alternative so that the alternative that would be least damaging to aquatic resources can be identified.¹⁴ L-068.56

b. CAPS analysis

Section 4.14 of the DEIS provides a comprehensive overview of biodiversity within the project study area. It also provides a useful discussion of several of the types of secondary impacts that can adversely affect biodiversity, i.e., fish and wildlife communities and plant communities. Beginning on page 4.14-68, the DEIS discusses the University of Massachusetts’ Conservation Assessment and Prioritization System (CAPS) model, which was used to assess both direct and secondary adverse impacts upon biodiversity for the Rapid Bus and each of the rail alternatives. As a landscape level approach for evaluating broad changes (i.e., secondary impacts) in biodiversity, the CAPS analysis is helpful for understanding longer-term biodiversity shifts that may occur.

On the other hand, we note that the CAPS model does not appear to be particularly useful when focusing on specific ground level features at a narrower scale. In the Summary Notes of Meeting for the South Coast Rail Wetlands Working Group from its April 16, 2009 meeting, the group discussed wetlands functional evaluation methods and the CAPS model specifically as a wildlife (or biodiversity) assessment method. A representative of Louis Berger, the Corps’ consultant, cautioned that CAPS has its limitation. He noted that functional assessment tools need to account L-068.57

¹⁴ The same approach might also identify additional vernal pools along the Rapid Bus corridor that could be affected.

appropriately for incremental fills along existing corridors to avoid exaggerating factors such as fringe impacts, and to attribute higher value to affected wetlands as a unit. Whereas the CAPS model may better accomplish the second point with respect to treating wetlands as a unit or system, it does not appear to be sensitive enough to accurately evaluate incremental fills or particular ground features in specific locations. For example, the CAPS model results show no loss of Ecological Integrity Units (EIUs) for the Rapid Bus Alternative because, as the DEIS explains on page 4.14-99, “roadway geometry and other area changes associated with the Rapid Bus Alternative fall below the resolution of the CAPS model which operates at a landscape level of scale.” Further, Table 4.14-23 Loss of Index of Ecological Integrity Units, summarizes the CAPS model results for the four rail alternatives and the Rapid Bus. The results show a difference of 7.2 EIUs lost between the Stoughton Alternative with a trestle and without (456.9 IEUs v. 464.1 EIUs, respectively), which is surprisingly small. The difference for the Whittenton Alternative is the same. At several meetings of the Wetlands Working Group, it was widely agreed that a trestle was substantially advantageous for reducing adverse impacts to wildlife, especially to address the barrier effect of a solid fill rail bed. If relying on the CAPS model results, one would be hard pressed to reach the same conclusion. Finally, the CAPS model does not assess watershed level impacts and changes to, among other wetland functions, hydrologic flow (other than connectivity), nutrient production and export, or nutrient removal/retention/transformation.

L-068.57

Our point is that the CAPS results are helpful when considering broad landscape level biodiversity changes to the South Coast Rail project study area with an operating rail line and without, but are not especially useful in distinguishing adverse impacts among particular rail alternatives to inform a determination of the alternative that is least damaging to aquatic resources. We recommend that the FEIS clarify the relevance and importance of the CAPS model results.

3. Significance of Impacts

As explained above, the Region seeks a variety of additional information about the extent, nature, and severity of direct and secondary adverse impacts to aquatic resources within the Stoughton and Whittenton rail corridors. Until we have evaluated that additional information, in combination with the information provided in chapter 5 of the DEIS (related to the cumulative effects on the aquatic ecosystem stemming from induced growth), we cannot reach conclusions regarding the significance of those adverse impacts and whether those alternatives could comply with section 230.10(c) of the section 404(b)(1) Guidelines.

L-068.58

VI. MINIMIZATION MEASURES AND COMPENSATORY MITIGATION

For a permit application to comply with § 230.10(d) of the 404(b)(1) Guidelines, the proposal must include all appropriate and practicable steps to compensate for unavoidable impacts. Furthermore, where the adverse impacts from an alternative would cause or contribute to significant degradation of waters of the U.S., the compensatory mitigation plan must first prevent or offset the environmental damage to an extent sufficient to comply with § 230.10(c) of the Guidelines (i.e., the

net impacts must no longer be significant). Whether a mitigation plan succeeds in sufficiently reducing significant impacts normally depends upon the extent to which it replaces or offsets the harm to the aquatic environment from the project. In this case, the types of aquatic resources most severely damaged by direct and secondary impacts would be forested and shrub wetlands, and vernal pools. It is technically difficult to restore or create these habitats successfully, let alone replicate the juxtaposition of habitats that results in the high biodiversity of large portions of the project study area. Furthermore, there are myriad risks inherent in wetland restoration and especially creation that make these already difficult ventures more perilous. Among others, these risks include mistakes in project site analysis and engineering design; imperfect project implementation; and unforeseen natural events such as drought or severe storms. For example, the hydrology of forested and shrub wetlands is quite complex and difficult to duplicate. It would take at least several years to be able to make an initial judgment about whether an attempt to restore or create a forested wetland is successful; to establish a fully functioning system could require more than a decade. Moreover, we know of few instances of well-documented, persistent, and fully established forested wetland creation.

1. Minimization Measures

a. Culvert Crossings

On page 4.16-60 of the DEIS, it notes that “[t]o the extent practicable, new or replaced culverts would be designed to comply with the Massachusetts Stream Crossing Standards. Where the stream crossing standards could not be met, stream crossings would be improved to the greatest extent practicable.” The DEIS notes on page 4.14-72 that the design of each culvert will be evaluated during the final design process to assess the potential effects on hydrology, stream flow, and fisheries. The Region supports these improvements to culverts for all stream crossings, regardless of the alternative selected.

L-068.59

On page 4.16-70 of the DEIS, it notes that “reconstruction of the right-of-way associated with the New Bedford Main Line would not result in additional fragmentation of aquatic habitat because the existing embankment would be re-used and existing culverts and bridges would be replaced in-kind, subject to consideration of the need not to compromise wetland hydrology.” We strongly recommend that, when considering any stream crossings where concerns arise about adverse impacts to up- or down-gradient wetland hydrology, the FEIS specifically provide that MassDOT will, whenever practicable, utilize culvert designs that maintain hydrologic flows and improve wildlife movements across the ROW. Possibilities include dry culverts for wildlife passage, or constructing culverts with grade control devices at inlets.

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b. Wildlife Passage

Page 4.14-98 of the DEIS explains the use of “turtle gates” as a construction period mitigation measure that may be used to allow small vertebrates to cross the right-of-way during critical breeding periods. In addition to the temporary use of turtle gates during construction, under-rail

L-068.61

troughs and other permanent features such as the “critter crossings” constructed on the MBTA Greenbush line should be fully considered where appropriate and practicable along the right-of-way. This feature is discussed on page 4.14-109 of the DEIS as a potential measure to minimize the direct and secondary impacts on biodiversity. Page 4.14-110 of DEIS explains that the wildlife crossings constructed along the MBTA Greenbush Line have been shown to be used by numerous wildlife species, reducing the barrier effect of the rail. The FEIS should include more detailed information about potential locations for and design of wildlife crossings for all the alternatives.

L-068.61

c. Trestle

On page 3-66 and 3-67, the DEIS describes features of the Stoughton Alternative, including that “[a] trestle section is proposed in Easton and Raynham to minimize environmental impacts to the Hockomock Swamp Area of Critical Environmental Concern.” Elsewhere in the DEIS, it explains that the proposed trestle would be 8,500 feet long. Though the descriptions in the DEIS appear to include the trestle as a standard feature for the Stoughton Alternative, the FEIS should be explicit that the trestle is the only way the Stoughton (or Whittenton) Alternative would be considered and constructed. Furthermore, and again for the Stoughton Alternative, the Region believes that the FEIS should also include an evaluation of installing a trestle for the Pine Swamp crossing for the same reasons that the trestle is incorporated into the Hockomock Swamp crossing.

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On a related point, we did not see the issue of trestle maintenance and emergency access addressed within the DEIS. The FEIS should describe how maintenance and emergency access will be accomplished along the 1.6 mile long Hockomock Swamp trestle crossing, especially if additional filling would be needed to construct a permanent or temporary access road.

L-068.63

2. Compensatory Mitigation

On page 4.16-104 of the DEIS, the section on Mitigation Goals and Objectives states that, “[t]he quantity of estimated permanent impacts and the associated proposed mitigation goals that have been identified are presumed to be an overestimation attributed to the methodology used to perform wetland delineation along the alternatives ... It is expected that wetland impacts and the associated mitigation area requirements would decrease following field delineation.” The Region is less sanguine in this respect. While some aquatic resources may have been overestimated, it is likely that others have been missed or underestimated.

L-068.64

In section 4.16.3.6, the DEIS describes federal and state requirements for compensatory mitigation, as well as a conceptual framework and approach for how MassDOT will develop a compensation plan once the LEDPA is determined. We generally agree with these descriptions.

L-068.65

However, it is premature to apply compensatory mitigation ratios and produce compensation requirements, as shown in Tables 4.16-60 through 4.16-65 for the rail and Rapid Bus Alternatives. As explained elsewhere in this Attachment, several issues remain to be addressed regarding the extent and nature of both direct and secondary adverse impacts and, more importantly, the severity

of those impacts. That additional information on adverse impacts will bear directly on not only the appropriate mitigation ratios, but also whether the extent, types and severity of adverse impacts from the alternatives, rail in particular, can be adequately compensated. L-068.65

In that vein, on pages 4.16-107 and 4.16-111, the DEIS notes that, “[t]he majority of all impacts would occur in areas of deciduous wooded swamp wetlands.” In addition, on page 4.16-106, the DEIS notes that, “[d]ue to the scale of this project, and the limited availability of restoration opportunities in eastern Massachusetts, it is likely that [compensatory] mitigation would be characterized as creation.” In light of the cautions we stress above regarding the risks and unproven record regarding wetland creation in general and forest wetland creation in particular, we believe that it will be especially challenging for MassDOT to develop an adequate compensation plan. L-068.66

VIII. CONCLUSION

In summary, the Region agrees that the Attleboro Alternatives are impracticable and can be dismissed from further consideration. We understand that in the context of the basic project purpose, the Rapid Bus would not perform as well as the rail alternatives and that the Stoughton Alternatives would perform best. Nevertheless, the Rapid Bus, Stoughton, and Whittenton Alternatives all meet the basic project purpose, albeit to varying degrees, and all remain practicable at this time.

Based on the information we have reviewed to date, it appears that the Rapid Bus Alternative would be less environmentally damaging to the aquatic ecosystem than the remaining rail alternatives. We also have requested an assortment of additional information regarding direct and secondary impacts for the Stoughton and Whittenton Alternatives, and the Region is unable to reach conclusions regarding adverse impacts for all the alternatives until we have evaluated that additional information.

With respect to adverse impacts, additional information regarding the presence and extent of aquatic resources is needed, as explained above. Further, again as explained above, additional evaluation of the scope, nature, and severity of direct and secondary adverse impacts needs to occur. Once that additional information is available and reviewed, the Region will be in a position to provide the Corps with its recommendation regarding the LEDPA.

Finally, and after the LEDPA is determined, substantive discussion can take place with respect to developing a comprehensive compensatory mitigation plan.

At this point, the Region has not reached a final conclusion with respect to compliance with the section 404(b)(1) Guidelines, due to the need for the additional information identified herein. L-068.67

Federal and State Elected Officials

Page	Name
1	State Representative Antonio Cabral
3	State Representative Geraldine Creedon, State Senator Brian Joyce, State Senator Thomas Kennedy and State Representative Angelo D'Emilia
4	State Representative William Galvin, State Senator Brian Joyce, and State Representative Louis Kafka
5	State Senator Brian Joyce
6	State Representative Robert Koczera
8	State Senator Mark Montigny
10	State Representative Shaunna O'Connell
11	State Representative Elizabeth Poirier
12	State Senator Michael Rodrigues
14	State Representative William Straus
16	U.S. Senator John Kerry, U.S. Representatives Barney Frank and James McGovern

From: Merante, Mark (HOU) [Mark.Merante@mahouse.gov]
Sent: Friday, May 27, 2011 4:45 PM
To: SCREIS, NAE; O'Shea, Aisling (ENV)
Cc: Antonio Cabral
Subject: South Coast Rail DEIR/DEIS Comments

May 25, 2011

Alan Anacheke-Nasemann
 Army Corps of Engineers
 696 Virginia Road
 Concord, MA 01742-2751
 VIA EMAIL: SCREIS@USACE.army.mil

Secretary Richard K. Sullivan, Jr., EOEEA
 attn.: MEPA Office (Aisling O'Shea)
 100 Cambridge Street, Suite 900
 Boston MA 02114
 VIA EMAIL: aisling.o'shea@state.ma.us

Re: South Coast Rail Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR)

Dear Sirs:

Thank you for the opportunity to comment on the United States Army Corps of Engineers' South Coast Rail DEIS/DEIR (the "Report"). As you know, this project is enormously important to my city, New Bedford, to all of southeastern Massachusetts and to our entire state's economic future.

As I understand it, the USACE's review of this project under 40 CFR Part 230 Section 404 and 33 CFR Part 320.4(a)(1) involves both an examination of the likely environmental impact of the project and a consideration of the project's purpose and need, described by the Massachusetts Department of Transportation in its application. I will leave to others qualified in environment science to comment on the Report's examination of the likely environmental impact and restrict my comments to the need for and public's interest in this project.

I approve of the Report's examination and agree with its findings. Southeastern Massachusetts has faced enormous challenges in recent years, as the economy in which its businesses and workers had operated rapidly evolved. As a result, New Bedford and Fall River continue to have some of the highest unemployment rates in New England. We retain excellent human and natural resources and local infrastructure but our economic growth has been severely constrained by our poor access to the engines of the new economy, centered in greater Boston. The overwhelming support for this project in the Southcoast and our sense of urgency that the project begin construction as soon as possible is a result of our confidence that we have all of the other necessary resources to achieve rapid economic growth, which would benefit both our region and our state, and to do so in a way that actually reduces our region's impact on the local and global environment.

E-061.01

Therefore, I want to urge you to proceed as quickly as possible to the issuance and adoption of a

E-061.02

Final EIS/EIR. I urge USACE to then move as quickly as possible to issue a Record of Decision and urge MEPA to move as quickly as possible issue a Certificate and Section 61 Finding for the project. As you know, even this initial environmental review process must be followed by further permitting and by the significant design work required for a project of this size and complexity. I cannot emphasize enough the immediate impact on Southeastern Massachusetts and the impact on the economy of our state overall, which the beginning of construction would have.

E-061.02

Thank you again for the opportunity to comment on the Report. If I can be of any assistance as you complete your review, please do not hesitate to ask.

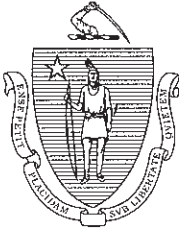
Sincerely,



ANTONIO F.D. CABRAL

State Representative, 13th Bristol District

Chairman, Committee on Bonding, State Assets and Capital Expenditures



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
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Committees:
House Ways and Means
Public Service
State Administration and Regulatory Oversight

April 12, 2011

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

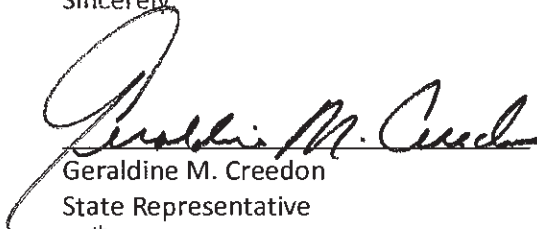
Dear Mr. Anacheke-Nasemann

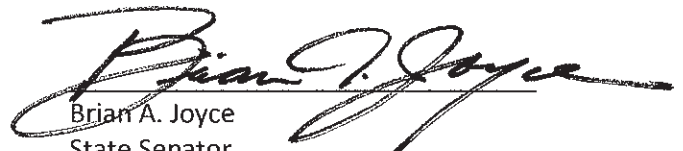
Several concerned constituents have contacted our offices regarding the amount of time allowed for comment on the DEIS (Draft Environmental Impact Statement) for the South Coast Rail project. Due to the complex nature of the recent report, we request that the comment period for this document be extended an additional 60 days. We believe that our constituents should have a fair opportunity to thoroughly review and consider their comments carefully, and the original 60 day timetable does not afford them that possibility. This extension is necessary so that this 2,500 page report may be properly reviewed and commented on by all interested parties.

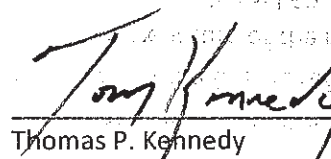
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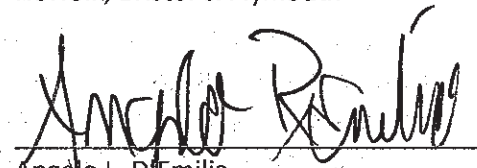
Thank you for your consideration.

Sincerely,

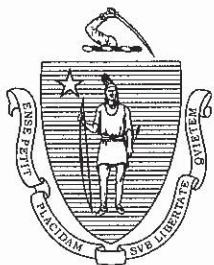

Geraldine M. Creedon
State Representative
11th Plymouth


Brian A. Joyce
State Senator
Norfolk, Bristol & Plymouth


Thomas P. Kennedy
State Senator
Second Plymouth & Bristol


Angelo L. D'Emilia
State Representative
8th Plymouth

APR 14 11 REG DIV



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House of Representatives
State House, Boston 02133-1054

WILLIAM C. GALVIN
STATE REPRESENTATIVE

6TH NORFOLK DISTRICT
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TEL. (617) 722-2582
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CHAIRMAN

House Committee on Personnel and Administration

Alan Anacheke-Nasemann
Army Corps of Engineers
New England District
696 Virginia Road
Concord MA 01742-2751

April 5, 2011

Dear Mr. Anacheke-Nasemann:

Due to the complex nature of the recent report your organization released regarding the South Coast Rail, and the fact that it affects so many individuals and communities, we respectfully request that the comment period for this document be extended to 120 days. We feel this extra time is necessary so that this 2,500 page report may be properly reviewed and commented on by those interested in this project. While we acknowledge that the reviewing of these comments by your organization is an essential part of "next steps", we firmly believe that our constituents should have a fair opportunity for review and submittal, and two months is not sufficient to read and comment on such a substantial document.

L-001.01

Sincerely,

William C. Galvin
William C. Galvin
State Representative

Brian A. Joyce
Brian A. Joyce
State Senator

Louis L. Kafka
Louis L. Kafka
State Representative

APR 8 '11 REG DIV

Cc: Kristin Egan, South Coast Rail

From: Pattee, Emma (SEN) [Emma.Pattee@masenate.gov]

Sent: Thursday, March 24, 2011 4:56 PM

To: SCREIS, NAE

Subject: South Coast Rail Hearing

Dear Mr. Anacheke-Nasemann,

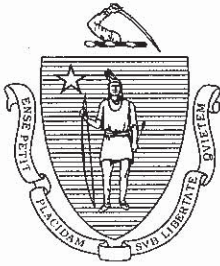
I wanted to reach out to you because Senator Joyce has many constituents in his district who are very interested in the South Coast Rail project. Because of that, Senator Joyce was wondering if there was any way to schedule a public hearing in Canton, Easton or Stoughton.

E-004.01

Thank you so much for your assistance,

Emma

Emma L. Pattee
Communications Director
Office of Senator Brian A. Joyce
State House, Room 109-D
Boston, MA 02133
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F: (617) 722-1522



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Robert.Koczera@mahouse.gov

May 10, 2011

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

Dear Mr. Anacheke-Nasemann:

I am writing to express my strong support for the extension of commuter rail service via the Stoughton route to the cities of New Bedford, Fall River and Taunton.

Based on the following criteria: project purpose; practicability; environmental impact; ridership; travel times, vehicle miles traveled and air quality, the Draft Environmental Impact Report (DEIR) concludes that the Stoughton route provides the best service to the SouthCoast while having the least impact on the environment. Also, the Stoughton route is the most practicable. It is the most direct route to Boston and the less congested of the alternative routes proposed. In addition, the Stoughton route provides the most stops at locations thereby providing more of an opportunity for residents of the region to obtain jobs.

L-021.01

The extension of commuter rail service to the cities indicated above is critical to the economic growth of the southeast region and the Commonwealth. Rail service will enhance regional mobility, support smart growth development strategies in southeast communities, and create greater connectivity between the region and Boston, a cultural and economic hub for New England. Also, rail service to the southeast offers young professionals currently residing in Boston affordable housing opportunities and a reasonable commute that will enhance economic growth in the Commonwealth.

L-021.02

National policies emphasizing energy conservation and alternative sources of energy strengthens the need to provide passenger rail service to the southeast region as an alternative to the congested highways on Routes 24 and 93 leading to Boston. Restoration of commuter rail service along the Stoughton route to Boston provides greater benefits to the environment relative to air quality and traffic congestion as well as significant socioeconomic benefits to the region and state.

L-021.03

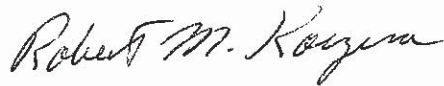
MAY11/11 REG DIV

Anacheka-Nasemann
May 10, 2011
Page Two

In conclusion, I urge the U.S. Army Corps of Engineers to expedite the decision making process for the South Coast Rail Project by issuing the Final Environment Impact Statement/Final Environmental Impact Report (FEIS/FEIR) and the Record of Decision (DOR) as soon as possible.

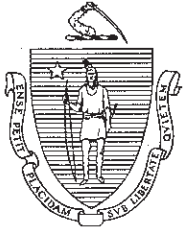
L-021.04

Sincerely yours,



Robert M. Koczera
State Representative
Eleventh Bristol District

CC: Secretary Richard K. Sullivan, Jr., EOEEA



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133-1053

SENATOR MARK MONTIGNY, CHAIRMAN
SENATE COMMITTEE ON POST AUDIT AND OVERSIGHT
STATE HOUSE, ROOM 312-A
TEL (617) 722-1440
FAX (617) 722-1068

May 24, 2011

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheka-Nasemann,

Thank you for the opportunity to comment on the South Coast Rail Draft Environmental Impact Statement (DEIS). As an elected official, it is my responsibility to advocate for projects that will improve the lives of those I represent, and nothing is more important to those in my district than ensuring the return of commuter rail service to South Coast for the first time since 1958. Since I was first elected, I have worked hard to advocate, advance, and secure funds for this project. The debate has been waged and hearings have been held. Now it is time for action.

Given the amount of time that has lapsed since this project was first conceived, I am deeply concerned about the lack of progress in recent years. It would be my hope that the final Environmental Impact Report be published quickly, identifying the least environmentally damaging practicable route, maximizing the speed and effectiveness of the new line, and allowing construction to begin as soon as possible.

L-044.01

After review of the DEIS, it appears that the Stoughton Alternative and the Whittenton Alternative are the most beneficial to meeting the goal of providing the vital link for commuters from the South Coast and to the City of Boston. Both alternatives cross the abandoned rail road grades through the Hockomock Swamp, so the environmental impacts would be similar. The choice between two alternatives comes down to a decision of which one will provide the fastest and most reliable service to South Station.

L-044.02

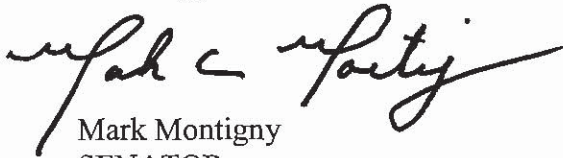
MAY31'11 REG DIV

In many ways this is an economic justice issue. An alternative that adds even a few additional minutes to the commute could make the new rail line that much less appealing to people who might use it as standard mode of transportation. The longer commute time of the Whittenton Variation could be justifiable if there was a clear-cut and significant difference between the environmental impacts of it and Stoughton alternative, but the magnitude of the difference between them is minimal. Therefore, it appears that the Stoughton Alternative is the best choice for the commuters that will utilize the South Coast rail extension.

L-044.03

My district, and the South Coast, has too much to offer for this project to be delayed any longer. I thank the Army Corps for its attention and analysis of this project and ask for a final Environmental Impact Statement as soon as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mark Montigny', written in dark ink.

Mark Montigny
SENATOR



The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

Shaunna L. O'Connell

State Representative

3rd Bristol District

Room 237

(617) 722-2305

Shaunna.O'Connell@mahouse.gov

House Ways and Means
Committee

May 10, 2011

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheka-Nasemann,

As the State Representative for the city of Taunton, I am submitting written testimony on behalf of the city's best interests regarding the proposed South Coast Rail project.

We are pleased that the route preferred by the Mass DOT is the direct Stoughton Route, as this is also the preferred route of the city of Taunton. This is the most direct route from Boston to the communities on the South Coast. It is also the least disruptive route through the city of Taunton, as it only crosses over five streets at grade. L-023.01

We do not support any other route for the proposed South Coast Rail and are adamantly opposed to the so-called "Whittenton route," as this would create 14 street crossings at grade. L-023.02

The crossings on the Whittenton route would be relatively close together in congested areas of the city, creating a disaster with regard to traffic flow. Another grave concern is the inability of public safety vehicles to reach their destinations in an emergency, creating a public safety hazard.

The city has already acquired property on Arlington Street that abuts the site of the proposed downtown station. We understand the state is going to examine our ability to support the train station. It is anticipated that the state would assist the city in making improvements around the Dean Street/Arlington Street intersections. L-023.03

The community is excited to be part of the enhanced rail service to southeastern Massachusetts and looks forward to the many economic benefits the South Coast Rail may bring as we seek to revitalize the economy and communities in this region. L-023.04

The city of Taunton looks forward to working closely with Mass DOT throughout the proposed rail project to ensure the best results for the city and the state.

Sincerely,

Shaunna O'Connell

Shaunna O'Connell
State Representative

MAY11'11 REG DIV

From: Hyland, Elaine (HOU) [Elaine.Hyland@mahouse.gov]

Sent: Thursday, May 26, 2011 1:25 PM

To: SCREIS, NAE; O'Shea, Aisling (ENV)

Cc: Egan, Kristina (DOT)

Subject: South Coast Rail DEIS/DEIR (Rep. Poirier's Office)

Dear Mr. Alan Anacheke-Nasemann and Secretary Richard Sullivan:

Rep. Elizabeth Poirier (14th Bristol District) asked that I respond to you on her behalf regarding the comment period for the South Coast Rail DEIS/DEIR.

Rep. Poirier indicated that she is happy with the chosen route through Stoughton. Also, she would like to mention how pleased she is in how thorough Kristina Egan has been in all her efforts regarding this project. | E-053.01

If you have any other questions or need to discuss anything further with Rep. Poirier, you can contact her at 617-722-2100.

Thank you,

Elaine

ELAINE M. HYLAND
Research Analyst
Rep. Elizabeth A. Poirier
14th Bristol District
617-722-2100 x8132



The Commonwealth of Massachusetts

MASSACHUSETTS STATE SENATE
STATE HOUSE BOSTON, MA 02133

SENATOR MICHAEL J. RODRIGUES

1st Bristol & Plymouth District
Room 213-B, State House
Tel: (617) 722-1114

Michael.Rodrigues@masenate.gov

CHAIRMAN:

Children, Families & Persons with Disabilities

VICE-CHAIRMAN:

Labor and Workforce Development

MEMBER:

Community Development & Small Business
Elder Affairs
Financial Services
Higher Education
State Administration & Regulatory Oversight

May 6, 2011

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

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road, Concord, MA 01742-2754

Dear Secretary Sullivan & Mr. Anacheke-Nasemann,

I write to provide comments on the South Coast Rail Draft Environmental Impact Statement/Report. For well over a decade, the potential impact the reintroduction of the passenger rail on the SouthCoast has been studied as part of local, regional and statewide planning efforts, and many potential benefits have been identified. The SouthCoast is very unique in that it is one of the fastest growing areas within the Commonwealth. This area has tremendous potential to grow enormously in economic development. Improved transportation access could be a vehicle for this growth, development, and job creation.

E-025.01

The cities of Fall River and New Bedford are some of the largest municipalities within a fifty mile radius of Boston without rail transit service. This rail service would provide a much needed link between job opportunities and affordable housing for the residents of the Commonwealth. The current highway network connecting the SouthCoast to the Boston area is inadequate for the needs of today, causing extensive traffic congestion, significant safety concerns and negatively effecting air quality, with expectations for even greater congestion in the future. The SouthCoast rail extension could help to mitigate some of this traffic growth in the region. The rail would strengthen the SouthCoast's economic links to the Greater Boston area and other satellite urban centers within the metro region. Furthermore, the rail access expands the SouthCoast's potential labor market and is particularly attractive to high-end management and professional employees.

E-025.02

In the past, commuter rail access has been a key factor in major development and redevelopment projects across the nation, and has consistently lead to increased property values in areas surrounding the train stations both nationally and internationally.

Essentially, the commuter rail could aid the growing tourism industry in the SouthCoast by providing visitors to the state with another means of transportation to experience the SouthCoast's many natural resources, cultural institutions and other amenities.

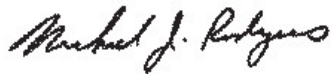
E-025.03

I strongly support the Commuter rail expanding to the SouthCoast. The local SouthCoast delegation has been coordinating with the State for over three years on the development of the Draft Environmental Impact Statement and the project itself. I urge the Army Corps and its partners to complete the review and make the determination of the Least Environmentally Damaging Practicable Alternative (LEDPA) as quickly as possible. This project is extremely important to our region. My constituents have been waiting for the restoration of this rail service for over two decades and are anxious for this process to be completed so that we may move onto the next critical stage of the project.

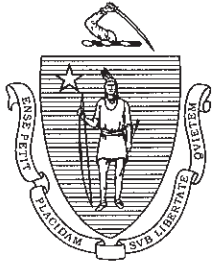
E-025.04

Thank you. I appreciate your consideration of my views regarding this project.

Sincerely,

A handwritten signature in black ink, reading "Michael J. Rodrigues". The signature is written in a cursive, flowing style.

Michael J. Rodrigues
State Senator



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

WILLIAM M. STRAUS
REPRESENTATIVE
10TH BRISTOL DISTRICT
ROOM 134
TEL: (617) 722-2400

COMMITTEE
Chairman
Transportation

DISTRICT OFFICE
Tel: (508) 992-1260
William.Straus@MAhouse.gov

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

May 23, 2011

Dear Mr. Anacheke-Nasemann:

As the House Chairman of the Joint Committee on Transportation and as State Representative for the 10th Bristol District, which encompasses the towns of Fairhaven, Marion, Mattapoisett, and Rochester, I am writing to express my strong support for the proposed South Coast Rail project and the South Coast Rail Project's recommendation to build the so-called Stoughton alternative.

L-041.01

The South Coast Rail will provide enormous benefit to those individuals within my district and the surrounding area, as it will present a long-awaited, viable public transit service to Boston for a region and a population that currently lacks access to practical public transit options. In addition, the South Coast Rail will provide a much-needed boost to the local economy by promoting complementary development projects along the route.

L-041.02

The Stoughton alternative recommendation is based on extended research and a variety of calculated assessments, including cost considerations, travel times, environmental impact concerns, and potential ridership numbers along each of the proposed routes. Members of the Joint Committee on Transportation were briefed on the South Coast Rail project March 21, 2011 and the determination by the South Coast Rail Project and the Massachusetts Department of Transportation (MassDOT) that the Stoughton alternative was the preferred option. The Stoughton alternative decision was clearly outlined at the time of the briefing and continues to remain, in my opinion, the preferred option.

L-041.03

I am aware of the recent public hearings, including those in Easton and Mansfield, where the public has voiced concerns about the potential negative impact of the Stoughton alternative on their neighborhoods. Although I appreciate and understand these concerns, I remain convinced that the Stoughton alternative is the solution that presents the fewest negative impacts on the surrounding

L-041.04

MAY26'11 REG 010

environment, and constitutes a return of a mass transit to a corridor and landscape where it existed for decades. L-041.04

Thank you in advance for your consideration of my comments. I would be happy to discuss this further and in greater detail should you be interested. Additionally, if you have any questions, please do not hesitate to contact me at (617) 722-2400.

Respectfully,

A handwritten signature in black ink that reads "Bill Straus". The signature is written in a cursive, slightly stylized font. The first name "Bill" is written in a larger, more prominent script, and "Straus" follows in a similar but slightly smaller script. The signature ends with a long, horizontal flourish.

William M. Straus
State Representative

Congress of the United States

Washington, DC 20515

May 26, 2011

Mr. Alan Anacheke-Nasemann
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K. Sullivan, Jr.,
Executive Office of Energy and Environmental Affairs
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114

Dear Mr. Anacheke-Nasemann & Secretary Sullivan,

We write to urge the U.S. Army Corps of Engineers to endorse the Massachusetts Department of Transportation's (MassDOT) preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative (LEDPA). To facilitate efficient use of government resources and to expedite the environmental review process, we also request that the Corps consult with the Massachusetts Environmental Policy Act (MEPA) office to establish a scope of work for the Final Environmental Impact Statement/Report (FEIS/FEIR) that identifies one route – the Stoughton alternative – for further study. We believe this document should address reasonable outstanding issues raised by the public and/or reviewing agencies during the current comment period.

L-086.01

We also ask that the Corps not extend the comment period beyond the two months provided, ending May 27. MassDOT has conducted a wide-ranging and thorough civic engagement process, involving all of the state and federal environmental regulatory agencies in a four-year process. In addition, MassDOT posted technical reports that form the basis for the report in 2009, and all of the data collection and associated methodologies have been available for agency and public review for over a year.

L-086.02

As the environmental process moves into the next phase - the development of the Final Environmental Impact Report and Statement - we urge the Corps to prepare this document within a year. We also request that, after MEPA issues a Certificate, the Corps publish a schedule for completing the FEIS, selecting the LEDPA, and issuing the Record of Decision. We understand that the schedule is partially dependent on

L-086.03

Mr. Alan Anacheke-Nasemann
The Honorable Richard K. Sullivan, Jr.
May 26, 2011
Page 2

MassDOT providing necessary data, so we ask that the Corps coordinate with MassDOT in the development and publication of the schedule. L-086.03

Since the announcement of commuter rail expansion to the South Coast, we have wholeheartedly supported this exciting opportunity to restore passenger rail service to Fall River, New Bedford, and Taunton. These are the only three cities within 50 miles of Boston that are not served by commuter rail stations. In restoring this service, the Commonwealth would be catalyzing nearly half a billion dollars in economic development every year. L-086.04

With the construction of the proposed Whales's Tooth station in New Bedford, the project will revitalize New Bedford's waterfront through the construction of a multi-modal green station using renewable energy technologies. It will connect area buses, ferry service, future passenger rail, and house a "one-stop" career center, while building a signature pedestrian and bicycle bridge that will be a New Bedford landmark and connect neighborhoods to the waterfront. Likewise, the proposed stations in Fall River will open under-utilized land along the waterfront for development and will stimulate a local economy that has been hard hit in recent times. L-086.05

In addition, the South Coast Rail project will create new jobs and infuse new life into our older, struggling industrial cities. Residents of southeastern Massachusetts will be able to access new jobs and services in the Boston area – jobs and services that many low-income residents cannot currently access. Boston-area residents, in turn, will be able to more easily take advantage of affordable housing along the South Coast. L-086.06

Of the options under consideration, we believe that the Stoughton alternative offers the best balance of transportation benefits, economic development, and environmental impacts. As the Draft Environmental Impact Statement shows, the Stoughton route meets the project purpose with the least environmental damage. Rail trip time is significantly shorter than Rapid Bus, and a direct Stoughton route is the fastest option. As you know, trip time for passengers is a critical consideration in determining the best alternative. The shorter travel time will attract more riders and take more vehicles off the roads, improving regional mobility. The success of the South Coast Rail initiative will indeed depend on attracting and sustaining new rail passengers who are looking for a quicker transit alternative to travel to the metropolitan Boston area. L-086.07

In that regard, we also believe that the Stoughton Electric Alternative is the best option available. At the same time that we are committing ourselves to investing in the next great transportation project in Massachusetts, we should also be investing in an energy source that is sustainable into the future. With electric trains, we are giving the rail line the flexibility to switch to an alternative source of energy that may present itself down the L-086.08

Mr. Alan Anacheke-Nasemann
The Honorable Richard K. Sullivan, Jr.
May 26, 2011
Page 3

road, including wind and solar. The Electric Alternatives travel times are noticeably shorter than their diesel counterparts, which again will attract and sustain new passengers along the rail corridor. At a time when we are looking to curb our carbon footprint wherever possible, we should not ignore this opportunity to cut emissions. At the same time, we urge the Corps to allow for the diesel alternative to be built first with a commitment from the state to convert the line to electric as resources allow.

L-086.08

Given the cost difference between diesel and electric, a phased approach may be the most practical. With respect to the natural environment in the project area, the Stoughton alternatives have less impact on wetlands than the Rapid Bus and Attleboro options. Of the impacts, 1.8 of Hockomock Swamp acres are considered an "Area of Critical Environmental Concern," and consist primarily of lost wetlands that have formed on the former rail bed.

L-086.09

The project includes relocating a stream currently on the rail bed back to its natural channel, which will create ecological benefits. Moreover, the Commonwealth has committed to constructing an elevated trestle through the swamp, which will facilitate the movement of animals across the rail alignment. While there are potential impacts to threatened and endangered species, we believe that, in coordination with regulatory agencies, the project can and will take the utmost care to avoid and mitigate these impacts. We also suggest that mitigation for biodiversity impacts be included for development in the FEIS/FEIR.

L-086.10

The Attleboro route fails operationally, so it is not practicable. It also has a higher cost per rider. Fixing these problems would involve adding a third and fourth track to parts of the heavily-travelled Northeast Corridor. Adding these tracks would amount to more than double the cost of the Stoughton direct alternative. We do not feel that this would be a wise use of federal or state dollars.

L-086.11

The Whittenton alternative, while superior to the Rapid Bus and the Attleboro rail alternatives, does not appropriately serve the people of New Bedford and Fall River. For example, these residents would experience a longer trip time (by over 10 minutes each way). This longer commute time might arguably be justifiable if there were significant differences between the environmental impacts of the Whittenton and Stoughton alternatives. But there are not any significant differences. Moreover, the Stoughton alternative provides greater air quality and climate benefits.

L-086.12

In determining the alternative to study in the FEIS/FEIR, we urge the Corps and MEPA to take a holistic approach when weighing the alternatives against one another. We are confident that the Stoughton alternative is the best one.

L-086.13

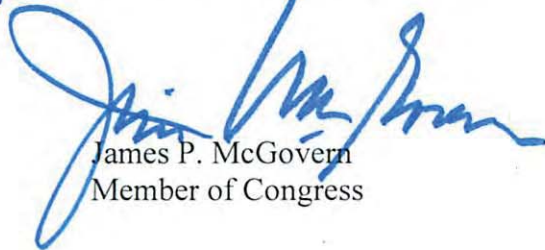
Mr. Alan Anacheke-Nasemann
The Honorable Richard K. Sullivan, Jr.
May 26, 2011
Page 4

We appreciate the extraordinary work that the Corps has done to date, and we look forward to your response.

Sincerely,



John F. Kerry
United States Senator



James P. McGovern
Member of Congress



Barney Frank
Member of Congress

Massachusetts Environmental Policy Act Office

Page	Name
1	Massachusetts Environmental Policy Act Office



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

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Richard K. Sullivan Jr.
SECRETARY

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

June 29, 2011

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT/STATEMENT

PROJECT NAME	: South Coast Rail Project
PROJECT MUNICIPALITY	: South Coast Region
PROJECT WATERSHED	: Buzzards Bay, Taunton River, Narragansett Bay, Mount Hope Bay, Neponset River, Ten Mile River, Boston Harbor, Charles River
EEA NUMBER	: 14346
PROJECT PROPONENT	: Massachusetts Department of Transportation
DATE NOTICED IN MONITOR	: March 23, 2011

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.07 of the MEPA regulations (301 CMR 11.00), I hereby determine that the Draft Environmental Impact Report/Statement (DEIR/S) submitted for this project **adequately and properly complies with MEPA**. The Proponent, the Massachusetts Department of Transportation (MassDOT) should submit a Final Environmental Impact Report (FEIR) in accordance with the Scope below. As was the case with the DEIR/S, MassDOT may adopt the Final Environmental Impact Statement (FEIS), which is being prepared by the U.S. Army Corps of Engineers, as its FEIR and submit a combined Final EIR/EIS for MEPA review, as long as the FEIS meets the Scope below.

The South Coast Rail project involves development of a public transit system to connect the cities of Fall River and New Bedford to Boston and to create regional transit interconnections among the south coast communities. Fall River and New Bedford are historically underserved areas with respect to public transportation options. This project is a priority transportation initiative of the Patrick Administration and is a component of MassDOT's efforts to increase transit access throughout the Commonwealth. In conjunction with the rail project, MassDOT together with the communities and regional planning agencies, have developed the South Coast

Rail Economic Development and Land Use Corridor Plan. This Corridor Plan aims to manage both the projected growth in the region under business as usual conditions and the induced growth associated with this project according to sustainable development principles.

As set forth in further detail herein, MassDOT has submitted a DEIR/S that comprehensively evaluates the relative benefits and impacts of this large-scale transportation infrastructure project. Amongst the project's benefits are improved access to transit and the corresponding traffic, safety, air quality, and greenhouse gas reduction benefits associated with increased use of public transit. The project also has significant potential to facilitate sustainable land use and development patterns and will service environmental justice communities. The proposed route does however involve substantial environmental impacts associated with alteration of wetlands and elimination or fragmentation of habitat (including rare species habitat and loss of biodiversity) as well as induced secondary growth and noise-related impacts, that will need to be evaluated closely in order to minimize impacts and to mitigate unavoidable impacts.

The purpose of the DEIR for any project is to provide sufficient information to allow the selection of a preferred alternative that will avoid, minimize and mitigate environmental impacts to the maximum extent feasible as required under MEPA. I have received numerous comments from public officials, state agencies, environmental advocates, local residents, and other members of the public concerning the selection of a preferred alternative that avoids impacts to the greatest degree. I thank the many parties who have provided comments on the DEIR/S and the many agencies that have participated in its development. In the case of this project, selecting a preferred alternative is a challenging task given the many trade-offs that must be made among legitimate environmental concerns and the balancing that must accompany evaluation of sometimes competing environmental goals and impacts. What must be accomplished through the MEPA process is a thorough vetting of the relative impacts and benefits of alternatives that will allow, MassDOT as the project proponent, and the state permitting agencies to make an informed decision about which alternative strikes the most appropriate balance in view of MEPA's statutory directives.

Based on the record before me, and as set forth in greater detail in the following sections of this Certificate, I am satisfied that MassDOT has made the case for the Stoughton route to be brought forward as the preferred alternative in the FEIR. However, there is significant additional work that must be completed in the FEIR to allow the project to complete review under MEPA. The Scope set forth below outlines the outstanding issues that must be addressed, including the development of specific and detailed mitigation plans for unavoidable impacts.

MassDOT did not identify a preferred mode among the diesel and electric alternatives. However, because the electric option is preferable from an air quality perspective, the Stoughton Electric should be the focus of the FEIR.

Background

MassDOT has defined the project purpose as to "more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility, while supporting smart growth planning and development strategies

in the affected communities". The U.S. Army Corps of Engineers (Corps) uses a more narrow definition of project purpose, which does not include the smart growth aspect. The Corps overall project purpose is defined in the DEIR/S as "to more fully meet the existing and future need for public transportation between Fall River/New Bedford and Boston Massachusetts, and to enhance regional mobility". I believe the Corridor Plan component of the project has tremendous potential to influence development patterns in the South Coast region in a way that supports smart growth and environmental protection. This is a critical factor to consider in the context of MEPA review.

The proposed sixty-mile transit route follows existing freight lines from New Bedford/Fall River to Taunton, and involves construction of new tracks in the Pine Swamp in the Town of Raynham and the Hockomock Swamp in the Towns of Easton and Raynham. New track construction is proposed along an inactive Right-of-Way in the Pine Swamp and Hockomock Swamp that has been discontinued from rail use since 1958. The project has the potential to increase transit accessibility and ridership, improve regional air quality, and support opportunities for smart growth and sustainable development in the South Coast region, which includes thirty-one cities and towns. At the same time, the project has the potential to result in considerable impacts to natural resources and wildlife habitat of significant ecological value. Selection of a preferred alternative that balances the relative environmental benefits and negative impacts of this large-scale regional initiative is therefore a fundamental objective of this environmental review process.

In selecting among alternatives for this project, MassDOT has considered air quality, climate change, transit access, and public safety as well as wetland, rare species and biodiversity impacts in a DEIR to find a balanced preferred alternative. This balancing act is difficult given the myriad of sometimes competing concerns and will continue in the FEIR and the permitting process. The availability of convenient and reliable public transportation options is a crucial component of the Commonwealth's strategy for reducing greenhouse gas emissions and tackling the problem of global climate change. In addition, expanding transit options for commuters can help reduce congestion on roadways and thereby improve public safety, and provide other socio-economic benefits to Environmental Justice communities. However, the potential for significant environmental degradation and loss of habitat, as well as the national and regional significance of some areas that are at the heart of this environmental study, make it equally important that we give serious consideration to these issues during the environmental review and permitting process. The prospect of climate change further highlights the need for other adaptation strategies, which include protection of our most vulnerable and sensitive ecosystems.

An informed and objective alternatives analysis is at the heart of the MEPA process. Only in this way can a state agency meet its statutory obligations to take all feasible measures to avoid, minimize or mitigate damage to the environment. Numerous routing and mode options were evaluated in the Environmental Notification Form (ENF) for the project and then narrowed down to eight alternatives to be further evaluated in the DEIR. The alternatives evaluated in the DEIR/S include electric and diesel options for three rail routes; Attleboro, Stoughton, and Whittenton (a variant of the Stoughton route), as well as a Rapid Bus route, and a No-Build/Enhanced Bus scenario.

The DEIR/S presents a thorough and detailed comparison of the relative environmental impacts and benefits of the various alternatives, and identifies the Stoughton route as the preferred alternative. After thoroughly reviewing the DEIR/S and the comments received, I am satisfied that MassDOT has provided sufficient information for the purposes of MEPA review to demonstrate that the Attleboro alternative is not operationally feasible, and that both the Whittenton and Rapid Bus alternatives are less effective compared to the Stoughton alternative in meeting the project purpose. The analysis also demonstrates that the Rapid Bus alternative is not practicable because the Zipper lane on I-93 would fail by 2030 to provide a travel time benefit over auto use. Future traffic congestion would result in longer travel times from the South Coast Region to Boston resulting in lower bus ridership, increased vehicle miles traveled, and negative effects on air quality. Compared to the Stoughton route, the Whittenton alternative draws less ridership from the focus areas of Fall River and New Bedford. In addition, the Whittenton variation would result in disproportionate noise impacts to Environmental Justice communities in Taunton as well as public safety concerns due to the number of at-grade crossings required.

Therefore, on balance, I am satisfied that MassDOT has made the case for the Stoughton route to be brought forward as the preferred alternative in the FEIR, and I concur with many commenters who have indicated that from an air quality perspective, the electric option is preferable to diesel. The diesel alternative should be eliminated from further review and MassDOT should focus on the Stoughton Electric as the preferred feasible alternative for further analysis in the FEIR. However, I note that the Corps has not yet made its determination of the Least Environmentally Damaging Practicable Alternative (LEDPA) for the project. If the Corps selects a LEDPA other than the Stoughton Electric alternative, MassDOT should submit a Notice of Project Change (NPC) so that a revised Scope can be issued as appropriate for preparation of the FEIR and the continued coordination of state and federal environmental review.

Project Description

As noted above, the purpose of the project as proposed by MassDOT is to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, and to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities.

The proposed Stoughton Electric rail will provide commuter service to South Station using the Northeast Corridor, Stoughton Line, New Bedford Main Line, and Fall River Secondary Line. The New Bedford to Boston route is 54.9 miles long and the Fall River to Boston route is 52.4 miles long. The project requires upgrades to track infrastructure along the existing Stoughton line including reconstruction of tracks from Canton Junction to Stoughton, construction of new tracks from Stoughton to Winter Street in Taunton, for a distance of 15 miles, on an abandoned right-of-way which crosses through the Hockomock Swamp and the Pine Swamp. Reconstruction of tracks is also proposed from Winter Street in Taunton to Weir Junction, a distance of 1.7 miles. The project requires reconstruction of tracks in the Southern Triangle, which includes the New Bedford Main Line and the Fall River Secondary. Infrastructure improvements associated with the project include constructing, reconstructing, or widening 45 bridges, and constructing or reconstructing 46 railroad at-grade crossings.

The project includes ten new rail stations: North Easton, Easton Village, Raynham Place, Taunton, Taunton Depot, King's Highway, Whale's Tooth, Freetown, Fall River Depot, and Battleship Cove. Major reconstruction is also proposed at two existing commuter rail stations, Canton Center and Stoughton. The project will require two overnight layover facilities, one on the New Bedford Main Line and one on the Fall River Secondary. Five alternative layover sites are described in the DEIR/S. MassDOT is also proposing an expansion of South Station as well as mid-day layover facilities in Boston to address existing and future Massachusetts Bay Transit Authority (MBTA) and Amtrak capacity needs that are independent of the South Coast Rail project. The facility expansion in Boston will support the project's infrastructure requirements but it is part of the baseline/No-Build scenario, is not analyzed as part of the DEIR/S, and will undergo environmental review at a future date. The traction power system for the Stoughton Electric rail will include a substation in Easton and one in New Bedford, two switching stations (one in Canton and another in Berkeley), and six paralleling stations (Easton, Taunton, New Bedford, Fall River, and two in Freetown).

Construction and operation of the Stoughton Electric will result in alteration of approximately 250 acres of land, direct permanent impacts to approximately 12 acres of wetlands (Bordering Vegetated Wetlands (BVW) and Outstanding Resource Waters (ORW)), alteration of approximately 32 acres of mapped habitat for state-listed species, habitat fragmentation and migratory barrier impacts, and other secondary and cumulative impacts to wildlife, biodiversity, and open space. The proposed project will result in significant impacts to natural resources and wildlife habitat that must be adequately mitigated in order to satisfy MEPA requirements and other regulatory requirements for state permitting. The habitat areas impacted by the project include the Hockomock Swamp ACEC, which is one of the largest unfragmented wetland systems in the state, and the Pine Swamp conservation area in Raynham. Development of a robust and detailed mitigation plan for unavoidable impacts is a core requirement of the FEIR.

The project has the potential to improve regional air quality and reduce greenhouse gas (GHG) emissions by increasing the number of people using public transit, thereby reducing automobile use and GHG and pollutant emissions associated with vehicle miles travelled (VMT). The smart growth aspect of the project, as described in the DEIR/S and the South Coast Rail Economic Development and Land Use Corridor Plan has the potential to substantially reduce the amount of land consumption and related impacts that might otherwise occur if existing development patterns continue. By concentrating development in Priority Development Areas (PDAs) and protecting habitat of high ecological value in Priority Protection Areas (PPAs), MassDOT's smart growth plans could reduce by up to 50 percent the amount of habitat degradation projected to occur in the region by 2030. Another core requirement of the FEIR Scope relates to further refinement and specificity of MassDOT's commitments to the South Coast Rail Economic Development and Land Use Corridor Plan through land acquisition and other smart growth measures as part of a comprehensive mitigation plan for the project's direct and indirect impacts to the Commonwealth's natural resources and wildlife habitat.

Interagency and Community Involvement

The South Coast Rail project was previously reviewed under MEPA from 1995 to 2002. However, federal environmental review under the National Environmental Policy Act (NEPA)

was not undertaken at that time. As a result, the project is now undergoing a joint environmental review process, which includes a comprehensive alternatives analysis under both the state and federal review procedures. The alternatives analysis provides information on the project's environmental impacts that will inform both the federal and state permitting processes. I fully support the ongoing state-federal coordination process to facilitate agency and public review under MEPA and NEPA, and commend MassDOT for undertaking such a robust and coordinated public review process.

MassDOT has also conducted an extensive stakeholder involvement process that includes an Interagency Coordinating Group, the Southeastern Massachusetts Commuter Rail Task Force, and a broad civic engagement process. I would like to thank the Commuter Rail Task Force, the Interagency Coordinating Group, as well as members of the public for their input to date and I appreciate the ongoing participation of all stakeholders during the environmental review of this project. I hope and expect that MassDOT will continue its commitment to stakeholder outreach and public input as it prepares the FEIR for this project.

Permitting and MEPA Jurisdiction

The MEPA process provides a valuable forum for the collection and review of environmental documents and comments on a project thereby reflecting various points of view. However, reconciling all of the identified (and sometimes competing) concerns and identifying a preferred alternative that achieves consensus support among all interested parties, is beyond the scope of MEPA. MEPA review, which is conducted in response to the filing of environmental review documents by the Proponent, is intended to facilitate environmental planning for Projects requiring Agency Action. MEPA review is not a permitting process. MEPA requires public study, disclosure, and development of feasible mitigation for a proposed project. It does not pass judgment on whether a project is environmentally beneficial, or whether a project can or should receive a particular permit. Those decisions are left to the permitting agencies. MEPA review occurs before permitting agencies act, to ensure that the permitting agencies know the environmental consequences of a project. No state agency can issue permits needed for the project until MEPA review is complete.

The proposed project is subject to MEPA review because it is being undertaken by a state agency and because it meets or exceeds the review thresholds set forth in the MEPA regulations, including thresholds for a mandatory EIR. The project is undergoing environmental review pursuant to the following sections of the MEPA regulations: Section 11.03(a)(1)(5) because it involves construction of a new rail or rapid transit line along a new, unused or abandoned right-of-way; Section 11.03(3)(a)(1)(a) because it will result in alteration of more than one acre of Bordering Vegetated Wetlands (BVW); Section 11.02(a)(2) because it involves alteration requiring a variance in accordance with the Wetlands Protection Act; Section 11.03(1)(a)(1) and (2) because it will result in alteration of 50 or more acres of land and creation of 10 or more acres of new impervious area; Section 11.03(11)(b) because it is located within a designated Area of Critical Environmental Concern (ACEC); Section 11.03(b)(3) because it involves conversion of land held for natural resource purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth; Section 11.03(2)(b)(2) because it would result in more than two acres of disturbance of designated priority habitat that results in a take of

a state-listed species; and Section 11.03(10)(b)(1) and (2) because it may result in demolition of a part of a state-listed historic structure or destruction of a state-listed archaeological site. The project may also meet or exceed other MEPA review thresholds depending upon its final design.

The project requires a 401 Water Quality Certification, a Chapter 91 License, and a Variance from the Wetlands Protection Act (WPA) from the Massachusetts Department of Environmental Protection (MassDEP). The project also requires local Orders of Conditions under the WPA (and, on appeal only, Superseding Order(s) from MassDEP). Other permits or approvals required for the project include a Conservation and Management Permit from the Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP), a land disposition agreement with the Department of Conservation and Recreation (DCR) as well as approval from the legislature and the Division of Capital Asset Management (DCAM) for a disposition of land protected by Article 97 of the Amendments to the Constitution of the Commonwealth. The project is subject to the MEPA Greenhouse Gas Emissions Policy and Protocol. The project is subject to review by the Massachusetts Historical Commission and the Office of Coastal Zone Management. At the Federal level, the project requires a Section 404 permit from the U.S. Army Corps of Engineers, an Air Quality Conformance Determination, a National Pollutant Discharge Elimination System (NPDES) Construction Permit, and is subject to review under Section 106 of the National Historic Preservation Act.

Because the proposed project is being undertaken by a state agency MEPA jurisdiction is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

REVIEW OF THE DEIR/S

Alternatives

The DEIR/S evaluates the relative ability of alternatives to meet the project purpose in a cost-effective manner. Criteria considered in the evaluation include quality of service, constructability, schedule, costs, and smart growth opportunities. The Certificate on the ENF required MassDOT to evaluate alternatives that include electric and diesel options for three rail routes: Attleboro, Stoughton, and Whittenton (a variant of the Stoughton route), a Rapid Bus route, and a No-Build/Enhanced Bus scenario.

Attleboro

The Attleboro alternative is not feasible and the rationale for eliminating this as an alternative moving forward has been described in detail in the DEIR/S. MassDOT conducted a thorough analysis of the operational feasibility for the Attleboro Route under several scenarios including the elimination of all constraints at South Station and construction of a fourth track from Readville to South Station. The fourth track is excessively costly and disruptive, would require re-routing of the MBTA Orange Line, and would result in substantial impacts to the Southwest Corridor Park in Jamaica Plain and environmental justice communities in this area. The

Attleboro alternative cannot be modeled without a fourth track as it fails in peak hour periods causing disruption and delays to other commuter rail lines.

Stoughton

The Stoughton route is MassDOT's preferred alternative. It meets the project purpose in terms of travel time (76 minutes) and the time for construction (4.5 years), and performs better than other alternatives in terms of ridership and reductions in Vehicle Miles Travelled (VMT). The DEIR/S indicates a more effective cost-per-rider for the Stoughton route compared with other alternatives. However, mitigation costs have yet to be fully evaluated.

Whittenton

The Whittenton Alternative is a variation of the Stoughton route that includes a diversion to avoid the Pine Swamp. Although the Whittenton Electric gets slightly higher ridership overall, the Stoughton Route captures more riders from the New Bedford and Fall River areas, which are the focus of this new public transit service, and shows a greater increase in shift of commuters from auto to transit. This is because of its faster travel time to Boston. Although the Whittenton Electric performs well in terms of ridership projections, its longer route to avoid Pine Swamp adds approximately 11 minutes to the journey from the South Coast to Boston. Compared to the Stoughton Alternative, the Whittenton Alternative is projected to pick up more riders from Taunton but less from New Bedford and Fall River. The cost per rider and smart growth opportunities are similar to the Stoughton alternative, as is the construction timetable.

Rapid Bus

The cost of the Rapid Bus alternative is substantially lower than the rail alternatives (\$0.8 billion compared to \$1.8 billion for the Stoughton Electric) and it performs well in terms of construction timeline and less significant impacts to natural resources and biodiversity when compared with the rail alternatives. However, the Rapid Bus does not perform as well as the rail alternatives in terms of travel time, with the exception of Whittenton Diesel, which has a similar travel time. Since the Environmental Notification Form (ENF) review, the travel time projections for the Rapid Bus were updated to account for projected increases in traffic congestion in 2030. In comparison with the Stoughton Electric, which takes 76 minutes from New Bedford to South Station, the Rapid Bus travel time is 27 minutes longer (103 minutes). The longer travel time from the south coast communities to Boston has a significant influence on ridership. The ridership model indicates that Rapid Bus would generate 1,700 new linked boardings, representing the number of commuters shifting from automobiles to transit, compared with 5,900 for the Stoughton Electric. Because the ridership is lower for Rapid Bus, VMT and related air pollutants are not reduced to the same extent as they are under the Stoughton Alternative. In addition, the analysis in the DEIR/S indicates that the existing zipper lane along I-93 will no longer provide a travel advantage for the Rapid Bus under 2030 conditions. Buses are expected to travel slower in more congested conditions thereby adding to existing air quality problems. Alternative operating plans were considered to evaluate how performance might be improved under different policy assumptions (for example, a three-person minimum versus a two-person occupancy restriction in zipper lanes). In a Memo dated June 24, 2011, MassDOT indicates that

extension of the High Occupancy Vehicle (HOV) lane was also evaluated as part of the Central Artery Tunnel project. An HOV extension could potentially improve Rapid Bus performance by providing a continuous zipper lane to South Station, thereby addressing delays encountered in the two-mile section of I-93 where the Rapid Bus travels in mixed traffic. However, the evaluation showed that constraints at Savin Hill would require substantial infrastructure improvements, disruption to existing rail lines, and residential takings on the Savin Hill embankment. Based on MassDOT's analysis, it is not feasible to substantially improve performance of the Rapid Bus for the 2030 Build condition.

No Build-Enhanced Bus

The No Build Alternative represents a continued investment in the regional transportation network, but does not address the fundamental need for improved public transit service between New Bedford/Fall River and Boston. Under this alternative, no new rail or bus service would be provided to Southeastern Massachusetts. Enhancements are proposed for existing bus services and this alternative includes the expansion of South Station, the construction of mid-day layover facilities in the Boston area and the reconstruction of railroad bridges in the New Bedford area. Ridership projections are significantly lower for this alternative compared to the rail or Rapid Bus alternatives. The No-Build/Enhanced Bus alternative is expected to achieve only 400 new linked trips daily. Although it does not generate the environmental impacts associated with other alternatives, this no-build does not serve the project purpose. It is however useful as a baseline for comparison of alternatives under 2030 conditions.

Comparison of Impacts

The DEIR/S includes a comprehensive comparative analysis of the environmental impacts of project alternatives, including impacts to air quality, wetlands, upland habitat, rare species, Article 97 protected land, and biodiversity.

Air quality: The rail alternatives provide more air quality benefits compared to the Rapid Bus because they attract more riders and thereby result in a greater reduction in VMT per day. From a regional perspective however, the differences among the alternatives is minimal in terms of their air quality benefits. The Stoughton Electric route achieves an approximately 295,922 reduction in VMT per day compared to 228,018 for Whittenton Electric and 81,495 for the Rapid Bus (diesel option, a hybrid bus alternative was not evaluated). The diesel alternatives for rail show substantially higher VMT reductions when compared with the diesel Rapid Bus (228,705 VMT reduction for Stoughton and 173,961 VMT per day for Whittenton diesel).

Wetlands: Both Attleboro rail and the Rapid Bus result in the largest amount of acres of direct wetlands impact (approximately 21 acres compared to 11.94 acres and 10.34 acres respectively for Stoughton and Whittenton). However, the quality of wetland resource is an important consideration in assessing impacts. For example, the Stoughton and Whittenton alternatives have more significant impacts to the functions and value of higher quality interior wetlands compared with the primarily edge impacts of the Rapid Bus route. In addition, both the Stoughton and Whittenton routes impact a greater acreage of vernal pool supporting habitat. Vernal Pools are a major contributor to biodiversity.

Upland Habitat: the DEIR/S estimates that direct loss of upland habitat associated with Stoughton Electric is 183.27 acres, which includes 55.4 acres of supporting habitat for vernal pools. The estimate for the Whittenton alternative is slightly higher at 187.98 due to the longer alignment. The diesel rail alternatives impact approximately 3.5 acres less because they do not require additional land alteration for the electrical traction stations. The Rapid Bus alternative has the largest impact to upland habitat, estimated at 316.98 acres although impacts to biodiversity, rare species and wetland habitat may be less significant than those of rail because the acreage affected by the bus route is primarily along the edge of existing roadways in already degraded areas. In comparison, the Stoughton and Whittenton rail alternatives impact a greater area of unfragmented habitat with a high ecological value.

Rare Species: The Stoughton Electric alternative impacts approximately twice as many acres of mapped habitat compared to the Rapid bus alternative (32.6 acres compared to 16.2 acres). The Whittenton alternative impacts approximately 31.8 acres of mapped habitat. The diesel rail alternatives impact slightly less mapped habitat than the electric alternatives because the latter need additional land for electrical traction stations. As NHESP notes in its comment letter, the differences between Stoughton and Whittenton from a rare species perspective are not significant enough to influence the choice among these alternatives. The Whittenton route would have greater impacts to Box Turtle habitat but would avoid Pine Swamp, which contains habitat for a state-listed butterfly. Otherwise, both alternatives share the same route through the Hockomock Swamp and would result in similar barrier and fragmentation impacts. The Rapid Bus route would have the least impact to rare species and their habitats.

In the relative comparison of alternatives, the DEIR/S tables and text provide inaccurate information on Whittenton alternative rare species impacts. The discrepancy was identified during DEIR/S review, and MassDOT provided corrections in an email to NHESP dated May 19, 2011. Impacts to state-listed species habitat associated with the Whittenton alternative are 31.8 acres for the Whittenton electric alternative (not 13.2 acres as indicated in the DEIR/S) and 29.9 acres for the Whittenton Diesel. As noted above, the outcome of the review indicates that there is little difference among the Stoughton and Whittenton alternatives with regard to rare species impacts. They both result in fragmentation and interior habitat loss.

Article 97 land: The Stoughton route impacts approximately two acres of Article 97-protected land compared to the Whittenton Alternative that impacts less than one acre and the Rapid Bus, which impacts 4.5 acres.

Biodiversity: the DEIR/S includes a detailed analysis of biodiversity impacts using the Conservation assessment and Prioritization System (CAPS) analysis developed by University of Massachusetts (UMass) Amherst. The analysis, as described in more detail below, is useful in developing a better understanding of the relative impacts of alternatives on biodiversity at a landscape level of analysis. Some of the more detailed micro-scale level of impacts cannot be analyzed at the CAPS level of resolution. Based on the analysis, the rail alternatives have substantially more impacts to biodiversity than the Rapid Bus, and the Stoughton and Whittenton alignments are similar in their level of impact. As noted in MasssDEP's comment letter, additional analysis was done by UMass at MassDEP's request and this analysis highlighted a

greater impact from the Stoughton direct route (compared to Whittenton) in terms of its loss of habitat areas that have a high Index of Ecological Integrity (IEI).

Noise and Vibration: The Stoughton Electric alternative will impact approximately 2,136 sensitive receptors (1,728 moderate and 408 severe impacts) compared with 2,243 sensitive receptor impacts for the Whittenton Electric (1,826 moderate and 347 severe). The diesel impacts are less (1,793 total receptors impacted for Stoughton compared with 1,987 for Whittenton). In Taunton, the Whittenton route would result in disproportionate impacts to residents in Environmental Justice communities. The DEIR/S concludes that, for the Whittenton route, almost three times as many residents in Environmental Justice neighborhoods in Taunton will be disproportionately impacted by noise in comparison to the percentage of the population affected in non-Environmental Justice neighborhoods. Within the City of Taunton, the Stoughton Electric and Diesel alternatives would generate 12 and 5 severe noise impacts respectively, compared to 33 and 40 severe impacts from Whittenton's operations. In addition, the Whittenton Alternative will cause 708 severe horn noise impacts in Taunton compared with 28 severe horn impacts from the Stoughton Alternative. Noise impacts would also be experienced by residents in New Bedford and Fall River who would be similarly affected regardless of route since the Stoughton and Whittenton alignments are the same in the Southern Triangle. Electric train operations associated with the Fall River Secondary would result in 581 moderate and 155 severe impacts to residential receptors. The New Bedford Main Line segment would result in 298 moderate and 63 severe impacts to residential receptors. The DEIR/S does not identify any sensitive receptors for noise associated with the Rapid Bus because it will operate in areas already impacted by traffic-related noise and will not result in a measurable difference to receptors.

Indirect and Cumulative Impacts: An analysis of secondary growth impacts associated with the alternatives, including induced growth and socio-economic impacts, is included in the DEIR/S and discussed below in the section on Indirect and Cumulative Impacts.

Method and criteria for comparative analysis: The DEIR/S does a good job in explaining the method and criteria used for the comparative analysis of alternatives, and providing sufficient data for the reviewer to understand the overall impacts and trade-offs among alternatives. However, as noted in several comment letters received, the A-F grading approach used may not be the best way to present a fair and unbiased comparison of alternatives. I recommend that MassDOT not use this approach in any summary tables presented in the FEIR/S. Rather, actual quantification of impacts should be presented in comparison with the no-build and other alternatives (versus comparison with the worst-or best performing alternative which can result in an "A" for a route that results in permanent direct impacts to 12 acres of high quality wetlands).

No-Build/Enhanced Bus Alternative: The DEIR/S describes a No Build-Enhanced Bus alternative that includes foreseeable transportation projects and other developments assumed to be in place by the project build year. The no-build rail assumes an expansion with seven additional tracks at South Station (for a total of 20 tracks). The enhanced bus component builds on existing bus routes and park and ride lots but does not include any new service (the new service is evaluated as the Rapid Bus alternative). Enhancements included for the no-build alternative include bus schedule enhancements, new and expanded park-and-ride facilities,

transportation demand management, and transportation policy enhancements for commuter bus and other programmed and funded improvements for the system. The ridership analysis indicates that the No-build/Enhanced Bus alternative will achieve an increase in ridership equivalent to a diversion of 400 riders from car to public transit. VMT reductions projected for this alternative are estimated in the DEIR/S to be 75,100.

Layover Facilities

The DEIR/S includes information on five potential layover sites for the rail alternatives. Two layover sites will be required for the proposed rail service; one on the New Bedford line and another for the Fall River line. The sites identified in the DEIR/S include the Weaver's Cove East and Weaver's Cove West sites in Fall River, the ISP site in Freetown, the Wamsutta site in New Bedford near the proposed Whale's Tooth station, and the Church Street site in New Bedford. The FEIR should include additional information and analysis of the layover facilities as outlined in the Scope below.

Conclusion – Alternatives Analysis

The DEIR/S concludes that the Stoughton route is the best alternative in terms of practicability and meeting the overall project purpose of expanding transit service to the South Coast region. I concur with MassDOT that based on the analysis presented, the Attleboro and Rapid Bus alternatives are not feasible, and the Whittenton Route does not serve the project purpose as well as the Stoughton direct route. In addition, the Whittenton Alternative would result in substantially more noise impacts, both moderate and severe, to a large number of residents in the Taunton area, including those in Environmental Justice communities. The Whittenton alternative also raises public safety concerns due to the necessity for 12 at-grade crossings in an approximately one-mile section of the route through Taunton. Although the Whittenton route has approximately one acre more in wetlands impacts compared to Stoughton, as indicated in MassDEP's comment letter, it is reasonably likely that through further minimization, mitigation and compensatory measures, which should be detailed in the FEIR, the divergence between these two alternatives can be narrowed to the point where their net differences in environmental impacts will be negligible. Both the Stoughton and Whittenton Alternatives impact rare species and their habitats to a similar degree. Having considered these factors relating to noise and public safety, environmental justice and project purpose, I agree that the Stoughton Route is preferable to the Whittenton route and should be carried forward for further analysis in the FEIR.

The DEIR/S includes a comparative analysis of electric and diesel options for all rail alignments. Although the electric alternatives result in some additional land alteration compared with diesel, I believe, on balance, that the air quality benefits of electric warrant selection of electric as the preferred power source. Therefore, the Scope below focuses on the Stoughton Electric as the preferred alternative to be carried forward to the FEIR.

Freight Services

Several commenters expressed concern about potential freight through the Hockomock Swamp. In a Memo dated June 23, 3011, MassDOT clarified that the South Coast Rail project has not been designed to accommodate freight traffic north of Taunton through the Hockomock Swamp where freight currently does not exist. MassDOT also notes that if freight is proposed in the future, further environmental review would be required.

Land Alteration

As discussed in the alternatives section above, the DEIR/S provided a detailed comparative analysis of alternatives that includes estimates of project-related impacts to wetlands, endangered species, biodiversity, environmental justice communities and socio-economic indicators.

The DEIR/S estimates the total habitat loss for the preferred Stoughton alternative at approximately 251 acres compared to approximately 360 acres for the Rapid Bus, 254 acres for the Whittenton Electric Alternative, and 266 acres for Attleboro Electric. The cumulative estimates provided appear to be for the rail and bus route alignments only and it is not clear if the estimates include land alteration associated with the stations and layover facilities, which should be clarified in the FEIR. For the preferred alternative, the Stoughton route, the estimate for habitat loss includes 182.27 acres of upland habitat, 55.05 acres of supporting upland for vernal pools, 11.86 acres of direct wetlands impact (BVW) and 1.77 of vernal pool wetland impact. Additional wetlands impacts (e.g. for Riverfront and Bordering Land Subject to Flooding) should be detailed in the FEIR.

The DEIR/S describes five potential layover facilities in New Bedford and Fall River. The total amount of land alteration associated with project layover facilities is not defined in the DEIR/S. However, the DEIR/S summary of property acquisition indicates that an area of 11 acres to 44 acres would be required per site. Property acquisition estimates for the various alternatives range from 75.36 acres for the Whittenton diesel to 106.80 acres for the Stoughton Electric. The analysis of layover facility impacts should be expanded in the FEIR as outlined in the Scope below.

Ridership Projections

The DEIR/S includes a detailed analysis of ridership and traffic estimates associated with each alternative, which were developed and calibrated by the Central Transportation Planning Staff (CTPS) using its Regional Travel Demand Model (RTDM). The inputs for the RTDM included land use assumptions, transportation service assumptions, and modeling methods. The DEIR/S discusses the sources of information for the analysis, which included input from state, federal, and regional agencies, and local communities. The modeling process used by CTPS is consistent with other major transportation projects in eastern Massachusetts, which allows for a consistent comparison across alternatives based on their project ridership and specific elements such as service plans and demographics. The model incorporates connections to commuter rail

lines, the central subway system, and bus routes in regional communities, which supports the analysis of system-wide boardings and regional mobility.

To estimate future ridership projections, the CTPS refined their RTDM set to include regional transportation projects and land use alternatives based on regional plans for the study area and the proposed operational plans for the project alternatives. The DEIR/S includes information on the ridership modeling methodology, model inputs, transit operating plans, and a detailed discussion of the ridership projection results. Ridership forecasts were developed for all alternatives for the 2030 forecast year. The output of the model runs for the various rail and Rapid Bus alternatives were compared to the No-Build (which includes assumptions to enhance existing bus service) to see what travel pattern changes would occur based on implementation of alternative transit system improvements.

The ridership analysis compares alternatives based on several different metrics including new linked trip estimates, which represents the number of people who, without the project, would otherwise have driven to work. In addition to the estimates for mode shifts (from auto to transit), the results provide estimates for the overall increase in transit use and the total reduction in vehicle miles traveled (VMT) projected for each alternative. The reduction in VMT correlates to air quality benefits associated with the project. New system-wide boarding estimates represent the overall draw of passengers to the commuter rail transit system due to the proposed project.

The No-Build/enhanced bus alternative is expected to generate an increase in linked transit trips of 400 daily linked trips, compared to 5,900 for Stoughton Electric, 5,000 for Stoughton Diesel, 5,500 for Whittenton Electric, 4,600 for Whittenton Diesel, and 1,700 for Rapid Bus (diesel). The Stoughton Electric alternative has the greatest benefit in terms of shifts from automobile to public transit and reductions in VMT and vehicle emissions. Total daily ridership for the alternatives are estimated to be: Stoughton Electric - 9,580; Attleboro Electric - 9,360; Whittenton Electric - 9,640; and Rapid Bus - 4,200. Electric locomotives can operate at higher speeds than diesel engines and therefore attract more ridership resulting in greater VMT reductions for the electric alternatives compared with Rapid Bus or diesel rail alternatives.

Secondary Growth and Cumulative Impacts

The DEIR/S includes a comprehensive analysis of indirect impacts associated with the project, including induced growth expected as a result of the proposed transit project. The assessment of induced growth quantifies household and employment changes in the south coast communities. Other aspects of the indirect impact assessment consider changes in land use patterns associated with a "business as usual" scenario for the growth expected in the region by 2030 and an alternative scenario based on MassDOT's smart growth plan as described in the South Coast Rail Land Use and Economic Development Corridor Plan. The indirect analysis also evaluates encroachment-alteration indirect effects such as the long-term decline in the viability of a population of a particular species as a result of habitat fragmentation caused by the project. The DEIR/S includes a cumulative impact analysis that evaluates changes in the study area as a result of the combined effects of the project, past development, and reasonable foreseeable future actions.

The DEIR/S includes information on the methodology and assumptions used in the indirect and cumulative analysis. The analysis includes potential impacts of the proposed transit project to land use, infrastructure requirements, and the social and economic environment. Induced growth in the vicinity of proposed stations and nearby communities was estimated using information from literature review and regional growth projections, including data obtained from regional planning agencies and the Transportation Economic Development Impact System (TREDIS) model.

The analysis of the smart growth scenario assumes that 1) infrastructure constraints will be overcome within reason and that the Commonwealth will support investments in infrastructure to realize more compact investment; 2) local rezoning can be expected to occur for Priority Development Areas (PDAs) to accommodate higher levels of development and different permitted uses; and 3) a greater mix of multi-family and smaller-lot single-family units will be developed under the smart growth scenario. The analysis also assumes that proposed stations are designed to optimize Transit Oriented Development (TOD) opportunities with the full range of smart growth measures as provided in the Corridor Plan and regional long-term plans.

In developing the 2030 smart growth scenario, all of the Priority Development Areas (PDAs) were designated to receive a portion of housing and job growth and 50 percent of projected growth (baseline and induced) was assumed to shift from Priority Protection Areas (PPAs) to PDAs, with 25 percent shifting from "neutral" areas to PDAs. The DEIR/S includes the results of analysis, which indicates that under the No-Build scenario, population in the study area is expected to grow by 74,371 households. The alternatives are expected to induce additional growth estimated to be 2,057 households (Attleboro), 1,972 (Stoughton) and 1,310 (Rapid Bus). Under the No-Build scenario, job growth in the study area is expected to add 81,615 jobs by 2030. The induced job growth associated with the project is estimated to be 2,600 (Attleboro), 2,535 (Stoughton), and 1,678 (Rapid Bus). The DEIR/S details how growth in households and jobs would be allocated, with some communities gaining and others losing jobs and households.

The DEIR/S further develops the analysis by evaluating impacts of induced growth on land use, farmland, wetlands, biodiversity, water and sewer infrastructure, and air quality. Metrics used were based on published sources (e.g. loss of 0.3 acres of forest land per household under the No-Build scenario). Information from the MassAudubon report "Losing Ground" was used to estimate the direct and indirect impacts on biodiversity as a result of new development in the south coast region. The analysis in the DEIR/S assumes a thirty percent reduction in land consumption based on a high-level implementation of Smart Growth measures (and 21 percent reduction for the "low" scenario). Both high and low metrics were used to reflect different level of implementation of the smart growth plan (e.g. 0.21 acres of forest land loss under the "high smart growth" scenario and 0.24 acres of loss under the low scenario). Community-specific metrics were also developed.

The induced growth in jobs and households estimated for the project alternatives amounts to a 2.8 percent increase above the No-Build scenario for the Attleboro alternative, a 2.7 percent increase for Stoughton, and a 1.8 percent increase for the Rapid Bus. The Whittenton alternative was not evaluated separately as it is expected to have a similar level of induced growth as the

Stoughton alternative. The DEIR/S includes estimates of projected residential unit and commercial development associated with proposed station area Transit Oriented Development (TOD). The Stoughton alternative (the preferred route) would include TOD at ten station sites. Overall, the redistribution of growth expected as a result of the smart growth plan would result in a greater amount of new growth in New Bedford, Fall River, Foxborough, and Taunton. Future growth would be shifted out of rural communities such as Acushnet, Berkeley, Lakeville, Rehoboth, Wareham and Westport as well as more developed communities such as Mansfield.

The DEIR/S evaluates the cumulative effects to the economy of each of the project alternatives combined with historic economic trends and recent or reasonably foreseeable future actions. All the alternatives are expected to measurably benefit the economy based on the projections for 2030 (\$487 million-Attleboro, \$479 million-Stoughton, and \$296 million-Rapid Bus). The analysis indicates that the incremental addition of project-related benefits to the regional economy are not substantial; the cumulative effects of any of the alternatives would be a minimal change to any of the economic parameters. The Rapid Bus alternative is expected to have less of an economic benefit due to less ridership, TOD, and induced growth when compared with the rail alternatives. Local economic impacts would vary depending on where the stations and PDAs are; the smart growth approach would concentrate impacts in PDAs. The analysis concludes that induced growth would result in economic benefits in the South Coast region, and that there are no substantive differences between the alternatives in their cumulative impacts to the economy on a regional basis. From a regional perspective, cumulative economic effects are expected to be minimally different from the No-Build scenario.

The amount of land expected to be lost as a result of growth under the No-Build scenario (i.e. no new transit) is estimated in the DEIR/S at 44,995 acres. When induced growth associated with the project is added, the loss is expected to be 46,165 acres (Attleboro), 46,121 acres (Stoughton), and 45,756 (Rapid Bus). The DEIR/S indicates that for every one acre of development, three acres of biodiversity are impacted. The No-Build alternative is expected to result in a loss of biodiversity value in 134,984 acres of land. The Stoughton Alternative is expected to result in an additional indirect loss of 1,126 acres of land compared to the No-Build, which corresponds to an additional loss of biodiversity value in 3,378 acres of land (for a total loss of value in 138,362 acres due to baseline and project-related induced growth). The combined loss of land associated with the Stoughton route is 1,233 acres (106.8 from direct conversion and 1,126 from induced growth). The DEIR/S quantifies cumulative impacts to biodiversity based on historic trends, the project alternatives, and other recent and foreseeable development. The analysis indicates that implementation the smart growth strategy would be beneficial environmentally and would reduce habitat degradation by approximately 50 percent.

The DEIR/S presents additional detail on the projected losses in forested land and wetlands under the No-Build and other project alternatives, and quantifies reductions in impacts expected under a smart growth approach to development. Cumulative impacts to rare species, water quality and wetlands are evaluated. The induced growth-related loss of wetlands is estimated at 13 acres for the Stoughton alternative, which could be reduced to a 9.3-10-acre loss under a smart growth development scenario. The total direct and indirect impacts to wetlands are estimated to be approximately 25.35 acres for the Stoughton alternative (this estimate is for

Bordering Vegetated Wetlands and Outstanding Resource Waters associated with vernal pools. Additional detail on other resource impacts will be included in the FEIR).

The analysis of indirect impacts also considers additional water demand associated with induced growth of households, estimated at 285,025 gallons per day (gpd) more than the No-Build for the Stoughton Alternative (184,438 gpd for the Rapid Bus and 294,287 gpd for Attleboro Alternative). Additional greenhouse gas (GHG) emissions associated with induced household growth was analyzed using the eQUEST model and estimated to result in an increase in GHG emissions of 20,750 tons per year (tpy) of CO₂ for the Stoughton Alternative, 21,424 tpy for Attleboro Alternative, and 12,427 tpy for the Rapid Bus Alternative. The amount of vehicle miles travelled (VMT) is expected to increase as a result of induced growth. The DEIR/S projects an increase of approximately 75,422 VMT for the Stoughton alternative and estimates that implementation of aggressive smart growth measures could result in a decrease of 490,451 compared to the No-Build “business-as-usual” alternative.

The analysis in the DEIR/S indicates that cumulative impacts of the project’s emissions would not result in an exceedance of the National Ambient Air Quality Standards (NAAQS) for criteria pollutants for any of the project alternatives. Ambient air quality is expected to improve at the regional level due to increasing regulatory controls despite new sources of pollution. The difference in modeled air emissions (including CO₂) among the alternatives is less than 0.2 percent and the percent change in emissions between the build without mitigation and the Build with Smart Growth alternative is less than 0.1 percent at a regional level, indicating no substantial difference in impacts to air quality. As noted above, the GHG analysis of mobile emissions for induced growth and smart growth has not yet been completed.

The proposed smart growth measures for the project would reduce the amount of land that would otherwise be developed in the region. Land use impacts associated with the project under the high and low smart growth scenario are estimated to be: 31,168 – 35,349 acres (Attleboro); 31,297 – 35,321 acres (Stoughton); and 31,058 – 35,051 acres (Rapid Bus), an improvement of approximately five percent over the “business as usual” development scenario. The preferred Stoughton route is expected to result in an additional loss of 1,233 acres of land compared to the no-build alternative. However, if smart growth measures are implemented as proposed for the Stoughton alternative, the DEIR/S estimates a reduction of approximately 9,674 acres in land lost to development, compared with development patterns associated with the “business as usual” scenario. Implementation of smart growth measures as proposed in the DEIR/S, through the South Coast Rail Economic Development and Land Use Corridor Plan, is clearly a good strategy to advance environmental protection in concert with anticipated economic development, and if successful will contribute to mitigation for project-related indirect impacts. The smart growth aspects of the mitigation plan should be further developed in the FEIR.

South Coast Rail Economic Development and Land Use Corridor Plan

The DEIR/S outlines strategies to promote smart growth including targeted state investments, a regional mitigation bank for private projects to support the South Coast Rail Economic Development and Land Use Corridor Plan (Corridor Plan), technical assistance to expand affordable housing and economic development opportunities, open space preservation,

and station area planning, and a regional Transfer of Development Rights (TDR) program to steer growth into areas appropriate for development (PDAs) and out of sensitive areas (PPAs). The South Coast Rail Corridor Plan received approval from the Governor in September 2010 with the signing of Executive Order 525 and \$320,000 in grants for smart growth assistance to communities in the south coast region. Executive Order 525 directs state agencies to review their policies, actions and investments to support and implement the recommendations of the Corridor Plan. Investments include, but are not limited to, water, wastewater, transportation, housing and economic development funding and land preservation funding. The FEIR should expand upon implementation of the Corridor Plan in conjunction with the proposed rail project as outlined in the Scope below.

Air Quality

The DEIR/S includes a mesoscale analysis that evaluates regional air quality impacts of the project alternatives with respect to emissions of Volatile Organic Compounds (VOCs), Nitrous oxides (NOx), Carbon monoxide (CO) Carbon dioxide (CO₂) and Particulate matter (PM). The analysis includes existing and future conditions in the study area. A microscale analysis was also conducted to look at hot spot areas where increases in CO and PM may occur at congested locations such as roadway intersections, and in the vicinity of stations and layover facilities. The DEIR/S evaluates air quality impacts in the context of the National Ambient Air Quality Standards (NAAQS). The DEIR/S explains the methodology used for the meso and micro-scale analyses and includes model input data in the appendices. The vehicle emission factors used were obtained using EPA's Mobile 6.2 emissions model and are adjusted to reflect Massachusetts-specific conditions such as vehicle age distribution, the statewide maintenance and inspection program, and Stage II Vapor Recovery System.

The microscale analysis used the EPA computer model CAL3QHC to predict CO and PM concentrations at receptor locations at each intersection in the study area, which included 12 intersections in the vicinity of proposed stations. The EPA atmospheric model AERMOD was used to model locomotive emissions at stations, layover facilities and environmentally sensitive areas such as the Hockomock Swamp. Mobile vehicle emissions were modeled using EPA's Mobile 6.2 emission factor model and the Central Regional Planning Staff (CTPS) regional travel demand model.

The DEIR/S includes the results of air quality analyses for the No-Build/Enhanced Bus, rail alternatives and the Rapid Bus alternatives, as well as stations and layover facilities. The analysis indicates that all alternatives would comply with the Clean Air Act Amendments and will not create any new violations of the NAAQS. The electric trains produce less pollutant emissions than the diesel rail and Rapid Bus alternatives. With regard to the microscale analysis for hotspot locations, the electric trains will not generate emissions locally that would affect receptor locations near the proposed stations. The diesel rail alternatives would result in an increase of CO, NOx and particulate matter at receptor locations in the vicinity of layover facilities and stations. The DEIR/S indicates that maximum concentrations (2016) would be below the NAAQS.

The DEIR/S analyzes ridership demand and changes in travel patterns for the various alternatives to develop a projection for reduction in Vehicle Miles Travelled (VMT) as a result of the proposed project. The VMT reductions correspond to a reduction in CO₂ emissions due to shifts from automobile to transit use. At the regional level, CO₂ emissions (mobile vehicles) are estimated at 27,800,000 tons per year (tpy) for the No-Build/Enhanced Bus. The Stoughton Electric alternative performs best in terms of CO₂ reduction with an estimated 59,715 tons per year reduction compared to the 2030 No-Build/Enhanced bus alternative. The Whittenton Electric provides a reduction of 45,584 tons per year (tpy) of CO₂. The Stoughton Diesel provides a reduction of 44,007 tpy compared to 32,601 tpy for Whittenton Diesel and 6,588 tpy for the Rapid Bus (diesel) alternative. The difference in GHG reductions can be attributed primarily to the VMT reductions gained by the alternatives. The Stoughton Electric obtains a reduction of 295,922 VMT daily in 2030 compared with a reduction of 228,018 for the Whittenton Electric. The Diesel alternatives achieve reductions of 228,705 VMT daily (Stoughton), 173,961 VMT (Whittenton) and 81,495 VMT (Rapid Bus). The time of travel from the South Coast to Boston appears to be a significant factor in influencing ridership and the resultant VMT reductions. The Stoughton Electric attracts more riders from New Bedford and Fall River compared with the Whittenton alternative, hence the better VMT and CO₂ reductions as people who would otherwise drive the longer distance from those areas are switching to the train.

An analysis of greenhouse gases from stationary sources was not conducted. The DEIR/S indicates this is because no buildings are proposed for the stations. MassDOT has committed to use train engine plug-ins and electric block heaters at layover facilities. Additional analysis of GHG emissions and mitigation should be included in the FEIR as outlined in the Scope below.

Transportation

The DEIR/S includes a detailed analysis of transportation in the region addressing existing conditions as well as historical and future trends. Mitigation measures are proposed for roadways and intersections that would be most impacted by traffic associated each of the alternatives. The DEIR/S presents MassDOT's case for the need for the project based on adverse roadway and related air quality conditions, transit mode choice and equity, and implementation of the Commonwealth's Transportation policies. The analysis documents the growth in traffic volume over the past decade, which is 2-3 percent overall and 5 percent in some communities, that has created roadway congestion on the limited set of highways connecting commuters from the southeast region to Boston and Cambridge. These consistently congested conditions result in a Level of Service (LOS) of F and increased vehicular accidents on the three major highways serving the south coast. There has been an overall increase of seven percent in accidents, injuries and fatalities during the 2004-2006 study period with some routes showing increases of almost 30 percent in accidents or fatalities. Fall River and New Bedford had the first and third highest number of vehicle crashes during this period. As new households continue to be added to the region, the projected growth in commuter trips and VMT will exacerbate existing congestion problems, further compromising automobile safety and increasing emissions of mobile source pollutants that have an adverse impact on air quality and climate change.

Endangered Species

The DEIR/S includes the results of an endangered species impact assessment that investigated areas of mapped habitat within 100 feet of the right-of-way (ROW) of rail and Rapid Bus project alternatives. The DEIR/S identifies 15 Priority Habitats within the study area and 15 Estimated Habitats. Thirteen state-listed species are documented to occur within these habitats, including amphibians, reptiles, crustaceans, dragonflies, butterflies, moths, and plants. These species are likely to occur adjacent to the ROW (defined in the DEIR/S as within 100 feet of the centerline of the ROW). Additional state-listed species may occur beyond that radius and may be impacted by habitat alteration associated with project construction and operation. The DEIR/S identifies 16 additional state-listed species for which habitat may be found adjacent to the project corridor.

None of the proposed station sites are located within mapped habitat of state-listed species, except for Raynham Place where the platform is located within mapped habitat. The DEIR/S indicates the Raynham Place station site is previously developed and does not provide potential habitat. The DEIR/S identifies five potential alternatives for layover facilities in New Bedford, Fall River and Freetown, none of which are located within mapped habitat. The mid-day bus layover facility for the Rapid Bus alternative is not within mapped habitat. A mid-day layover facility in Boston has yet to be identified but it is unlikely to be located within mapped habitat as noted in the DEIR/S.

The state-listed species known to occur in areas intersecting or adjacent to the ROW of project alternatives include the Blue-Spotted Salamander (special concern), the Marbled Salamander (threatened), the Wood Turtle (special concern), Blanding's Turtle (threatened), Eastern Box Turtle (special concern), Coastal Swamp Amphipod (special concern), Mocha Emerald (special concern), Hessel's Hairstreak (butterfly of special concern), Pale Green Pinion Moth (special concern), Water Willow Stem Borer (moth of special concern), Gypsywort (endangered plant), Long-leaved Panic Grass (threatened), and Long's Bulrush (threatened).

The DEIR/S describes the methodology used to assess impacts to endangered species and their habitats. As noted in the NHESP comment letter, there are some issues relating to the methodology that should be resolved in consultation with NHESP during FEIR preparation. Some of the measures used in the DEIR/S may not provide a meaningful basis for comparing state-listed species impacts among the various alternatives. These measures include (1) the total acreage of Priority Habitat impacted with or without existing disturbed areas included, and (2) the individual species impact assessments based on vegetation cover types. NHESP has recommended that the Barrier Effect Grade shown in Table 3.3-24, and the NHESP scores and overall assessment of "Habitat Functions Lost" (see tables in Section 4.15.3.5) be used for evaluating the alternatives. Based on these measures, the Stoughton and Whittenton alternatives have similar levels of impact on state-listed species, which are substantially greater than those of the Attleboro or Rapid Bus Alternatives.

The DEIR/S quantifies potential habitat loss for the various alternatives. Upgrades to rail lines on the Southern Triangle, common to all rail alternatives, will result in foraging, breeding/nesting, and wintering habitat loss, including approximately 2 acres in areas along the

Fall River Secondary and 5.1 acres along the New Bedford Main Line. One traction power station is located within Priority and Estimated Habitat and would result in 0.8 acres of habitat loss in the Southern Triangle. The DEIR/S identifies potential impacts including increased mortality of turtles crossing tracks and increased mortality of moths and butterflies due to herbicide use near streams and wetland habitat.

The Rapid Bus Alternative impacts an estimated 16.2 acres of mapped state-listed species habitat, which is comprised of edge habitat in the vicinity of existing roadways. The Attleboro Alternative, eliminated for operational infeasibility, would have impacted approximately 30 acres of habitat. However, these alternatives would run within or immediately adjacent to existing active rail lines (Attleboro) or existing highways (Rapid Bus). Although these alternatives might impact some Priority Habitat areas, NHESP indicates that the endangered species impacts and habitat fragmentation effects would be modest, especially in comparison to the Stoughton Alternative.

The Stoughton and Whittenton alternatives impact both edge and interior habitats, and are comparable in terms of their impacts to rare species habitat. Either alignment would result in approximately 30 acres of impact to state-listed species habitat and are similar in terms of the quality of habitat affected. While the Whittenton route avoids impacts to habitat of the Hessel's Hairstreak in Pine Swamp it would impact additional Box Turtle habitat. NHESP has indicated in its comment letter that rare species impacts should not be a deciding factor in choosing among the Stoughton Direct route and Whittenton variation.

The DEIR/S describes rare species studies conducted in 2001 and 2008 along the proposed Stoughton line in areas where there is currently no track, as well as studies conducted for the Attleboro Alternative. The 2001 studies in Hockomock and Pine Swamps included an area within 600 feet of the right-of-way centerline. The Stoughton direct route crosses two Priority Habitats including land within the Hockomock Swamp and Pine Swamp, and the Whittenton Alternative crosses the Three Mile River ACEC and the Hockomock Swamp. Construction of the preferred Stoughton route would result in the loss of habitat of five state-listed species on the proposed alignment north of Weir Junction as well as potential habitat of nine state-listed species adjacent to the corridor in the Southern Triangle. The Stoughton route results in direct loss of an estimated 3.4 acres of habitat in Hockomock Swamp and 22.1 acres within the Pine Swamp, for a total of 25.5 acres of Priority and Estimated Habitat (including one traction station proposed in the Hockomock Swamp). Indirect impacts associated with the proposed Stoughton rail include loss of migratory routes (barrier effect) and increase in habitat fragmentation resulting from construction within currently undeveloped forested land. Widening of the canopy gap for construction and Right-of-Way (ROW) maintenance as well as clearing in the vicinity of vernal pools is likely to cause additional indirect impacts.

The DEIR/S outlines potential mitigation measures for the preferred Stoughton route, which include an 8,500 linear foot trestle in the Hockomock Swamp, construction of wildlife passages and nesting sites, acquisition of land or conservation restrictions to protect critical habitats, habitat enhancement, contribution to a mitigation bank for species protection, funding research programs to benefit state-listed species, and construction-related measures to avoid and minimize impacts. Detailed mitigation plans should be included in the FEIR as outlined in the Scope below.

Wetlands

The DEIR includes a description of wetland systems identified along the proposed alignment for the rail and the Rapid Bus alternatives, and at the proposed station and layover sites. A quantitative analysis is provided as well as summary information on wetland functions and values with graphics illustrating each segment of rail or roadway. The DEIR/S describes the assessment methodology and discusses approaches to mitigation in the context of state and federal regulatory requirements, including the criteria for a variance from Wetlands Protection Act (WPA) performance standards. The DEIR/S documents that there are no project alternatives that could proceed without a variance and presents information to support MassDOT's contention that the project serves an over-riding public interest. Mitigation measures to address the variance criteria have not yet been developed. The FEIR should include additional information and analysis to support MassDOT's variance request as outlined in the Scope below.

The U.S. Army Corps of Engineers (USACE) Highway Methodology was used including the guidance on evaluation of functions and values contained in the USACE New England District's Highway Methodology Workbook Supplement (1999). Each of the alternative project corridors was assessed for the presence of wetlands within 100 feet of the right-of-way. Permanent and temporary impacts are addressed and indirect and cumulative impacts are evaluated as noted above in the review of the indirect impact assessment.

The Southern Triangle is common to all rail alternatives. Direct impacts to wetlands associated with the proposed upgrades to the Fall River Secondary line are estimated in the DEIR/S to amount to 2.72 acres of permanent Bordering Vegetated Wetlands (BVW) and 2.68 of temporary BVW alteration; 0.45 acres of permanent Outstanding Resource Water (ORW) alteration and 0.26 of temporary ORW alteration; 3.25 acres of permanent Bordering Land Subject to Flooding (BLSF) and 1.25 acres of temporary BLSF alteration; and 1,146 linear feet of Bank impact. The volume of BLSF alteration is not quantified in the DEIR/S. Approximately 2 acres of the permanent BVW impact occurs within wooded swamp along the Freetown section of the alignment. The DEIR/S identifies 34 stream crossings along the Fall River Secondary, including 11 perennial streams. Work is proposed within Riverfront Area at all perennial stream crossings. The ORW impacts are associated with two vernal pools.

The project includes upgrades to the existing New Bedford Main line freight track. Direct wetland impacts associated with these upgrades include: 2.53 acres of permanent BVW alteration and 4.93 acres of temporary BVW alteration; 0.1 acres of permanent ORW impact and 0.17 acres of temporary alteration to ORW; 7.65 acres of permanent BLSF impacts and 2.33 acres of temporary BLSF impacts (volume has yet to be determined); and 832 linear feet of temporary impact to Bank. The traction station for the Stoughton electric alternative requires an additional 0.02 acres of BVW impact. A portion of the ROW passes through the Assonet Cedar Swamp Wildlife Sanctuary, the Acushnet Cedar Swamp State Reservation, and a large wetland system associated with Fall Brook. There are 34 stream crossings associated with the project on the New Bedford Main line, ten of which are perennial and would involve impacts to Riverfront Area. ORW impacts include one vernal pool in Berkeley.

The DEIR/S includes a comparative analysis of wetland impacts associated with the rail and Rapid Bus alternatives. The Attleboro and Rapid Bus alternatives result in the highest amount of BVW impacted with 20.56 acres of 21.48 acres respectively. The Stoughton Electric results in 11.94 acres of direct permanent wetland impact compared with 10.34 acres for the Whittenton alternative. Diesel options have slightly less wetlands alteration as they do not require electric traction stations. As noted in the DEIR/S and in comments received, the quality of habitat impacted is an important consideration in evaluating the significance of impacts and alternatives with less acreage of alteration may actually result in more significant impacts.

The Stoughton Electric preferred alternative, including the Southern Triangle and the corridor north of Weir Junction, will result in: permanent alteration of 11.84 acres of BVW and temporary alteration of 12.55 acres of BVW; 1.7 acres of permanent ORW impact and 2.63 of temporary ORW impact; 1.72 acres of permanent impact to wetlands within an ACEC; 23.33 acres of permanent BLSF alteration and 6.1 acres of temporary BLSF alteration (volume of BLSF to be determined in FEIR). Within the Hockomock Swamp in Raynham and Easton, in areas where an elevated trestle is not being proposed, the Stoughton route results in permanent alteration of 1.74 acres of BVW and 0.57 acres of temporary impact. As with the Southern Triangle portion of the route, the greatest impacts north of Weir Junction are in wooded swamps along the proposed rail alignment. In addition to direct impacts, the DEIR/S includes an analysis of indirect impacts and estimates that an additional 13 acres of wetlands would be impacted by induced growth associated with the rail project (for a total of 25.35 acres of impact). Biodiversity impacts are estimated at 3 acres for every one acre of land consumption, which would translate to degradation in biodiversity value of approximately 76 acres of land as a result of the project's direct permanent impacts and induced growth-related impacts to Bordering Vegetated Wetlands.

The DEIR/S includes a conceptual watershed approach to wetlands mitigation and indicates that the Stoughton Electric Alternative would require 23.57 acres of compensatory wetlands mitigation under state guidelines and 33 acres under federal guidelines for permanent resource impacts. Based on MassDOT's assessment, mitigation would be required in the Buzzards Bay Watershed (1.42 acres), Mount Hope Bay Watershed (0.27 acres), Neponset River Watershed (0.18 acres), and the Taunton River Watershed (21.7 acres). During preparation of the DEIR/S and based on consultations with state and federal agencies, the MEPA Office agreed with the Proponent that, in the case of this project, it would be difficult to develop very detailed plans for mitigation until the alternatives analysis was complete and a single preferred alternative identified for further analysis in the FEIR. As outlined in the Scope below, detailed wetland mitigation plans are required in the FEIR as well as public outreach by MassDOT during preparation of the draft plans.

Biodiversity and Wildlife Habitat

The DEIR/S includes a description of bioregions (or ecoregions) within the study area, which include the Southeastern Massachusetts Bioreserve, the Hockomock Important Bird Areas (IBA), the Freetown/Fall River State Forest and Southeastern Massachusetts Bioreserve IBA, Biomap Core Habitats, and Living Waters Core Habitats. The DEIR/S also includes an overview of plant communities, wetland and upland cover types, vernal pools, and wildlife including fish and bird species within the study area.

The Southern Triangle portion of the project involves upgrades to the New Bedford Main and Fall River Secondary lines, which pass through or adjacent to several areas of core habitat including the Acushnet Cedar Swamp, Assonet Cedar Swamp, Forge Pond, Turner Pond, and Freetown/Fall River State Forest. The New Bedford Main Line is adjacent to a large unfragmented wetland in Berkley and crosses Cotley River, Cedar Swamp River, Fall Brook and Assonet River, which are all important fisheries habitats.

The Stoughton Alternative includes improvements to existing active freight lines (track sections from Dean Street in Taunton to Cotley Junction, and north of Stoughton Station), as well as construction of tracks for commuter rail on an abandoned ROW between Dean Street and Stoughton Station. The DEIR/S indicates that the ROW provides suitable migratory habitat for wildlife because there are no ties and tracks to prevent turtles, amphibians, and small mammals from moving across the ROW. The DEIR/S indicates that the ROW does not likely provide suitable nesting, breeding or foraging habitat due in part to erosion resulting from unauthorized use by All Terrain Vehicles (ATVs), bicycles and pedestrians. The Stoughton Route crosses through Core Habitat in the Hockomock Swamp and Pine Swamp in Raynham. It crosses the Hockomock Swamp for approximately 1.6 miles and crosses three miles of Biomap Core Habitat within the Hockomock Swamp ACEC, as well as approximately one mile in the Pine Swamp and Core Habitat BM1196. The Stoughton Alternative crosses Taunton River, mapped by NHESP as a Living Water Core Habitat and identified as a fisheries habitat. Other fisheries habitat crossed by the Stoughton Alternative include Whitman Brook, Queset Brook, Black Brook, Pine Swamp Brook, and Mill River. The DEIR/S includes information on thirty-eight vernal pools identified along the Stoughton route (from Taunton north), mostly within the Hockomock Swamp. The Stoughton alternative also crosses and is adjacent to large wetland and upland areas in Stoughton and Easton including the Stoughton Memorial Conservation Land, which includes the Bird Street Conservation Land.

The DEIR/S discusses potential direct impacts such as vegetation clearing and site grading and impacts related to culvert and bridge construction or reconstruction. The DEIR/S estimates a direct loss of 88.46 acres of habitat along the Stoughton Electric route between Weir Junction and Stoughton Station. Approximately 31.68 acres of upland forested non-breeding habitat between 100 and 750 feet of 82 vernal pools would be lost, the majority of this would be north of Raynham Junction. The amount of fill to vernal pools along this section of the route is estimated to be 1.31 acres, which is associated with 16 vernal pools. Approximately 13.75 acres of buffer habitat within 100 feet of 29 vernal pools will be lost as a result of the project. Total loss of habitat for the Stoughton route, including the Southern Triangle is estimated to be 182.27 acres (upland), 11.86 acres (wetland), 1.77 acres (vernal pools), and 55.04 acres (supporting vernal pool upland habitat).

Indirect impacts such as fragmentation and edge effects, wildlife movement and migratory barrier effects are also discussed in the DEIR/S. The Stoughton Alternative will result in barriers to wildlife movement and related fragmentation impacts. It will also increase canopy gap through portions of the Hockomock Swamp in areas where the forest canopy has closed since abandonment of the historic rail line, resulting in edge effects with changes in light, temperature and humidity.

An analysis of biodiversity value and potential impacts of project alternatives was conducted by University of Massachusetts, Amherst using CAPS (the Conservation Assessment and Prioritization System). The analysis was conducted for baseline conditions, and for the Attleboro, Stoughton and Whittenton alternatives. The study area included the entire Taunton watershed and a 5 kilometer buffer around all rail lines for the alternative routes. The Stoughton and Whittenton variation were modeled with and without a trestle through the Hockomock Swamp. The CAPS analysis provides a quantitative assessment of ecological integrity to compare the relative habitat impacts of alternative development scenarios and/or the benefits of habitat management or environmental restoration options. It is a useful tool for environmental impact assessment and decision-making. CAPS defines ecological integrity as the ability of an area to support biodiversity and the ecosystem processes necessary to sustain biodiversity, over the long term. The output of the analysis is an Index of Ecological Integrity (IEI), based on a model that takes into account connectivity between various points on the landscape, habitat type and similarity, influence of nearby roads and traffic, and other metrics related to ecology and development. The CAPS model assigns a value of 0 to 1 for each point in the landscape, based on the ability of a point to serve as wildlife habitat, and generates an IEI score. Locations with the best habitat score 1.0 and lower quality habitat scores are closer to 0. Direct and indirect effects of the project degrade the value of that landscape point (or cell) to serve as wildlife habitat (as do other stressors such as roadways).

The DEIR/S includes the results of the CAPS analysis as well as a description of the methodology and assumptions. Overall, the two routes through Hockomock Swamp showed the greatest estimated loss in ecological integrity, followed by the Attleboro route with considerably less influence (77-80% of the loss associated with the Stoughton and Whittenton alternatives). The trestle alternatives through Hockomock Swamp reduced the modeled loss of ecological integrity somewhat, although many of the benefits of a trestle are likely to occur at a local scale below that of the CAPS analysis. Since a large section of the route, the Southern Triangle, is common to all the rail alternatives, the ecological integrity loss was also calculated for those portions of the alternative routes that are not in common. Excluding the Southern Triangle, the loss in ecological integrity ranges from 206.8 units for the Attleboro Alternative to 312.1 units for Stoughton (no trestle) and 319.5 units for Whittenton (without trestle). When the trestle is included, the modeled loss in ecological integrity for Whittenton is 309.2 units and for the Stoughton Alternative it is 302 units. The Southern Triangle results in an IEI loss of 172.5 units for a total estimated project loss of 474.5 units associated with the preferred Stoughton Alternative. The Rapid Bus was not analyzed and was assumed to have minimal loss in biodiversity compared to the rail alternatives because it would operate along existing roadways and habitat impacts would occur near areas that are already degraded.

The biodiversity analysis splits the project-related loss in ecological integrity into direct and indirect loss. The direct loss is primarily associated with the proposed stations. Most of the projected loss overall is associated with indirect impacts. The Stoughton route with the trestle will result in a loss of approximately 17.6 units of ecological integrity from direct impacts and 456.9 units will be lost as a result of indirect impacts. At MassDEP's request, UMass Amherst evaluated the degree to which important habitat (with IEI>0.6) in the baseline assessment would be compromised as a result of the Stoughton alternative's one-mile transit of the Pine Swamp, a 275-acre unfragmented high quality wetland that is avoided by the Whittenton route. The results

indicated that while the Whittenton route impacts 7 more units (compared to Stoughton), the Stoughton route would impact 13.5 additional units that had a high value for wildlife habitat. As noted in MassDEP's letter, UMass calculates that the loss of 13.5 units would be equivalent to 18 acres of Pine Swamp no longer being characterized as important wildlife habitat (i.e. not in the top 40 percent of IEI scores).

Based on the biodiversity analysis, the proposed Stoughton Alternative will result in substantial direct and indirect ecological impacts for which mitigation should be provided. MassDOT should develop targeted mitigation plans as outlined in the Wetlands and Biodiversity and other sections of the Scope below.

Water Quality and Public Water Supplies

The DEIR/S concludes that the Stoughton Alternative, which involves temporary construction activities within one Zone A area, Zone II areas for six wells, and the Interim Wellhead Protection Area (IWPA) for two wells, would not result in long-term impacts to water supply. During post-construction operations, the project will discharge stormwater to these same water supply protection areas as well as ten different waterbodies including one ORW within the Hockomock Swamp ACEC and the East Branch of the Neponset River in the Fowl Meadow ACEC. One new station in Easton is proposed within a Zone II area. MassDEP, in its comment letter, concurs with the DEIR/S conclusion that with comprehensive and early planning and design of adequate containment, minimization and mitigation measures and consistent implementation of maintenance procedures, the proposed project will not result in impairment of surface and groundwater quality or functions. Additional information on compliance with stormwater standards is required in the FEIR as outlined in the Scope below.

Article 97 lands

For each of the project alternatives, the DEIR/S identifies land impacted by the project that is protected under Article 97 of the Amendments to the Massachusetts Constitution. Portions of three protected open spaces and publicly owned land within one ACEC subject to the EEA Policy are proposed for acquisition as part of the Stoughton Alternative. Three of these parcels would be used for traction power substations.

Environmental Justice

The DEIR/S includes information on environmental justice populations in the project area, discusses relevant state and federal policies, and analyzes potential impacts to environmental justice populations with a comparative analysis of the effects of the various alternatives. The DEIR/S identifies areas in which there will be a disproportionate impact to environmental justice populations as a result of noise and vibration, and describes the potential benefits in terms of economic development and improved access to transportation, jobs and education. Environmental Justice neighborhoods are located in Attleboro, Canton, Fall River, Mansfield, New Bedford, Stoughton, and Taunton. The DEIR/S evaluates impacts related to neighborhood fragmentation, noise level increases, and residence or job losses associated with property acquisition. The analysis examines whether adverse impacts will be predominantly

borne, or experienced in more severity, by Environmental Justice populations in comparison to non-EJ populations in the same communities.

The Southern Triangle portion of the project contains a larger Environmental Justice population compared to areas further north along the alignment; 36 percent of the Environmental Justice population is around the Fall River Secondary and 50.4 percent around the New Bedford Main Line. Populations include those meeting the low income criteria as well as minority populations. 88.7 percent of Fall River's population live within Environmental Justice-designated neighborhoods.

Of the populations affected by noise impacts associated with the electric rail on the Fall River Secondary, 34.7 percent are Environmental Justice residences and 65.4 percent are not (for the diesel alternative it is 36 and 64 percent respectively). For the electric rail on the New Bedford Main line, the number of impacted Environmental Justice residences is 9.2 percent of the total while non- Environmental Justice residences account for 90.8 percent of residences affected (6.3 and 93.3 percent respectively for the diesel alternative). Impacts to Environmental Justice residences in Taunton account for 10.5 (electric) and 10.8 (diesel) percent of the total residences impacted. In New Bedford, the Environmental Justice residences account for 18.8 percent (electric) and 14 percent (diesel) of the total number of impacted residences.

The DEIR/S indicates that vibration impacts to residences could be mitigated by using ballast mats beneath the rail lines and "frogs" at selected switch locations as well as special pile-driving methods to reduce construction-related impacts. The electric alternatives will not adversely affect local air quality in Environmental Justice neighborhoods. Diesel alternatives will result in increased CO and particulate matter at the local level.

The noise impact analysis for the Stoughton Electric alternative concluded that 1,525 residences would be impacted by moderate and severe noise levels. The number of Environmental Justice residences affected is 110, approximately 7.2 percent of the total. Raynham and Easton do not contain Environmental Justice populations. The percent of noise-impacted residences within Environmental Justice neighborhoods in Stoughton is 25.1 percent and in Taunton it is 11.3 percent. The numbers for the diesel alternative are 25.8 percent and 4.3 percent for Stoughton and Taunton respectively. The Whittenton Electric alternative in comparison would result in moderate or severe impacts to 494 residences within Environmental Justice neighborhoods in Taunton, representing 36.4 percent of the total residences affected in that community. The Whittenton diesel results in noise impacts to 506 residences in Taunton (36.5 percent of the total residences affected). The Rapid Bus alternative does not result in adverse noise impacts to Environmental Justice communities.

The proposed Battleship Cove and Whale's Tooth stations in New Bedford, the King's Highway Station, the Fall River Depot, and the Taunton Station are expected to catalyze redevelopment and improve access to transit, as well as employment and educational opportunities for Environmental Justice populations in the area. Data included in the DEIR/S indicates that 20.7 percent of households in Fall River do not own a car compared with the state-wide average of 12.7 percent. The DEIR/S projects that the value of homes in the vicinity of proposed stations will increase as a result of the project and related TOD.

The DEIR/S evaluates potential impacts relating to property acquisition and concludes that acquiring nine parcels as proposed in Fall River will result in a tax revenue loss for the City which would affect financial resource availability for the surrounding Environmental Justice neighborhood. The acquisition of commercial and industrial buildings on the properties may also result in job losses for the nearby Environmental Justice population. The proposed Fall River Depot station is expected to spur growth and catalyze redevelopment of the waterfront area.

The DEIR/S evaluates time of travel for the various alternatives in relation to access to jobs for populations in New Bedford, Fall River and Taunton. The study concludes that the Fall River Environmental Justice populations will benefit the most and New Bedford the least in terms of improved access to basic jobs. The greatest improvement would be realized through the Stoughton Electric because of its faster travel time and projected ridership from the three communities.

The analysis in the DEIR/S concludes that Environmental Justice communities, at a regional level, would not be disproportionately affected by the proposed project. However, at a local community level, Environmental Justice communities in Stoughton would be disproportionately affected by noise relative to non- Environmental Justice communities in that municipality. The Whittenton alternative would result in even greater noise impacts to Environmental Justice communities. The noise impacts in Fall River would be predominantly borne by Environmental Justice residences. Mitigation measures for noise and vibration impacts should be further evaluated and committed to as outlined in the Scope below.

Coastal Resources

The Fall River Secondary crosses approximately 4,100 feet of filled tidelands in seven locations and three non-tidal rivers and streams potentially subject to Chapter 91 Jurisdiction. Approximately 6.6 miles of the Fall River Secondary (in three segments) is located within the Coastal Zone and a total of 0.5 miles of the Fall River Secondary near the southern end of the project area is located within the Mount Hope Bay Designated Port Area (approximately 2,100 feet near Weaver's Cove and 500 feet near Battleship Cove). The New Bedford Main Line crosses several areas of filled tidelands south of Wamsutta Street in New Bedford (approximately 3,900 feet of filled tidelands in four locations) and five potentially jurisdictional non-tidal rivers and streams.

The DEIR/S describes the proposed work at each crossing and provides a summary of the potential approvals necessary under Chapter 91 and the Coastal Zone Management Program. Certain Chapter 91 jurisdictional and licensing issues remain unclear and MassDOT should address these with MassDEP and in the FEIR as outlined in the Scope. The DEIR/S indicates that the Stoughton line (north of southern triangle) is entirely within inland communities and does not include any work within filled tidelands, flowed tidelands or the Massachusetts Coastal Zone. However, there are nine crossings of non-tidal rivers that may be subject to Chapter 91.

The DEIR/S discusses proposed work at stations and layovers and consistency with regulatory standards and policies. Additional information is required in the FEIR as outlined in the Scope below. Four of the proposed station sites are located on filled tidelands or are within

the Massachusetts Coastal Zone: Battleship Cove, Fall River Depot, Freetown, and Whale's Tooth. Battleship Cove and Whale's Tooth station sites include landlocked tidelands, and require a Public Benefits Determination. Four of the alternative layover sites are located within filled tidelands and require evaluation for Chapter 91 jurisdiction and compliance and consistency with Coastal Zone Management policies. The Wamsutta, New Bedford layover facility is within landlocked tidelands.

Cultural Resources

The DEIR/S includes a detailed evaluation of historic and archaeological resources in the Area of Potential Effect (APE) and identifies specific historic districts and buildings that may be adversely affected by the project, as well as sites of cultural value to Native American people. The Wampanoag Tribe of Gay Head/Aquinnah has indicated that the Hockomock Swamp and the Pine Swamp are regarded as traditionally culturally sensitive lands. Impacts to traditional cultural properties will be determined based on further consultation with the Tribes. The DEIR/S indicates that properties within historic districts that will be impacted by noise and vibration will be further evaluated in the FEIR. The project will have direct and indirect, as well as temporary and permanent, impacts on above-ground historic resources. Impacts evaluated in the DEIR/S include noise and vibration, traffic, visual, physical modifications, and air quality.

Based on the analysis in the DEIR/S, traffic and air quality impacts to historic and archaeological resources are expected to be minor. Temporary vibration impacts during construction may result in vibration levels that could cause structural damage in the vicinity of certain bridges. The DEIR/S evaluates project elements that may cause permanent impacts to viewsheds including catenary and other electrification infrastructure, vegetation clearing, grade crossings and traffic controls, noise walls, parking lots, and new building construction.

The DEIR/S identifies historic properties impacted by each alternative and describes those potentially eligible for National Register listing. The Southern Triangle affects 32 areas/districts and 214 individual properties of which 14 and 17 respectively are listed in National Register (NR) or considered eligible (8 areas/districts and 26 individual properties in the Southern Triangle are considered ineligible for NR listing. The Stoughton/Whittenton route affects 34 areas/districts and 267 individual properties of which 4 and 16 respectively are listed as NR eligible (16 areas/districts and 12 individual properties are not NR eligible). The Rapid Bus affects 2 historic area/districts and the Attleboro alternative affects 22 historic areas/districts as well as 221 individual properties within districts. The DEIR/S indicates that changes to infrastructure and the introduction of new structures along the Stoughton Line will have indirect visual effects on the H.H. Richardson Historic District. The design of project station and parking/drop-off areas will introduce new modern rail elements that will have a visual adverse effect on Ames Shovel Shop and North Easton station. DEIR also identifies historic properties that would experience moderate to severe noise impacts

The DEIR/S recommends an intensive survey for areas/districts and individual resources that have been identified as potentially eligible for inclusion in the National Register. The DEIR/S recommends additional survey work to inform consultation between the Corps and the Massachusetts Historical Commission (MHC) on the NR eligibility of resources and

determinations of effect on resources. Work is proposed prior to completion of environmental review and when more detailed design information is available. The methodology will include additional background research and field survey to analyze the integrity, historical context, and significance criteria met for each resource.

The DEIR/S includes a summary of the archaeologically sensitivity of the APE. Some locations contain moderate and high sensitivity areas for potentially significant pre-contact sites and documented/recorded post-contact areas. The Hockomock and Pine Swamps include sensitive terraces for pre-contact sites that may be traditional cultural places for Wampanoag Tribe of Gay Head/Aquinnah. High sensitivity areas in the Southern Triangle include Whale's Tooth Station, Wamsutta Layover facility, and historic cemeteries on the New Bedford Main Line. Proposed station sites in Easton North Easton and Taunton Depot are identified as moderate to high sensitivity. The DEIR/S indicates that the Corps will be addressing traditional cultural properties in a separate document pursuant to Section 106 of the National Historic Preservation Act. Additional archaeological studies will be completed prior to the FEIR.

The Stoughton Electric Alternative would result in direct impacts (adverse effects) to six historic properties, primarily historic bridges that would require reconstruction or widening, and potential direct impacts at some existing stations that would need to be reconstructed. In addition, this alternative would have indirect effects to an additional 62 properties as a result of changes in setting and/or increased noise that could affect the setting directly or require noise mitigation that could affect the appearance or setting of a building. It could affect two known archaeological sites for reconstruction of the Fall River Secondary. Archaeological resources could potentially be affected at other areas of archaeological sensitivity along the Stoughton Line, and at three station locations. The DEIR/S discusses potential mitigation strategies and measures to avoid and minimize impacts during construction and noted that additional detailed plans will be provided in the FEIR.

Noise and Vibration

The DEIR/S includes an analysis of noise and vibration impacts associated with the project alternatives. The Federal Transit Authority (FTA) Noise and Vibration Impact Assessment Guidelines were used to evaluate existing conditions and assess potential impacts of the project. The DEIR/S describes the methodology for the study and the land use categories and metrics for evaluating transit-related impacts, as well as including information on background noise levels and monitoring locations. The analysis assumed that horns would be sounded at all proposed grade crossings. Using the FTA guidelines, impacts are categorized as severe, moderate, or no impact depending on the projected increased level of exposure compared to existing noise levels.

In the Southern Triangle, common to all alternatives, electric train operations (operating train noise without horns) would result in 298 moderate and 63 severe impacts to residential receptors along the New Bedford Main line segment. Diesel train impacts are lower with estimates of 194 moderate and 38 severe impacts. Train horns along this segment will add 93 moderate and 76 severe impacts. Electric train operations for the Fall River Secondary will result in 581 moderate and 155 severe impacts to residential receptors. The majority of these occur in

Fall River, in the Cory and Durfee Street neighborhoods. Diesel operations are comparable with 570 moderate and 181 severe impacts. Train horns along this corridor will result in additional impacts of 98 moderate and 164 severe horn impacts. Electric train operations for the Stoughton line segment result in 441 moderate and 190 severe impacts to residential receptors, the majority occurring in Raynham and Easton, in the Elm Street (Easton), Bridge Street and Elm Street (Raynham) neighborhoods. Train horns along the Stoughton line segment will add 437 moderate and 457 severe impacts. Due to lower operating speeds, the diesel alternative has lower noise levels and will result in 335 moderate and 128 severe impacts. The Whittenton alternative has greater noise impacts to residents compared with Stoughton as a portion of the route diverts and affects additional receptors in Easton and Taunton. The Whittenton Electric train results in 530 moderate and 199 severe noise impacts as well as 828 moderate horn impacts and 1,082 severe horn noise impacts. This alternative has 12 at-grade crossings within a short distance in Taunton, hence the additional noise impacts. The Whittenton diesel train results in 492 moderate and 151 severe impacts in addition to the horn impacts. The Rapid Bus operations are not expected to result in any noticeable increase in noise levels for residential receptors.

The DEIR/S estimates noise impacts to residential receptors in the vicinity of the layover sites. One moderate impact to a receptor near the Weavers Cove East site is projected and no noticeable impacts to receptors near the other layover sites. Temporary construction noise impacts are also expected and control measures will be developed with noise guidelines incorporated into construction documents. The DEIR/S discusses potential noise mitigation measures in general for the train operational impacts. Additional evaluation is required for the FEIR as outlined in the Scope below.

The DEIR/S includes information on the vibration measurements conducted to evaluate existing conditions. Projected vibration levels are compared to FTA criteria which indicate that 80 Velocity level in decibel units (VdB) is a level at which human annoyance is experienced for residential receptors exposed to infrequent events (less than 30 per day). The criteria are lower for more frequent events. The DEIR/S indicates that most of the vibration impacts are in the 80-83 VdB range. For receptors closer to the tracks, levels are in the 85-89 Vdb range. The DEIR/S provides the FTA criteria indicating that 90 VdB typically elicits human response of difficulty with tasks such as reading a computer screen and 100 Vdb is the level at which minor cosmetic damage to fragile buildings may occur. The vibration assessment of the track switches indicates that one location has a receptor located within 225 feet of a switch that would result in a vibration impact of 80 VdB (residential receptor on Ingall Street near Weir Junction). At the Weaver Cove site, two residential receptors are located within 100 feet of the proposed track switches and one within 225 feet. At the New Bedford Church Street site, two residential receptors are located within 225 feet of the mainline switch.

The DEIR/S includes the results of the vibration impact assessment indicating that 95 residences will be impacted by vibration associated with the project in the southern triangle section of the corridor. North of the Southern Triangle, for the Stoughton line portion of the route, the DEIR/S estimates that 51 receptors will be impacted by vibration levels of 80 VdB or higher. One receptor is a multi-unit apartment building and the others are single-family homes. The residences are located in Stoughton (12), Raynham (13), Easton (17), and Taunton (9). The DEIR/S concludes that station and other historic buildings in Easton Village would experience

impacts below the 100 VdB vibration threshold for the onset of minor structural damage to fragile and historic buildings. The Whittenton route results in similar impacts to the Stoughton direct, and the Attleboro has less vibration impacts overall. The Rapid Bus is not projected to have any noticeable vibration impacts. Additional information on vibration impacts and mitigation should be included in the FEIR as outlined in the Scope below.

Stormwater

The DEIR/S discusses the potential direct and indirect effects on water resources from each of the South Coast Rail project alternatives, and identifies areas where stormwater management systems will be required. The DEIR/S concludes that with mitigation and drainage features in place, none of the Build Alternatives are expected to impair any water resources. The proposed Stoughton alternative will result in 14.4 acres of new impervious area and includes stormwater discharges to two ACEC/ORW waterbodies and nine non-ORW waterbodies, as well as six discharges to Zone II water protection areas and two discharges in Interim Wellhead Protection Areas (IWPA). Additional details on stormwater management should be included in the FEIR as outlined in the Scope below.

Farmland Soils

The DEIR/S indicates that the project would not result in significant impact to agricultural lands or convert land from active agriculture to non-agricultural use. The conclusion is based on an evaluation using the U.S. Department of Agriculture (USDA) scoring system and the fact that impacted farmland soils are not currently in active agricultural use. The Stoughton Electric route will impact approximately 13 acres of mapped farmland soils primarily associated with the development of the North Easton and Freetown stations, and traction power sites.

Oil and Hazardous Materials (OHM)

The DEIR/S provides a summary of each of the proposed alternatives in the context of potential OHM conditions in locations that may be affected by the South Coast Rail alternatives. The DEIR/S describes environmental site assessments conducted along sections of the project alignment as well as at layover and station sites. The DEIR/S describes the methodology and results including specific areas of environmental concern due to historic contamination. The DEIR/S also discusses management of contaminated soils and impacted groundwater in accordance with the Massachusetts Contingency Plan (MCP). The DEIR/S includes recommendations for further investigations and mitigation measures to be performed prior to and during construction of proposed stations, track segments, and layovers.

Station Sites

The proposed Stoughton route includes ten new stations from the existing Stoughton station south to New Bedford and Fall River. Two existing stations, Canton Center and Stoughton will require modifications for the preferred Stoughton route. Proposed new stations consist of high-level platforms (4 feet above track), canopies, commuter parking, a pick-up and drop-off area for buses, and drop-off parking. Platforms will be designed to handle a 9-car train

set (800 feet long approximately). The station designs includes bike storage areas and pedestrian connections to neighboring streets. The Transit Oriented Development (TOD) aspect of the proposed stations will include residential and commercial development.

The proposed Battleship Cove station in Fall River includes a single track and one side platform. This station will not have designated parking, it will allow for pick-up and drop-off only with a driveway access off Water Street. The paved loop driveway will accommodate three 40-foot buses as well as passenger vehicles for pick-up and drop-off. Pedestrian connection improvements to Fall River's central block are proposed which would improve access to Southeastern Regional Transit Authority (SRTA) Route 6 bus and the Route 7 bus will be extended to the station.

The Canton Center station is an existing station off Washington Street that will be modified for a second track. Two new 800-foot long low-level platforms with mini-high platforms are proposed adjacent to each track. Modifications to existing parking will be required and the existing 210 parking spaces would remain. There is no designated area proposed for bus or vehicular drop-off. A walkway is proposed from the platforms to existing sidewalks on Washington Street.

The new Taunton Depot station will be located off Route 140 at the rear of a shopping plaza and serve walk-in, drive-in and drop-off passengers. A total of 456 parking spaces are proposed. The driveway access will be through the existing Target Plaza with a new driveway behind Target to the new station parking area. The new driveway will accommodate two 40-foot buses. A sidewalk is proposed to connect with the existing sidewalk on Taunton Depot Drive. No feeder bus connection is proposed for this station. One center platform is proposed with a pedestrian bridge over the tracks with stairs and ramps. Triple tracks are proposed (two for commuter rail and one for freight).

The Easton Village Station is proposed immediately south of the historic H.H. Richardson train station on Sullivan Street in Easton. The location is within walking distance of downtown Easton and will serve walk-in and bike-in customers. The DEIR/S proposes using ten of the existing spaces at the historic train station for drop-off and pick-up. The driveway access for the proposed new station is from Sullivan Street and Oliver Street. No bus accommodation is proposed. One side platform and a single track is proposed. Pedestrian access is proposed via ramps connecting to an existing sidewalk on Oliver Street and an existing underpass (under the tracks) to connect with an existing sidewalk on the west side of Sullivan Street. A shuttle bus is proposed for Stonehill College and an extension of the Brockton Area Transit (BAT) Route 9.

The Fall River Depot Station will be located one mile north of downtown Fall River at Route 79 and Davol Street and is the site of an historic train station. A parking deck is proposed to limit surface parking and allow space for future TOD. The station will serve walk-in, bike-in, and drive-in customers. 513 parking spaces are proposed. The driveway access will be off Davol Street and will accommodate up to four 40-foot buses and 10 vehicles for passenger drop-off. One side platform and double track is proposed. Sidewalks will be installed throughout the site and along the frontage of Davol, Pearce, and Turner Streets connecting to existing sidewalks in

the vicinity of the stations. Pedestrian connections will provide access to SRTA Route 2. SRTA Route 14 will be re-routed to access the station.

The proposed Freetown station will be located on South Main Street. The site includes a self-storage business and is near the Fall River Executive Park and the proposed River Front Park. The station will serve drive-in customers and customers shuttled between the station and industrial parks. 174 parking spaces are proposed. The driveway access will be off South Main Street and will handle two 40-foot buses and 8 passenger drop-off vehicles. One side platform and a double track is proposed. Sidewalks are proposed out to South Main Street for future pedestrian connections. The existing SRTA Route 2 will be extended one mile to the proposed station.

The proposed King's Highway Station will be located in northern New Bedford along King's Highway, immediately east of Route 140. The station is located on the site of an existing shopping plaza and will serve walk-in, bike-in and drive-in passengers. 360 parking spaces are proposed. Parking will be shared with an existing movie theater. Access will be from the King's Highway through the existing commercial development to a shared parking area and bus drop-off, which will accommodate two 40-foot buses and 10 drop-off vehicle parking spaces. One side platform and a double track are proposed. Ramps will be installed to connect with sidewalks that will be extended to connect with existing sidewalks. The existing SRTA Route 8 bus and North End shuttle will be extended to connect to the station.

The proposed North Easton station will be located at the rear of the existing Roche Brothers plaza off Route 138. The station will serve primarily drive-in customers although it may attract walk-in customers also from existing and proposed new development on the site as well as nearby residences. 509 parking spaces are proposed and an access driveway from Roche's Brothers Way that will accommodate two 40-foot buses and 10 vehicular drop-off parking spaces. A center platform with pedestrian bridge is proposed as well as a double track and a sidewalk to connect with the existing sidewalk along Roche Bros. Way. No feeder bus connections are proposed for this station.

The proposed Raynham Place Station will be located at the Raynham-Taunton Greyhound Park off Route 138. The site is proposed for future TOD and will serve walk-in, bike-in, and drive-in customers. 448 parking spaces are proposed. Access to the parking area and bus drop-off will be from Route 138 through the existing development complex. The access driveway will accommodate two 40-foot buses and 7 drop-off vehicle parking spaces. One center platform with a pedestrian bridge is proposed as well as double-track. Walkways will be installed around the exterior of the parking facilities for future walkway connections. No feeder bus service is proposed at this location.

The existing Stoughton station is located off Route 138 and is proposed for modification to accommodate a second track. The station will be relocated from its present position between Wyman and Porter Streets to a new location south of the Wyman Street at-grade crossing. Two new platforms are proposed adjacent to each track, which will require changes to the existing parking layout. Approximately 185 existing parking spaces will be relocated and loss of 28 spaces is proposed. Approximately 350 spaces will remain undisturbed, for a total of 507 parking

spaces. Driveway access is proposed from Washington Street, Wyman Street, Porter Street and Canton Street. No accommodations for bus riders are proposed. Nine vehicular drop-off spaces are proposed. Two side platforms and a double track are proposed. Sidewalks will be constructed to connect with existing sidewalks allowing pedestrians to use the existing at-grade pedestrian crossing at Wyman Street.

The proposed Taunton –Dean Street Station will be located along Arlington Street near Dean Street (Route 44) adjacent to an historic train station. The City of Taunton has begun brownfields remediation of the proposed site in anticipation of the train station. The site is within walking distance of downtown Taunton and is proposed for use as a TOD site and will serve walk-in, walk-in, and drive-in customers. 201 parking spaces are proposed. The driveway access is proposed from Arlington Street and will accommodate two 40-foot buses and 8 vehicle drop-off spaces. One side platform with a single track and freight siding is proposed. Walkways are proposed to connect the platform and access driveway to Arlington Street for future pedestrian connection. The existing Greater Attleboro Taunton Regional Transit Authority (GATRA) Route 7 bus will be re-routed to access the station and Routes 6 and 18 will be rerouted for better transfer access at Taunton Green.

The Whales Tooth station will be located on Acushnet Avenue at the existing Whales Tooth parking lot, constructed by the City in anticipation of the project. The station will include intermodal connections, buses, and potentially ferry services. The site will serve walk-in, bike-in and drive-in customers. 694 parking spaces are proposed. Driveway access is off Acushnet Avenue and the proposed bus drop-off area will accommodate two 40-foot buses and spaces for passenger pick-up and drop-off. One side platform and a single track are proposed. Ramps and stairs will be installed to connect with existing sidewalks adjacent to the parking facility. The SRTA Routes 1, 3 and 11 will be extended to connect with the station and pedestrian connections to the station will be improved.

MassDOT is also planning an expansion at South Station independent of the South Coast Rail project, which involves the addition of seven new tracks (included in the no-build/enhanced bus baseline analysis).

Layover Facilities

The DEIR/S provided information on five alternative layover sites, including graphics showing wetland resources, preliminary information on tidelands, and potential impacts to environmental justice communities and cultural resources. Conceptual plans for layover facilities have not yet been developed to the same level of detail as those for the stations. As noted in the Scope below, information and analysis should be further developed in the FEIR.

Monitoring and Evaluation

A draft long-term monitoring and evaluation plan was not presented in the DEIR/S which indicates it will be provided in the FEIR. Further guidance is provided in the Scope below.

Mitigation, Permitting and Section 61 findings

The DEIR/S identifies potential mitigation measures for various impacts including traffic, noise, vibration, visual, and cultural impacts as well as impacts to wetlands and state-listed species. Some specific measures such as noise walls and ballast mats for vibration reduction are proposed as well as more conceptual measures such as a watershed approach to wetlands mitigation. As further detailed in the Scope below, detailed mitigation plans for the preferred alternative are required in the FEIR.

SCOPEGeneral

MassDOT should prepare a FEIR in accordance with the general guidance for outline and content found in Section 11.07 of the MEPA regulations as modified by this Scope. The FEIR should include maps, plans and other graphics at a reasonable scale to facilitate review and comment. The FEIR should include a list of permits and approvals required, an update on any changes since the filing of the DEIR/S, and a copy of this Certificate.

L-088.01

Wetlands and Biodiversity

The project will require several variances from the Wetlands regulations performance standards. One of the three criteria for a variance is a demonstration that the variance is necessary to accommodate an overriding public interest. The FEIR should further refine how the proposed Stoughton Electric rail will advance the public interests identified in the DEIR/S, which include: the need for public transportation from the south coast region to Boston and benefits to the south coast region in terms of public transit equity, service distribution and ridership, air quality and climate change improvements, and opportunities for smart growth and sustainable development as an alternative to sprawl.

L-088.02

To demonstrate eligibility for a variance MassDOT must also propose mitigation measures that will allow the project to be conditioned to contribute to Wetland Protection Act interests. Mitigation measures will be required to off-set the project's direct, indirect, and cumulative impacts. The FEIR should describe specific mitigation measures that will directly mitigate wetlands impacts, improve wetland conditions and avoid future indirect and cumulative impacts.

L-088.03

The FEIR should document any revisions to wetland boundaries and project-related impacts based on more detailed field delineations for the proposed Stoughton route, and boundaries as approved by local Conservation Commissions. The FEIR should quantify temporary as well as permanent wetlands impacts, for individual project components and cumulatively for the entire project (including stations and layover facilities). Direct and indirect wetlands impacts related to canopy clearance should be further evaluated in the FEIR. Some tables in the DEIR/S reference total "wetlands" impacts but do not include all resource impacts or temporary impacts. In discussing and summarizing wetlands impacts, the FEIR should clarify

L-088.04

(in table headings for example) whether the reference is to Bordering Vegetated Wetlands (BVW) and ORW only or to the total amount of project-related wetland impacts, and whether it is referring to permanent, temporary or both combined. Where there are differences in categorization under state and federal regulations, the FEIR should clarify and differentiate as appropriate. The FEIR should include a summary table with a breakdown of all wetland resource impacts (including BVW, Bank, Riverfront Area, and BLSF) for the entire project (rail, stations/layovers, roadway improvements, and other components) so that the individual resource impacts and the cumulative totals are summarized in one place. Temporary and indirect impacts should be included in the summary of wetlands impacts, as well as direct and permanent impacts.

L-088.04

The FEIR should include information on the location and volume of Bordering Land Subject to Flooding (BLSF) that will be impacted by the project and details on proposed compensatory flood storage mitigation. The WPA requires that compensatory storage be provided at or near the points of impact. MassDEP has indicated that flexibility exists to consolidate mitigation for some resource impacts into more centralized areas within the watershed rather than individual mitigation sites at each mitigation location. But this approach does not necessarily apply to BLSF. The FEIR should include detailed plans for BLSF mitigation and demonstrate how proposed mitigation will meet WPA requirements. The FEIR should quantify the total area of Riverfront Area impacted by the project, provide a breakdown of impacts at specific locations, describe how work proposed in riverfront will meet applicable performance standards, and provide details of mitigation plans for riverfront impacts.

L-088.05

The DEIR/S indicates that vernal pool impact assessment is based on data from surveys within 100 feet of the center of the ROW. As discussed at meetings of the Interagency Coordinating Group (ICG), vernal pools within 100 feet of the edge of the limit of work should be included in the assessment of impacts as well as vernal pools further away from the ROW. The ICG agreed (meeting minutes 4/16/2009) that the direct impacts will include loss of upland habitat where the limit of work is either 600/750 from a vernal pool (biodiversity impacts); potential impacts to vernal pool habitat if the limit of work is within 100 feet of the edge of the vernal pool wetland; and impacts to vernal pools if the work is within a wetland containing a vernal pool. The FEIR should update the vernal pool impact assessment for the Stoughton route to clarify vernal pool and vernal pool habitat impacts, as agreed by ICG, and to inform the proposed mitigation plan. The FEIR should include the results of additional field work or other data gathering needed to complete the assessment. MassDOT should consult with the NHESP about survey methods prior to initiating additional vernal pool surveys. The FEIR should describe how impacts to vernal pools and vernal pool habitat will be avoided, minimized, or mitigated, and include detailed mitigation plans to compensate for adverse impacts. The FEIR should also discuss potential measures to eliminate existing All Terrain Vehicle (ATV) impacts on vernal pools. The FEIR should include a draft Vegetation Management Plan and identify no-spray zones for protection of rare species and other wildlife.

L-088.06

The FEIR should expand upon the analysis of wetlands functions and values in the DEIR/S to include a more detailed analysis for the proposed Stoughton rail. The FEIR should include narrative descriptions of wetlands functions and values of each wetland impacted directly and indirectly by the proposed project. The mitigation plan should describe how the lost functions and values will be mitigated.

L-088.07

The FEIR should include a detailed evaluation of potential mitigation measures to improve habitat connectivity by methods such as wildlife passage structures through the rail bed and improvements to stream crossings to facilitate passage of fish and wildlife designed so as not to compromise the hydrology of wetlands on either side of the rail bed. Potential rail bed modifications should be evaluated using the CAPS methodology to determine those potential modifications that would result in the most improvement in connectivity and wetland condition. The evaluation of opportunities for connectivity improvement measures should be conducted along the entire rail alignment. The FEIR should evaluate opportunities to enhance wetlands near the Raynham Dog Track on the west side of the alignment as well as potential “undevelopment” and restoration of portions of the dog track site. The FEIR should identify measures that MassDOT is committed to implement.

L-088.08

Additional Scope requirements related to stream crossings, trestle design and mitigation are outlined below. The analysis and design plans required should be at a sufficient level of detail to allow permitting agencies and other reviewers to fully understand the type and extent of environmental impacts, and to provide sufficient information for the detailed mitigation plan that will be included in the FEIR. If some of the information cannot be provided in the FEIR due to the level of design detail required, MassDOT should explain why this is the case, include a schedule for development of the information, and MassDOT’s best estimate of project impacts based on the information and analysis prepared for the FEIR. MassDOT should consult with the Interagency Coordinating Group during FEIR preparation to discuss any aspects of the required analysis for which information may not be complete, and to obtain input from the group on the appropriate level of detail to include in the FEIR.

L-088.09

Stream Crossings

The FEIR should include details on the existing conditions at stream crossings, explain where culverts will be replaced or modified. The FEIR should include designs for proposed culverts, bridges, or other alterations at stream crossings and evaluate potential direct and indirect hydrological changes, including those that may impact adjoining wetlands. Any new culverts should be designed so as not to compromise the hydrology of wetlands on either side of the crossing. The analysis should address all stream crossings where work is proposed, including the Southern Triangle. Mitigation should be proposed for any unavoidable impacts. The FEIR should include detailed plans for the proposed relocation of the stream that runs along the former railroad berm near the Raynham Dog Track. The FEIR should assess the environmental impacts and benefits of the proposed relocation, including identification of any additional wetlands impacts associated with stream relocation within the Hockomock Swamp or potential Article 97 land impacts.

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The FEIR should identify the locations for proposed culvert replacement and for new culverts and discuss in detail the proposed project’s consistency with Massachusetts River and Stream Crossing Standards. As noted in MassDEP’s comment letter, compliance with Stream Crossing Standards is fully required for new culverts reviewed pursuant to the WPA and 401 regulations. The FEIR analysis should include an evaluation of culvert extension impacts to fish, amphibians, reptiles, and other wildlife passage. The FEIR should evaluate opportunities for

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maximizing hydrological connections between wetlands for enhancement and restoration as well as for flood capacity. L-088.11

The FEIR should include an analysis of spans and open bottom arches to meet the Stream Crossing Standards, and consider such arches as mitigation measures throughout the entire rail alignment to the extent they are practicable to improve fish and wildlife passage, and do not interfere with safe train operations. Any closed bottom arch design should include an analysis of measures to install and maintain the stone that requires embedding at a depth of at least two feet. I refer MassDOT to the comments from MassDEP for additional guidance on stream crossing design. L-088.12

Trestle Design and ROW Access

The FEIR should evaluate the engineering feasibility of constructing the proposed trestle in wetland soils and evaluate the feasibility of constructing a trestle through the Pine Swamp also. The FEIR should also discuss how access will be achieved for any maintenance or emergency situation along portions of the rail ROW, including sections of the rail located in the Hockomock and Pine Swamps. L-088.13

Mitigation

The FEIR should identify targeted lands for acquisition by MassDOT as mitigation for the cumulative and indirect impacts of the project. The analysis of secondary impacts and smart growth measures in the DEIR/S concludes that aggressive implementation of smart growth can reduce habitat impacts by almost 50 percent compared to the build without mitigation scenario. Cumulative and indirect impacts of the project are estimated at 250 acres of habitat loss that includes loss of high quality wetlands, rare species habitat, and biodiversity. A variance from the WPA regulations is required for the project's impacts to rare species. One concrete way for MassDOT to translate its smart growth planning into resource protection is to fund for conservation-protected targeted acquisition of parcels in Priority Protection Areas (PPAs) that are important to meet the long-term net benefit to rare species and preserve land with a high Index of Ecological Integrity (IEI). The CAPS analysis should be applied to potential mitigation sites to determine IEI scores. The selection of high IEI properties should consider properties that will not be adversely affected by direct or indirect impacts of the project, which would reduce IEI scores after construction. The FEIR should identify targeted sites for acquisition and describe in detail how the proposed land acquisition will offset direct and indirect impacts of the project, and further the smart growth aspects of the Corridor Plan. L-088.14

Implementation of the smart growth Corridor Plan has the potential to mitigate environmental impacts and advance environmental preservation along the project corridor. The Corridor Plan presents an opportunity for an integrated approach to advance environmental protection strategies with land use planning that 1) optimizes economic and housing development, 2) contains sprawl, and 3) protects the integrity of critical natural resource habitats. The FEIR should include an analysis of how land acquisition can be optimized to accomplish these three goals. MassDOT should consult with EEA agencies to identify and protect areas critical to preserving the integrity of existing and valuable ecosystems. MassDOT should also L-088.15

partner with local Conservation Commissions and Planning Boards, regional planning agencies, and non-profit land trust/conservation organizations in a coordinated effort to adopt land preservation strategies that will stem wetland habitat fragmentation commonly associated with sprawl due to unconstrained development. The FEIR should clearly identify MassDOT's commitments to acquire land that meets the project's mitigation requirements and longer-term smart growth goals.

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The FEIR mitigation plan should include the following:

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- a 2:1 ratio for BVW mitigation (at a minimum), at least 1:1 for all other wetlands. Where the Corps requires higher ratios (e.g. for forested wetlands), the mitigation plan should reflect the federal requirements also;
- at least a 2:1 mitigation of rare species impacts subject to consultation with NHESP. In some areas mitigation requirements may be considerably higher—because this is a linear project that results in habitat fragmentation and may have disproportionate impacts on some species.
- specific locations and design details for wildlife crossings;
- an evaluation of the feasibility of removing targeted portions of the existing rail bed that will not be used for the new rail line and evaluation of potential ecological benefits of railbed modification using the CAPS analysis. The mitigation plan should include a proposal for removal of portions that can be performed without adversely affecting adjacent wetland resources, including sensitive wetlands on either side of the berm. Mitigation plans should focus specifically on locations that would improve wildlife habitat and fish passage, increase connectivity, and reduce fragmentation (for example, at locations within the Hockomock Swamp where a trestle will replace the existing bed);
- an evaluation of potential for restoration/preservation of Atlantic White Cedar (*Chamaecyparis thyoides*) wetlands
- topographic information and proposed improvements to existing stream crossings at site-specific locations to improve wildlife and fish passage;
- meaningful Riverfront Area improvements and/or restoration to mitigate for riverfront impacts;
- on-site elevation-specific compensatory storage for lost flood storage, or if such compensatory storage cannot be provided, demonstrate an insignificant increase in flooding, demonstrate that any incremental increase in flooding could be contained on the Proponent's property, or acquire flood easements;
- Acquisition of land to meet the goals of advancing smart growth, providing long-term net benefit to rare species, and preserving high IEI land;
- Commitment to specific actions to implement the Corridor Plan and to work with communities to implement smart growth; and
- Wetland restoration within the Hockomock ACEC.

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The FEIR should document with a high level of assurance that land identified for preservation, restriction, or replication/restoration to be taken by eminent domain can actually be acquired and will satisfy mitigation goals. As part of the assurances, additional mitigation areas should be identified as fall-back options in the event the primary mitigation goals are not achieved.

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MassDOT should consult with the Interagency Coordinating Group (ICG) for input on a draft mitigation plan including the methodology to identify appropriate mitigation for fragmentation impacts and the analysis of mitigation opportunities in the context of fulfilling mitigation objectives. MassDOT should expand its outreach efforts during FEIR preparation to obtain public input on draft mitigation plans. L-088.82

The draft mitigation plan presented in the FEIR should clearly identify the impacts to be mitigated, for example specific resources, functions and values, amounts and types of impacts etc. The plan should describe specific mitigation objectives and include an evaluation of mitigation options to determine which sites and mitigation measures perform best overall in terms of fulfilling mitigation objectives. L-088.29

Endangered Species

MassDOT should consult with NHESP about the methodology to be used prior to any additional habitat analysis and to discuss metrics to be used in the FEIR for assessing impacts to state listed species and their habitat. MassDOT should also consult with NHESP regarding the assumptions related to vegetation cover that were used in the DEIR/S (Table 4.15-9). The analysis of impacts for the Stoughton route should be revised in the FEIR to reflect the full range of vegetation cover types that each state-listed species requires, as recommended by NHESP. L-088.30

The FEIR should include a detailed quantification of impacts to state-listed species, vernal pool habitat, general wildlife, and state-owned open space, and a detailed plan for minimization and mitigation of impacts. The FEIR should include a comprehensive description of how MassDOT proposes to meet MESA regulatory requirements, including the standards for authorizing a take of a state-listed species through a Conservation and Management Permit. The FEIR should include detailed descriptions and discussion of rare species and wildlife crossing and barrier design (for example, culverts and bridges) as well as other minimization measures, such as construction management to minimize turtle and salamander mortality. The FEIR should explain in detail how the project will meet the long-term "net benefit" standard in 321 CMR 10.23 including detailed mitigation plans that should be developed in consultation with NHESP. These mitigation plans should be at a very specific level of detail to demonstrate clearly that appropriate and effective mitigation will be implemented. The FEIR should also include a detailed plan for mitigation of vernal pool impacts, general wildlife impacts, and impacts to state-owned open space. L-088.31

The DEIR/S indicates there would be no impacts to species migration in areas of existing rail lines. However, the FEIR should include an evaluation of any potential impacts to migration associated with widening of the existing tracks and ROW. L-088.32

Fisheries

The DEIR/S identifies 34 river and stream crossings on the New Bedford main line and the Fall River Secondary, and 64 on the Stoughton line (on the abandoned railroad ROW). I refer MassDOT to NEHSP's comment letter which includes a list of species and fisheries survey results for rivers and streams in the project area. The FEIR should evaluate potential impacts of L-088.33

the proposed project to fishery resources, considering issues such as water quality, flow changes in siltation, water level fluctuations, loss of riparian habitat and alterations of the temperature regime. As noted in NHESP's letter, stocked trout waters are highly susceptible to changes in water quality and/or quantity. The FEIR should explain how the project will be designed to avoid any adverse impacts to streams and rivers that support stocked trout. The FEIR should describe Best Management Practices (BMPs) that will be implemented for erosion and sedimentation control and propose time of year restrictions as appropriate to avoid and minimize impacts.

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The Division of Marine Fisheries included a list of Time of Year (TOY) restrictions for specific species in rivers and streams affected by the project. These restrictions are based on the recently released recommended TOY restrictions for coastal alteration projects to protect marine fisheries resources in Massachusetts. The FEIR should clarify commitments to TOY restrictions or demonstrate that they may not be required if construction is located outside the area used by diadromous species or uses methods that will not affect fish passage or use of spawning riffles. MassDOT should consult with the Division of Marine Fisheries to obtain the new maps of fish passage and spawning locations that are under development.

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Biodiversity

In addition to the biodiversity analysis required above relating to wetlands, endangered species, and fisheries, the FEIR should include the results of breeding bird surveys and other studies conducted to refine the wildlife impact assessment and mitigation plans. The mitigation plan should include time of year (toy) restrictions to protect migratory birds, which are protected under the National Migratory Bird Treaty.

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The FEIR should include a summary of the CAPS analysis of ecological integrity impacts associated with the proposed project and the results of additional analysis on the potential improvements in the Index of Ecological Integrity (IEI) as a result of proposed mitigation measures. The mitigation plans should describe MassDOT's commitments to specific enhancements in the Hockomock Swamp and other areas along the rail alignment, as well as commitments to biodiversity protection through land acquisition and conservation.

L-088.36

Open Space and Conservation Lands

Hockomock Swamp Wildlife Management Area (WMA)

The proposed Stoughton route uses an inactive railroad Right-of-Way that crosses through the Hockomock Swamp WMA. The FEIR should include a detailed analysis of the project's potential impacts to open space within the Hockomock Swamp, including any impacts relating to infrastructure, such as access roads, for construction or ongoing maintenance of the trestle and railbed ROW. The FEIR should include a detailed plan to avoid and minimize impacts and/or to mitigate unavoidable impacts to open space. The FEIR should clarify whether proposed work falls within the existing ROW or to what degree it will extend beyond it.

L-088.37

Taunton Wild and Scenic River

The FEIR should include an update on consultations with the National Park Service regarding the status of Taunton River as a National Wild and Scenic River, and to discuss issues relating to water quality impacts from construction and stormwater runoff, rail line crossings of the Taunton and its tributaries, impacts to natural and cultural landscape features, selection and siting of layover facilities, and construction of the Fall River Depot station. The FEIR should describe impacts to Riverfront Area from the proposed layover facility in Fall River and discuss other possible sites outside of Riverfront Area as recommended by the Department of Interior in its comment letter.

L-088.38

Acushnet Cedar Swamp National Natural Landmark

The FEIR should describe proposed measures to avoid and minimize construction and train operational noise impacts during critical wildlife breeding season in spring and early summer. The FEIR should also assess barrier effects to wildlife movement in the Acushnet Cedar Swamp and propose scheduling and/or other measures to minimize impacts to wildlife movement during project construction and operation.

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The FEIR should evaluate the potential for a hydrological connection between the Acushnet Cedar Swamp and the Church Street Layover facility site. The FEIR should clarify whether or not there is a connection, discuss the potential for runoff impacts to the Swamp, and describe proposed mitigation measures.

L-088.40

Article 97 and other Open Space

The open space impact estimates presented in the DEIR/S summary tables are limited to Article 97 land and are not representative of the full range of potential impacts to open space. The FEIR should quantify all open space impacted by the project and describe mitigation commitments. The FEIR should expand upon the evaluation in the DEIR/S to demonstrate consistency with the EEA Article 97 Land Disposition Policy. MassDOT should consult with the Department of Conservation and Recreation during FEIR preparation to discuss policy requirements and a land disposition agreement.

L-088.41

Layover Facilities

The FEIR should expand on the analysis of the proposed layover facilities with detailed plans for the layover facilities and a comparative analysis of environmental impacts with a summary table showing land alteration, impervious area, wetland and water quality impacts, traffic impacts, air quality, noise and vibration, impacts to conservation lands/open space, and impacts to Environmental Justice populations. The alternatives analysis should include consideration of potential sites outside of Riverfront Area. The FEIR should identify permits required for layover facilities and document how the proposed facilities will comply with applicable regulatory requirements. Consistency with Chapter 91 licensing requirements and requirements for location within a Designated Port Area (DPA) should be described as applicable. The FEIR should clarify whether any facility located in a DPA can be allowed as a

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temporary and/or supporting DPA use. The FEIR should clarify, and depict on figures/plans, any filled or flowed tidelands on or near the proposed layover facilities. Where applicable, information to support a Public Benefit Determination should be included. L-088.42

Proposed layover facilities contain resource areas including scrub shrub swamp and wooded swamp. The DEIR/S information should be supplemented with additional details on wetlands protection and stormwater management for the proposed sites. The FEIR should describe MassDOT's commitment to measures that will avoid and minimize impacts and/or mitigate for any unavoidable impacts. The FEIR should include a rationale for selection of the preferred layover facilities and for elimination of others from further consideration. The evaluation of impacts associated with layovers should include potential conflicts and synergies with existing and future land use on and in the vicinity of the sites. L-088.43

The DEIR/S indicates that the Weavers Cove East layover facility in New Bedford would substantially affect the visual environment for nearby residents and passers-by on the Taunton River. Similarly, the ISP layover facility would substantially impact the visual environment at its location, which is approximately six miles from the southern terminus of the Fall River Secondary line. The FEIR should include clear commitments to specific measures to minimize or mitigate visual impacts associated with proposed layover facilities. L-088.44

Station sites and Transit-Oriented Design (TOD)

The FEIR should describe MassDOT's work with the City of New Bedford to develop a feeder bus system and discuss the additional benefits of the system including potential increases in ridership of the proposed South Coast Rail. The FEIR should also clarify the enhanced bus measures assumed as part of the No-Build scenario, which will be incorporated as part of the project. Several of the station designs do not include accommodations for feeder bus. The FEIR should explain this and consider measures to enhance shuttle/feeder bus service to the proposed stations. L-088.45

The FEIR should include additional information on station sites, including analysis of decked parking, Environmentally Sensitive Site Design (ESSD), and opportunities for greenhouse gas reductions as required by other sections of this Scope. The FEIR should include updated design plans for station sites with additional information on proposed Transit Oriented Development (TOD). The DEIR/S indicates that Battleship Cove Station would not operate year-round. The FEIR should clarify the operating schedule for this station. L-088.46

The FEIR should include an update on the new 2010 Journey to Work (JTW) data and include a sensitivity analysis based on comparison of the more recent data with the 2000 data used for the ridership analysis. The FEIR should update the ridership estimates as applicable to account for any significant changes in JTW trends. L-088.47

The FEIR should include additional detail on plans to support pedestrian and bicycle access. I refer the Proponent to comment letters from the Metropolitan Area Planning Council (MAPC), WalkBoston, and other commenters for their recommendations. L-088.48

Some of the station designs include additional siding for freight traffic. The FEIR should clarify whether freight currently exists at these sites or not, and if there are any changes to existing freight routes as a result of the proposed project. L-088.49

Stormwater

The FEIR should describe how the project will comply with the Massachusetts Stormwater Standards for work proposed in wetland resource areas and buffer zones pursuant to 310 CMR 10.05(6)(k) and 314 CMR 9.06(6), as well as other state and federal requirements (including Total Maximum Daily Load (TMDL) requirements) for stormwater discharges to existing outfalls and/or for the proposed layover facilities. The FEIR should describe measures to ensure that stormwater discharges to the Neponset River will meet the TMDL pathogen removal requirements and Total Suspended Solids (TSS) removal requirements L-088.50

The FEIR should include an assessment of the ability of the proposed project to meet the ten Massachusetts Stormwater Standards or specify if a variance to the standards specified at 310 CMR 10.05(6)(k) and 314 CMR 9.06(6) may be required. For those components of the project where complete raze of existing development is proposed, MassDOT should be fully meeting the Stormwater Standards rather than only "to the extent possible" as few constraints existing in such situations. L-088.51

The FEIR should include a detailed evaluation of Environmentally Sensitive Site Design (ESSD) and Low Impact Development (LID) practices to manage stormwater at proposed stations and parking areas, and layover facilities. The FEIR should identify the design capacity for parking at each station. Deck parking should be evaluated as an alternative to at-grade parking to minimize the project's impervious footprint and reduce the amount of land taking required. The ESSD and LID alternatives analysis in the FEIR should also include evaluation of smaller parking stalls and circulation lanes; porous pavement; pavement disconnection versus traditional curb and gutter drainage; retention of existing mature non-invasive plants; exfiltrating bioretention in place of raised traffic islands; and tree box filters. The FEIR should clearly identify the ESSD and LID measures to which the Proponent is committed to implement. For those measures not being committed to, the FEIR should include a sound rationale as to why they are not feasible. L-088.52

The FEIR should include information on stormwater peak runoff rates and whether attenuation requirements will be met. The FEIR should assess each station and layover site to determine if there is sufficient land available for attenuation structures or if any additional right-of-way purchase would be required. For those stations being upgraded, the FEIR should include an analysis and description of measures to meet stormwater standards to the Maximum Extent Practicable (MEP) and to improve existing conditions. The FEIR should include an analysis of potential stormwater impacts to critical areas including vernal pools, and how these impacts will be addressed. L-088.53

The FEIR should include details on proposed stormwater management along the proposed rail tracks. As noted in MassDEP's comment letter, the Greenbush rail line included an extensive drainage system. The FEIR should describe the proposed drainage design for the L-088.54

Stoughton rail line and demonstrate that sufficient treatment will be provided prior to any discharge of track drainage runoff to resource areas. The FEIR should include a detailed description of the proposed stormwater management system for all components of the project. I refer MassDOT to additional guidance regarding stormwater management in MassDEP's comment letter.

L-088.54

Coastal Zone

The proposed Whale's Tooth Station in New Bedford is located within the coastal zone. The FEIR should include measures to avoid and minimize non-point source pollution from idling trains and should describe how the station site will be designed to be compatible with existing industrial uses in the New Bedford/Fairhaven Designated Port Area (DPA). The Wamsutta layover alternative is located adjacent to the Whales' Tooth Station site and the DPA. The FEIR should address compatibility issues with regard to coastal zone protection and DPA uses as recommended by CZM.

L-088.55

The proposed stations in Fall River are located near the Mount Hope Bay DPA and the Fall River station is partially located within the coastal zone. The proposed Fall River layover sites are located within the coastal zone. In consideration of future sea level rise, the FEIR should consider a margin of safety to avoid a facility being located in a future elevated Zone A floodplain. The FEIR should address pollution prevention and LID at all station and layover sites as well as project consistency with DPA uses and the Fall River City's harbor planning goals for pedestrian reconnection to the Waterfront. The FEIR should also address nitrogen deposition in coastal embayments more explicitly, as requested by CZM in its comment letter.

L-088.56

Chapter 91 Licensing and Public Benefits Determination

MassDOT should consult with MassDEP and provide more detailed plans to determine whether or not the filled tidelands at Fall River Battleship Cove Station, New Bedford Whale's Tooth Station, and Wamsutta Layover facility are considered landlocked tidelands as defined at 301 CMR 9.02. The FEIR should include analysis and mitigation as applicable to support a Public Benefits Determination consistent with Chapter 168 of the Acts of 2007. The FEIR should describe any public access restrictions to the shoreline that may result from construction of layover facilities or other components of the proposed project. Mitigation plans should be included in the FEIR to compensate for any public access impacts.

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A Mandatory Public Benefits Determination is required if the project is completely or partially located in tidelands or landlocked tidelands. The FEIR should include detailed information describing the nature of the tidelands affected and the public benefits of the proposed project in accordance with the Public Benefits Determination requirements at 301 CMR 13.00.

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MassDEP indicates in its comment letter that the layover facilities at Weavers Cove and the ISP off North Main Street are located on filled tidelands. MassDEP has established the presumptive line of jurisdiction. MassDOT, if intending to rebut this presumption, should consult with MassDEP prior to submission of an FEIR and provide MassDEP with the

L-088.59

information outlined in its comment letter. The FEIR should include an update on consultations and jurisdictional determinations.

L-088.59

The FEIR should identify and describe all components of the project requiring Chapter 91 licensing and whether project components are considered water-dependent or non-water dependent. The FEIR should describe in detail how the project will meet licensing standards at 310 CMR 9.54 and 9.55 (for non water-dependent) and 301 CMR 9.31 – 9.40 (for water dependent). The FEIR should explain how the project is consistent with the New Bedford and Fall River Municipal Harbor Plans pursuant to 310 CMR 9.34, including for example, how intermodal connection to the ferry service would be achieved. The FEIR should explain how railroad components subject to licensing will preserve or enhance navigational capacity and maintain or enhance public access pursuant to 310 CMR 9.35 and 9.36. If navigation or public access is impacted by the project, the FEIR should include detailed mitigation plans. The FEIR should explore opportunities on or near the layover facilities where MassDOT can “take reasonable measures to provide open space for active or passive recreation at the water’s edge” pursuant to 310 CMR 9.55(2).

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Air Quality and Climate

The FEIR should include an evaluation of alternative fuels for the Enhanced Bus and feeder bus services and commit to use of hybrid and/or other fuels to minimize emission of air pollutants to the maximum extent feasible.

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The Stoughton Electric alternative, as noted in the DEIR/S review above, is the preferred alternative and provides the best overall emission reductions for VOC, NO_x, PM₁₀, PM_{2.5} and CO₂ in comparison to the other alternatives evaluated. The commitments to construction-related mitigation measures should be reiterated in the FEIR as part of comprehensive mitigation plan.

L-088.62

GHG and Climate Change

The DEIR/S did not include an analysis of stationary source GHG emissions and mitigation indicating that there would be no buildings at the stations, only platforms. However, there are other ways in which MassDOT can achieve GHG reductions, for example by using energy efficient interior and exterior parking lot lighting and use of solar photovoltaic energy. The DEIR/S indicates that the MBTA will explore renewable energy technologies at station sites; this should be evaluated in the FEIR/S. The FEIR should identify design and operational features that MassDOT will commit to implementing in order to reduce GHG emissions, including measures to promote reduction of GHG emissions associated with TOD facilities and other induced growth. MassDOT should consult with the Massachusetts Department of Energy Resources (DOER) Division of Green Communities during preparation of the FEIR for assistance in developing a joint approach to promote energy efficiency and GHG reduction in the south coast rail communities. DOER has also recommended that MassDOT consult with utility companies to explore ways that communities can avail themselves of incentives that could be used to mitigate GHG emissions related to induced growth. The FEIR should include an update on consultations and an outline of the proposed mitigation plan.

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The project overall is expected to reduce vehicle miles travelled (VMT) and GHG reductions are expected as a result of emission rules for mobile sources and the proposed smart growth plan. As indicated in the DEIR/S, the transportation model is being updated to reflect the reallocation of induced jobs into different transportation zones for future impact analyses of induced jobs in the context of traffic and GHG emissions. The FEIR should include the results of analysis of induced growth impacts on traffic and air quality. The FEIR should describe in detail specific commitments that MassDOT will make to contribute towards VMT and related GHG reductions through the proposed feeder bus system. The FEIR should provide more detailed information on a proposed feeder/shuttle bus network with frequent and convenient local bus linkages that will enhance local and intra-regional access to the proposed stations. MassDOT should work in cooperation with the regional transit authorities to further develop this plan. The feeder bus system should accommodate riders with bikes and the stations should provide adequate bicycle racks and storage and provide space and support for other programs that allow train riders to pick up bikes at one location and drop them off elsewhere. MassDOT should design this project as a flagship for implementation of its GreenDOT program.

L-088.64

Noise and Vibration

The FEIR should include a detailed evaluation of those locations that will experience moderate and severe noise impacts as a result of the project and commitments to specific mitigation measures. The evaluation should address noise impacts relating to all aspects of the project including train operations and horn noise, and noise associated with stations and layover facilities.

L-088.65

The DEIR/S indicates that mitigation will be provided for severe impacts where it is cost-effective. The Proponent is required to mitigate for noise-related impacts and the cost-effectiveness limitation may be problematic, as is the proposed lack of mitigation for moderate impacts. MassDOT should consult with MassDEP and the Interagency Coordinating Group for guidance on development of the noise mitigation plan. The FEIR should include a detailed mitigation plan with commitments to an appropriate level of mitigation for project-related noise impacts. The FEIR should document how the project will comply with MassDEP air quality regulations and Noise Policy.

L-088.66

The DEIR/S compares vibration impacts experienced by receptors against the 80 VdB FTA criteria for human annoyance. The FEIR should compare the estimated vibration levels to existing conditions and describe the actual change that will be experienced. This additional information should be provided for residential impacts along the Stoughton route as well as for historic buildings. The DEIR/S discusses possible mitigation measures. The FEIR should include a mitigation plan with clear and specific commitments to address vibration impacts and an explanation of the reductions in VdB levels expected.

L-088.67

Environmental Justice

The FEIR should include a list of specific mitigation commitments to address noise and vibration impacts to Environmental Justice neighborhoods. The FEIR should also include an update on the investigation of potential adverse effects on any traditional cultural properties of

L-088.68

significance to Native American Tribes. The FEIR should clarify if there will be a disproportionate adverse impact to an Environmental Justice community with regard to traditional cultural properties, and if so, what mitigation will be implemented.

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The DEIR/S projects potential financial impacts to Environmental Justice communities in Fall River as a result of property acquisition. The FEIR should specify how such impacts will be mitigated as part of the project. The DEIR/S also acknowledges that Environmental Justice communities may be negatively affected by increased property values in their neighborhood as a result of the South Coast Rail project. The FEIR should include further discussion and specific commitments on how this will be addressed (for example, through clear commitments to affordable housing as part of the project's station TOD plans, or other measures).

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MassDOT should continue its outreach program during FEIR preparation and encourage the participation of those Environmental Justice neighborhoods and residences specifically affected by the proposed project. The FEIR should include an update on MassDOT's outreach efforts to Environmental Justice populations.

L-088.70

Cultural Resources

The FEIR should include an update on historical and archaeological studies conducted since the DEIR/S and an update on consultations with the Massachusetts Historical Commission and local historic board and societies. The figures in the FEIR should show locations of historic architectural resources in the context of the project and its Area of Potential Effect. The FEIR should address potential conflicts with proposed station parking at the site of the historic H.H. Richardson train station in Easton and address local concerns relating to visual and cultural resource impacts. The FEIR should evaluate mitigation opportunities, including repairs and rehabilitation, for the historic train station in Stoughton.

L-088.71

The FEIR should expand on the analysis provided in the DEIR/S with a detailed mitigation plan for impacts to significant historical and archaeological resources. The FEIR should include an update on consultations with Native American Tribes and describe potential impacts to properties of significance to the tribes. The FEIR should include commitments to specific mitigation measures for any significant cultural impacts.

L-088.72

Traffic and Public Safety

Many commenters expressed concerns regarding the proposed at-grade crossings for the rail line and the potential for increased accidents. The FEIR should evaluate the potential for increases in accident rates as a result of proposed crossings and identify specific measures, and the effectiveness of such measures, to protect public safety to the maximum extent feasible. The FEIR should evaluate potential safety impacts in the context of EEA's Environmental Justice Policy. Traffic congestion and potential delays in emergency services were also raised as concerns in the comment letters received, as were construction-related impacts to existing rail services. The FEIR should respond to these comments and include details of any mitigation proposed. The traffic mitigation plans in the DEIR/S should be revised as necessary based on further analysis for the Stoughton Electric alternative and included in the FEIR.

L-088.73

South Coast Rail Economic Development and Land Use Corridor Plan

L-088.74

The DEIR/S should include an update on the status of implementation of the Corridor Plan and explain how it will be implemented in parallel with the proposed rail and station development to ensure appropriate timing of mitigation and to optimize the smart growth potential of the project.

Long-Term Smart Growth Evaluation and Environmental Stewardship Plan

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MassDOT should consult with the Interagency Coordinating Group (ICG) and set up a workgroup in conjunction with the ICG to develop the methodology and process for this component of the FEIR. MassDOT should explore existing models and performance metrics used to evaluate the effectiveness of smart growth plans and environmental protection strategies, and include a summary in the FEIR of experience from other regions that may be useful to apply in the case of this project. MassDOT should work with EEA, ICG, regional planning agencies, and local communities, to develop evaluation indicators and metrics tailored to the South Coast Rail project. The evaluation plan should include a monitoring component to assess the accuracy of impact projections and allow for mid-course corrections and adaptive strategies as needed. The FEIR should propose a mechanism for periodic reporting out to the public and other agencies on MassDOT's progress in achieving the smart growth and environmental goals of the project, including its commitments to protection of ecologically significant habitat.

The DEIR/S describes anticipated smart growth and environmental benefits of the proposed project. MassDOT should describe in the FEIR how potential impacts and benefits will be monitored and measured. Metrics to consider for the Smart Growth Evaluation and Environmental Stewardship Plan include spatial metrics based on data that can be integrated with GIS mapping to compare 2020, 2025, and 2030 conditions against the baseline and Build without smart growth (business as usual scenarios) to evaluate benefits in reducing sprawl and to identify areas for improvement. Other smart growth metrics to consider include: the percentage of new development acreage located in PDAs; the percentage of PPAs left undeveloped and permanently protected; the number of developments meeting TOD, LEED, neighborhood design or EESD standards; increasing shift of commuters from automobile to transit (riders and VTM reductions); change in IEI value of impacted areas and mitigation sites; the amount of land subject to transfer of development rights (TDR); and GHG emission reduction achievements of facilities in TOD areas. Implementation of the South Coast Rail Economic and Land Use Corridor Plan is expected to achieve various socio-economic benefits that could be monitored over time to evaluate the effectiveness of plan implementation. For example, the DEIR/S discusses environmental justice communities and related transit equity citing benefits the project will provide in terms of access to jobs, education and other services. The long-term evaluation plan should include metrics to evaluate how effective the project is in furthering social equity and environmental justice within the south coast communities.

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Mitigation and Section 61 Findings

L-088.77

The FEIR should expand upon the smart growth implementation plan as outlined above. The FEIR should include details on the proposed measures, roles and responsibilities, and

MassDOT's commitments to implement specific measures to promote smart growth and achieve the mitigation and environmental benefits described in the DEIR/S. The FEIR should discuss the mitigation planning and outreach process conducted during FEIR preparation.

The FEIR should include revised Section 61 Findings for all state agency permits that reflect the detailed mitigation commitments to be provided in the FEIR. GHG commitments and related self-certification language should be included in the draft Section 61 Findings for MassDEP permitting.

L-088.78

The FEIR should include a separate chapter on mitigation measures, which should include a summary table of all mitigation commitments as well as the revised Section 61 Findings. The Section 61 Findings should describe proposed mitigation measures, contain clear commitments to mitigation and a schedule for implementation, and identify parties responsible for funding and implementing the mitigation measures. The draft Section 61 Findings will serve as the primary template for permit conditions. Final Section 61 Findings will be included with all state permits issued for this project and will include conditions considered binding upon the proponent as mitigation commitments.

L-088.79

Responses to Comments

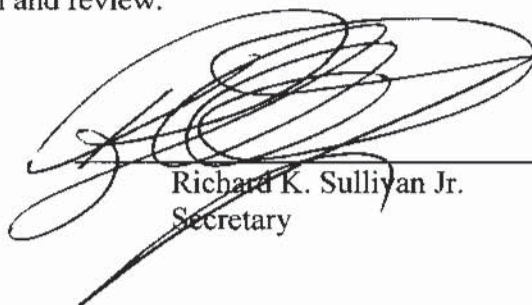
In order to ensure that the issues raised by commenters are addressed, the FEIR should include responses to comments to the extent they are within MEPA jurisdiction. This directive is not intended to, and shall not be construed to, enlarge the scope of the FEIR beyond what has been expressly identified in this Certificate. The FEIR should also include a copy of this Certificate and a copy of each comment letter received on the DEIR/S.

L-088.80

Circulation

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to the list of "comments received" below. A copy of the FEIR should be made available for public review at the Public Libraries in the South Coast region municipalities. I commend MassDOT on its public outreach efforts to date and encourage continued public engagement during FEIR preparation and review.

L-088.81

June 29, 2011
Richard K. Sullivan Jr.
Secretary

Comments Received

4/15/11	1. David Slutz
4/26/11	2. Doug Leatham
5/02/11	3. City of New Bedford Assessing Department (Peter S. Barney)
5/02/11	4. Guillermo Gonzales
5/04/11	5. MassAudubon (1 st letter - public hearing May 4)
5/05/11	6. Peter L. Paull, Jr.
5/05/11	7. City of Taunton, Office of the Mayor
5/05/11	8. Jean C. Fox
5/06/11	9. Denise Paquette
5/06/11	10. Jim Mathes
5/06/11	11. Senator Michael J. Rodrigues
5/06/11	12. Dr. Candace Heald
5/06/11	13. City of New Bedford Planning Department
5/06/11	14. Massachusetts Historical Commission (copy of letter to the Army Corps)
5/09/11	15. David Chaffin
5/09/11	16. Rosemary Zehntner
5/10/11	17. John Theriault
5/10/11	18. Westport Community Schools
5/10/11	19. Southeastern Regional Planning & Economic Development District
5/10/11	20. Melinda Ailes
5/11/11	21. John K. Bullard
5/11/11	22. Pauline C. Nadeau
5/11/11	23. Representative Shauna O'Connell
5/11/11	24. Representative Robert M. Koczera
5/12/11	25. City of New Bedford Planning Board
5/16/11	26. City of New Bedford Office of the City Clerk
5/17/11	27. Nicole Dion
5/17/11	28. New Bedford Economic Development Council
5/18/11	29. Scott Martin
5/19/11	30. Stephen Castellina
5/23/11	31. Gerald J. McDonald
5/23/11	32. Forrest C. Lindwall
5/23/11	33. City of Fall River Planning Department
5/23/11	34. City of Fall River Conservation Commission
5/23/11	35. Town of Norton Board of Selectmen
5/23/11	36. Robert M. Mendillo
5/23/11	37. Peter Deschenes
5/23/11	38. Patti Linhares
5/23/11	39. Susan K. Plante
5/23/11	40. Fall River Area Chamber of Commerce
5/25/11	41. Weavers Cove Energy LLC
5/25/11	42. Steven P. Davis
5/25/11	43. Antoinette Lopes
5/26/11	44. Linda L. Palmieri

5/26/11	45. Eric M. Stevens
5/26/11	46. Louis F. Gitto
5/26/11	47. Joel N. Weber II
5/26/11	47. Louis F. Gitto
5/26/11	48. David L. Goldrick
5/26/11	49. Paul Fitzpatrick
5/26/11	50. Heather Graf
5/26/11	51. Grant Taylor
5/26/11	52. Representative Elizabeth Poirier (Elaine M. Hyland on behalf of Rep. Poirier)
5/26/11	53. John Malley
5/26/11	54. Senator John F. Kerry, Member of Congress James P. McGovern, and Member of Congress Barney Frank
5/27/11	55. Fall River Office of Economic Development
5/27/11	56. U.S. Environmental Protection Agency
5/27/11	57. Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
5/27/11	58. Town of Easton
5/27/11	59. Sue Bass
5/27/11	60. Metropolitan Area Planning Council
5/27/11	61. Representative Antonio Cabral
5/27/11	62. Public Employees for Environmental Responsibility
5/27/11	63. Taunton River Watershed Alliance
5/27/11	64. Massachusetts Association of Conservation Commissions
5/27/11	65. MassAudubon (second letter)
5/27/11	66. Town of Stoughton (on behalf of Town from Kopelman and Paige, P.C.)
5/27/11	67. Sierra Club
5/27/11	68. Old Colony Planning Council
5/27/11	69. Massachusetts Department of Environmental Protection
5/27/11	70. Massachusetts River Alliance
5/27/11	71. The Nature Conservancy
5/27/11	72. Norton Conservation Commission
5/27/11	73. Curt Rice
5/27/11	74. Michael Mazucca
5/27/11	75. Eileen J. Marum
5/27/11	76. Heather and Doug Lewis
5/27/11	77. Priscilla Almquist-Olsen
5/27/11	78. Brian Reardon
5/27/11	79. Jennifer Reardon
5/27/11	80. Barbara Anzivino
5/27/11	81. Victoria Taylor
5/27/11	82. Michael Joliffe
5/27/11	83. Donald Michaud
5/27/11	84. Rebecca Turley
5/27/11	85. Town of Raynham, Selectmen and Board of Health
5/27/11	86. Robert Mullen
5/27/11	87. Marianne B. De Souza

5/27/11	88. Leon Litchfield
5/27/11	89. Sergeant Christopher John Barros
5/27/11	90. James Stanton
5/27/11	91. Town of Easton, Office of the Town Administrator
5/27/11	92. Mary Jane Golden
5/27/11	93. Wendy Van Dyke
5/27/11	94. Easton Historical Society
5/27/11	95. Linda Grubb
5/27/11	96. Massachusetts Office of Coastal Zone Management
5/27/11	97. The United Regional Chamber of Commerce
5/27/11	98. Elizabeth Acheson
5/27/11	99. Stephen Ford
5/27/11	100. Town of Canton, Office of the Selectmen
5/27/11	101. Massachusetts Division of Marine Fisheries
6/01/11	102. Massachusetts Department of Conservation and Recreation
6/01/11	103. Lynne E. McSweeney
6/01/11	104. Alan Johnson
6/01/11	105. John Molloy
6/02/11	106. WalkBoston
6/03/11	107. City of Boston
6/13/11	108. Massachusetts Department of Energy Resources
5/07/11	109. Paul Cienniwa

RKS/AOS/aos

State Agencies

Page	Name
1	Massachusetts Department of Conservation and Recreation
5	Massachusetts Department of Environmental Protection
26	Massachusetts Division of Fisheries & Wildlife
33	Massachusetts Division of Marine Fisheries
36	Massachusetts Historical Commission
38	Massachusetts Office of Coastal Zone Management



May 27, 2011

Secretary Richard K. Sullivan, Jr.

Executive Office of Energy and Environmental Affairs
Attn: Aisling O'Shea MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Re: EOEEA #14346, South Coast Rail Project

Dear Secretary Sullivan:

The Department of Conservation and Recreation ("DCR" or "Department") is pleased to submit the following comments in response to the Draft Environmental Impact Report ("DEIR") submitted by the Massachusetts Department of Transportation ("DOT") for the South Coast Rail Project (the "Project"). The filing jointly serves as the Draft Environmental Impact Statement ("DEIS") for review under the National Environmental Policy Act ("NEPA").

The DEIR evaluates the following alternatives for the Project:

- A No-Build alternative, that is proposed to provide enhanced bus services;
- Attleboro Alternatives (Diesel and Electric) (the "Attleboro Alternatives")
- Stoughton Alternatives (Diesel and Electric) (the "Stoughton Alternatives")
- Whittenton Alternatives (Diesel and Electric) (the "Whittenton Alternatives")
- A Rapid Bus alternative that would construct a dedicated bus lane within the Route 24 corridor.

The DEIR concludes the Attleboro alternatives are infeasible, due to existing service constraints on the Northeast Corridor and the high costs to make necessary improvements to address these constraints.

DCR submits the following comments for Project alternatives with proposed station stops near DCR properties, and located within Areas of Critical Environmental Concern ("ACEC"). DCR administers the ACEC Program on behalf of EOEEA. DCR is highly supportive of the goals of this project to improve access and mobility to underserved communities of Southeast Massachusetts. Providing efficient rail service will have environmental benefits in air quality, carbon reduction and traffic congestion for this fast growing region. Well-located stations will provide new and improved transportation access to several DCR state parks benefiting communities beyond this region.

L-089.01

DCR Properties

DCR is pleased to note that the Rapid Bus Alternative has been modified to avoid impacts to the Blue Hills Reservation. Elimination of the Middleboro Alternative has alleviated potential for impacts to Morrissey Boulevard and Furnace Brook Parkway.

L-089.02

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

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Deval L. Patrick
Governor

Timothy P. Murray
Lt. Governor

Richard K. Sullivan Jr., Secretary
Executive Office of Energy & Environmental Affairs
Edward M. Lambert Jr., Commissioner
Department of Conservation & Recreation

Some of the proposed rail corridors and rail stations are located near to DCR properties:

- The New Bedford Main Line forms the eastern boundary of the Acushnet Cedar Swamp State Reservation. This state reservation was designated in 1972 by the National Park Service as a National Natural Landmark. The New Bedford Main Line is currently an active freight line, and the addition of passenger service is expected to have no significant adverse effects on the resources of the state reservation. Required track improvements will be an opportunity to positively improve conditions, particularly water quality, through incorporation of storm water Best Management Practices (BMPs.)
- The proposed State Pier Station would be located adjacent to the New Bedford State Fishing Pier, the Freetown Station would be near to Freetown-Fall River State Forest, and the Battleship Cove Station would be adjacent to Fall River Heritage State Park. DCR supports the proposed rail stations, because the locations will provide opportunities to enhance public access to these DCR-managed facilities. DCR would like to coordinate with the proponent and the Southeast Regional Planning and Economic Development District (SRPEDD) to develop public access strategies as the Project design progresses and to avoid through design, conflicts between park access parking needs and commuter parking.

L-089.03

L-089.04

Areas of Critical Environmental Concern (ACECs)

The ACEC Program has participated in the South Coast Rail Interagency Coordinating Group since its inception in 2007. All of the alternatives would have some impacts to the resources of the ACECs. Because the Attleboro Alternatives were deemed infeasible by the Proponent due to service constraints, these comments focus on the Stoughton and Whittenton Alternatives and the Rapid Bus which pass through the Hockomock Swamp ACEC.

The Hockomock Swamp ACEC was designated by the Secretary of Environmental Affairs for all nine of the inland resource qualifying categories (301 CMR 12.06): fishery habitat, inland wetlands, inland surface waters, water supply areas, natural hazard areas including floodplains, agricultural areas, historical/archaeological resources, habitat resources including rare species, and special use areas including undeveloped or natural areas, public recreational areas, or significant scenic site. Additionally, the Hockomock Swamp has been designated as an Important Bird Area by the Massachusetts Audubon Society.

Impacts of Stoughton and Whittenton Alternatives (Electric and Diesel)

Wetlands and Floodplains

The DEIR describes wetland impacts approximately 2 acres (1.74 acres permanent and 0.57 acres temporary) within the Hockomock Swamp ACEC. Table 3.3-18 evaluates these impacts against impacts of other alternatives and assigns letter grades. The ACEC Program recommends that letter grades be eliminated as they may underestimate the wetlands impacts in the Hockomock Swamp and recommends that the FEIR focus on further defining the criteria and impacts discussed in the DEIR Biodiversity chapter.

L-089.05

To minimize wetlands impacts and allow for wildlife migration and connectivity between the wetlands currently bisected by the existing berm, a 1.8 mile trestle through the Hockomock Swamp ACEC is proposed for the Stoughton Alternative. Because of its significance as a mitigation feature, the engineering feasibility of the trestle on wetlands soils should be more fully explored in the FEIR.

L-089.06

Biodiversity

The ACEC Program believes the Stoughton and Whittenton Alternatives have high cumulative impact to biodiversity due to their impacts on rare species, Priority Natural Communities (Atlantic White Cedar), and their fragmentation of habitat and wildlife populations. As a complex ecosystem, impacts can be amplified due to the high inter-connectivity of resources and habitats.

As noted above, the Hockomock Swamp has been designated as an Important Bird Area by the Massachusetts Audubon Society, that supports neo-tropical migrant songbirds, as well as breeding populations of species particular to forest interiors, thus sensitive to impacts to connectivity. The CAPS (the Conservation Assessment and Prioritization System) analysis in (Appendix 4.14.) (UMass Amherst) a GIS-based coarse filter analysis of potential impacts to biodiversity, states that “Overall, the two routes through Hockomock Swamp showed the greatest estimated loss in ecological integrity” (p. 7).

L-089.07

As stated in the DEIR, “although partially mitigated by the Hockomock Swamp Trestle, using this railroad bed would affect the connectivity of adjacent habitats and reduce their overall biodiversity value.” (p. 4.10-64). The DEIR states that constructing the rail bed within the Hockomock Swamp ACEC will require removing the forest canopy over the corridor and “This gap will divide the Hockomock Swamp south of Foundry Street into two units of approximately 3,201 acres west of the rail line and 682 acres east of the rail.” (p. 4.14-84). The DEIR also states that “large forest blocks... to support successfully reproducing populations of area-sensitive forest-interior nesters ... must be over 500 acres. Several studies suggest that 750 to 1,200 acres are necessary, and that even larger areas in excess of 7,500 acres are optimal.” If the Stoughton and/or Whittenton Alternatives are forwarded to the FEIR/FEIS, the ACEC Program requests the Proponent propose any additional methods to avoid, minimize, or mitigate these impacts to biodiversity.

Water Supply Resources

The ACEC Program notes that the Hockomock Swamp ACEC was designated in part for the system of interconnected surface and ground waters and the high and medium yield aquifers that supply public drinking water. At the time of designation two public supply wells for the Town of Raynham and one for the Town of West Bridgewater were located within the ACEC, and potential municipal well sites had been identified in the Towns of Bridgewater, Easton, and Raynham. The ACEC Program suggests that further review be included in the FEIR especially for rail intersections with Zone IIs.

L-089.08

Mitigation Needs for Stoughton and Whittenton Alternatives

If the Stoughton and/or Whittenton Alternatives are forwarded to the FEIR/FEIS, the ACEC Program offers these comments toward further avoidance, minimization, and mitigation of environmental impacts. Minimization and mitigation suggestions in the DEIR should be more fully developed in the FEIR.

Wetlands, Stream Crossings, and Flood Storage

The ACEC Program requests stream crossings and culverts be evaluated against the Massachusetts Stream Crossing Standards, including maximizing hydrologic connections between wetlands for enhancement and restoration as well as for flood capacity. Climate change calculations should also be incorporated that are consistent with the most current guidelines for DOT and for federal permitting. Riverfront area impacts should be quantified and avoided, minimized or mitigated.

L-089.09

The ACEC Program requests stormwater management plans should use Best Management Practices (“BMPs”) and Low Impact Development (“LID”) to mitigate discharges of potential pollutants and sediments into wetlands within ACECs and hydrological connections to ACECs. | L-089.10

The ACEC Programs requests all permanent wetland impacts should include a preference for mitigation via restoration. | L-089.11

Raynham Rail Station

This proposed new station should minimize impervious area to avoid further land alteration in a heavily altered area adjacent to Hockomock Swamp. The Proponent should explore features such as structured parking, and BMPs for stormwater management. | L-089.12

Secondary Growth Mitigation – “Corridor Plan”

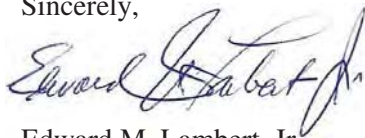
The ACEC Program commends DOT in the production of the Land Use and Economic Development Corridor Plan (“Corridor Plan”) with locally identified Priority Development Areas (“PDAs”) and Priority Protection Areas (“PPAs”). The ACEC Program supports a targeted implementation program. The FEIR should detail these commitments as part of the mitigation plan as well as a long-term monitoring and evaluation plan to gauge the success of smart growth. | L-089.13

Rapid Bus Alternative

The DEIR states that “The Rapid Bus Alternative is not anticipated to adversely affect biodiversity in the Hockomock Swamp ACEC other than a small loss of habitat immediately adjacent to the existing Route 24.” (p. 4.10-50) The Rapid Bus Alternative would result in approximately 4 acres of permanent wetlands impact and 3.19 acres of temporary wetlands impact within the Hockomock Swamp ACEC along the edges of wetlands already impacted by Route 24. The ACEC Program notes Best Managements Practices (“BMPs”) for stormwater management could minimize any stormwater impacts to ACECs and hydrological connections to them. | L-089.14

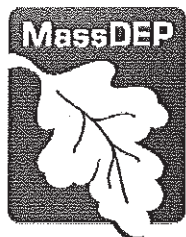
Thank you for the opportunity to comment. If you have questions or need further information regarding the ACEC Program, please contact Liz Sorenson, ACEC Program Director, at elizabeth.sorenson@state.ma.us or 617-626-1394. For coordination regarding enhanced public access to the state forests and parks, please contact Paul Cavanagh at paul.cavanagh@state.ma.us or 508-866-2580 ext 122.

Sincerely,



Edward M. Lambert, Jr.
Commissioner

cc: Alan R. Anacheke-Nasemann (ACOE)
Kristina Egan, Wendy Stern (DOT)
Phil Weinberg, Lealdon Langley, John Felix, Michael Stroman, Jerome Grafe (MassDEP)
Rich Lehan, Jon Regosin, Jason Zimmer (DFG)
Steve Smith, Nancy Durfee (SRPEDD)
Matt Schweisberg, Tim Timmermann, Ed Reiner, Rosemary Monahan (US EPA)
Niek Veraart, Vice President – The Louis Berger Group, Inc.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

May 27, 2011

Richard Sullivan, Secretary
Executive Office of Environmental Affairs
Attention: MEPA Office, Aisling O'Shea, EOE No.14346
100 Cambridge St., Suite 900
Boston, Massachusetts 02114

Alan Anacheke-Nasemann
U.S. Army Corps of Engineers, N.E. District, Regulatory
696 Virginia Road
Concord, MA 01742

Re: DEIS/DEIS/R for the South Coastal Rail Project
EEA No: 14346

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/R or Report) on the South Coastal Rail Project proposed by the Massachusetts Department of Transportation (MassDOT).

The project envisions the establishment of a public transportation alternative that will link the cities of Fall River and New Bedford to Boston and create regional transit interconnections among the South Coast communities. MassDOT has defined the project's purpose as: "to more fully meet the existing and future demand of public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility, while supporting smart growth planning and development strategies in the affected communities." While the US Army Corp of Engineers has narrowed the definition of the project's purpose to meeting its public transportation demand and regional mobility components, MassDEP believes the project's potential to influence more sustainable growth patterns in this expanding region is relevant in considering its potential environmental impact in the context of MEPA review.

L-076.01

The Report examines the existing and future status of the roadways serving the South Coast communities and presents MassDOT's case for the need for the project based on adverse roadway and related air quality conditions, transit mode choice and equity, and implementation of the Commonwealth's transportation policies. The Report documents the growth in traffic volume, 2-3% overall and up to 5% in some communities that has created roadway congestion on the limited set of highways that connect commuters from the southeastern region to downtown Boston and Cambridge. These consistently congested conditions results in a Level of Service rating of F and increased vehicular accidents on the three major highways serving the South Coast. There has been an overall increase in these accidents, injuries and fatalities during the 2004-2006 study period of 7% with some routes showing increases of nearly 30% in accidents or fatalities. Fall River and New Bedford had the first and third highest number of vehicle crashes during this period. As new households continue to be added to the region, the projected growth in commuter trips and vehicle miles travelled (VMT) will exacerbate the existing congestion problems further compromising automobile safety and increasing the emissions of mobile source pollutants that have an adverse impact on air quality and climate change.

The projected growth in VMT and air pollutants in the South Coast is magnified by the lack of commuter rail service and the greater dependence on automobiles and buses in the region as compared to other areas of the Commonwealth currently served by commuter rail. The lack of availability and quality of service in public transit reduces regional access to employment and educational opportunities and medical and cultural facilities, particularly in the large environmental justice population centers of New Bedford and Fall River. Even for those communities within a reasonable distance of other commuter rail stations outside the South Coast, it is projected that the capacity of those bordering systems will be insufficient to meet the anticipated growth in ridership in their service areas. The Report identifies the planned improvements to the existing roadways and rail systems in the South Coast region, but concludes these projects will not address the shortcomings the communities face due to lack of equitable public transit access to Boston.

The principles that underlie the project's purpose of expanding access to quality public transit in an underserved region that contains economically and environmentally disadvantaged communities is consistent with multiple Commonwealth, regional and MassDOT transportation plans and policies. What is significant and commendable in the planning and execution of this project to date is MassDOT's commitment to rigorously examine the indirect growth impacts associated with extension of rail service and to actively and comprehensively foster smart growth strategies designed to ameliorate the potential adverse environmental impacts of sprawl development that could otherwise result. As discussed in further detail herein, the project will stimulate development beyond what would occur under a no-build scenario resulting in the consumption of land with significant environmental value such as wetlands, protected species habitat, open space and water resources and the emission of additional air pollutants.

The Report acknowledges that its projections rely largely on historic trends and the best professional judgment of the planning team MassDOT assembled. While MassDEP does not have the expertise to conduct a detailed critique of the Report's methodology, the model was developed with significant input from regional planning experts. The designation of preferred

L-076.02

development and preservation areas and the model's logic and assumptions appear to be reasonable given the variables in play and the number of communities being examined.

L-076.02

MassDEP also recognizes that whether the difference in outcomes depicted between the business as usual and smart growth scenarios will be realized is largely dependent on decisions made by municipalities and developers over the next two decades. But the Report also references the multiple forms of technical and financial assistance the Commonwealth and MassDOT in particular has expended and appears to be committed to extend to local and regional decision makers that will motivate and facilitate transportation oriented development and the conservation of environmentally valuable areas. MassDEP believes that in evaluating whether the project has taken all feasible measures to avoid or minimize damage to the environment, it is reasonable to look to the continued implementation by MassDOT of smart growth assistance and incentives by memorializing that commitment in the FEIS/R.

L-076.03

Alternatives

The DEIS/DEIS/R compares the direct, indirect, and cumulative impacts of five sets of alternatives across the broad range of criteria as scoped in the Secretary's April 2009 Certificate: No Build, Attleboro Electric and Diesel, Stoughton Electric and Diesel, Whittenton Electric and Diesel, and Rapid Bus. All three rail options incorporate the common use of the rail system south of Weir Junction denominated as the Southern Triangle, which includes the New Bedford Main Line and the Fall River Secondary.

The Report concludes that the Attleboro Alternative is impracticable because it fails to meet the MBTA's Service Delivery Policy and the minimum reliability criterion for on-time performance standards. In addition to the relevance of practicability in relation to a MEPA evaluation of whether an alternative meets the project's purpose, the Water Quality Certification regulations, sets the performance standards for the discharge or placement fill in state and federal waters, requires MassDEP to consider practicability in reviewing project alternatives (314 CMR 9.06).

L-076.04

The Service Delivery Policy establishes a standard of three trips in a peak direction during the AM and PM peak periods. The on-time reliability criterion is defined as no more than 5 minutes late. As compared to the system wide reliability performance standard of between 78-95%, the Attleboro electric and diesel Alternatives met the reliability criterion only 54% and 49% of the time. The Network Simulation Analysis of 2030 Operations projected that the Attleboro Alternatives is operationally infeasible due to capacity constraints at South Station that would result in failing the on-time standard for the morning and particularly the evening peak period, and also negatively impact the on-time performance of four south side commuter rail trains.

The Report referenced an analysis of the effect of adding a fourth track to the Northeast Corridor (NEC) north of Readville in order to relieve the system capacity constraints caused by the addition of the Attleboro Alternative's operations to the NEC. The analysis concluded that a fourth track would cause major service disruptions and reconstruction of the Orange Line MBTA service, displace a significant number of businesses and residents in the Back Bay and South End of Boston, adversely impact acres of public open space, take 10-12 years to construct and add nearly \$2.5 billion dollars to the project's construction cost. The combination of these

impediments makes an infrastructure solution to NEC's capacity constraints impracticable. Even without a fourth rail option, the schedule for the necessary addition of a third track to the NEC is projected to be seven years as construction can only occur between 1AM and 5AM in order not to disrupt normal NEC operations, a constructability prescription that strains the boundaries of practicability. The analysis of the dependence of the Attleboro Alternatives on the NEC leads MassDEP to conclude that there are fatal deficiencies in this Alternative's ability to meet the project purpose in regard to the reliability and practicability criteria that cannot be reasonably overcome by expanding the existing system's infrastructure capacity.

L-076.05

The Report further concludes the Rapid Bus Alternative fails to meet the project purposes of regional mobility and reduction of VMT. The Rapid Bus Alternative is limited to six stations in five communities that generate five interregional links, as compared to the rail alternatives that generate over eight times as many links. The Rapid Bus' interregional link limitation results from the need to maintain a travel time that is reasonably comparable to the rail alternatives and have the buses operate at or near their capacity limits at the initial embarkation points, which precludes additional stops along the route.

Based on the Central Planning Transportation Staff (CTPS) analysis, the Rapid Bus only reduces VMT by approximately 81,500 miles, as compared to the rail alternatives' reduction range of 174,000 to 296,000. This is also reflected in the difference among the alternatives in new linked trips which represent the commuters who would otherwise drive to work. The number of Rapid Bus new linked trips is 1700, the rail Alternatives generate from 4,500 to 5,900. A similar disparity exists on the ridership and total new transit-wide boarding measures.

This significantly lower diversion of commuters from automobiles to public transit makes this alternative less effective in addressing the projected increase in traffic congestion and the potential consequences of decreased road safety. While the Rapid Bus will expand access between New Bedford/Fall River and Boston, it will be far less successful than the rail alternatives in achieving the project's regional mobility purpose due to inherent constraints within its operating parameters.

The Attleboro and Rapid Bus Alternatives also exhibit comparatively worse adverse environmental impacts in some, albeit not all, categories than the Stoughton and Whittenton Alternatives. The Report creates a "report card" ranking matrix under which the best performing alternative is rated as meeting 100% of the performance standard's quantitative objective and receives an A. The other alternatives are then ranked based on the percentage of their performance relative to the top performer. Using that relative ranking system, the Attleboro Alternative received an F in Total Wetlands and Threatened and Endangered Habitat, and Open Space Acquisition categories and a D in the ACEC category. The Rapid Bus Alternative duplicates the Attleboro Alternatives' F scores as well as receiving an F in the ACEC category. In comparison, the Stoughton and Whittenton Alternatives received all As and Bs, except for a C Whittenton received in the Threatened and Endangered Habitat category. Because the scoring is based on the relative impact among the Alternatives, in some instances the grades do not reflect a significant difference in environmental outcomes. This is not the case in the scale of wetland impacts. The Attleboro and Rapid Bus Alternatives alter nearly twice as many acres of wetlands than the Stoughton or Whittenton Alternatives. The Rapid Bus Alternative also produces worse

L-076.06

air quality than the no-build in NO_x and Particulate Matter emissions, and negligible reductions in volatile organic compound and CO₂ emissions based on the use of diesel fuel. L-076.06

In weighing the significance of the report card scores, MassDEP is acutely aware that all of the Alternatives alter or degrade a range of environmentally sensitive resource areas and would require a variance under the Wetland Regulations. MassDEP is also cognizant that some of the quantitative resource impact distinctions may be less significant in evaluating an Alternative's adverse effect than its qualitative impact, for example adverse effects on rare species from the Attleboro Alternative and wildlife habitat from the Stoughton Alternative. However, the combination of the deficient performance of the Attleboro and Rapid Bus Alternatives in meeting the project's purpose and practicability standards and their low environmental ranking in multiple categories that are central to MassDEP's regulatory jurisdiction leads MassDEP to conclude that neither of these Alternatives should be selected to be the Alternative to proceed into the FEIS/R review. On that basis, MassDEP reasoned that it would more be productive to conduct a comparative assessment of the Stoughton and Whittenton Alternatives in order provide information relevant to selecting the preferred alternative to scoped for the FEIS/R. Therefore, the balance of this comment letter is confined to considering the benefits and environmental impacts of these two Alternatives. L-076.07

Stoughton and Whittenton Alternatives Overview

MassDOT identifies the Stoughton Alternative as its preferred alternative stating that it provides the greatest transportation benefit and fully meets the project purpose. The Whittenton and Stoughton Alternatives share the same track bed except for their routes through the Raynham-Taunton area. At the Canton Junction, the Stoughton Alternative continues directly south and passes through Taunton on the east, while the Whittenton Alternative bears southwest and transits Taunton on the west whereupon it connects with the Attleboro secondary and then proceeds southeast to reconnect with the Stoughton line at the Weir Junction. The travel time of the Whittenton Alternatives are 11 minutes longer than the Stoughton Alternatives and the station configurations in Taunton are slightly different; a station in Downtown Taunton on the Whittenton route and one on Dean Street on the Stoughton route.

Although the Whittenton Alternative generates slightly more total ridership (60 passengers), Stoughton's generates 400 more project-linked boardings, representing commuters switching from automobiles to the South Coast system, and an additional 1,000 for the commuter rail system as a whole. A second distinction in the routes is the origin of boarding of the passengers. The Stoughton Alternative draws nearly 50% of its passengers from Fall River and New Bedford and 19% from the Taunton stations. The Whittenton Alternative draws less than 40% of its passengers from Fall River and New Bedford and 26% from its Taunton station. As a result, of the sum and source of its ridership diversion, the Stoughton Electric Alternative reduces 68,000 more vehicle trips per day which yields less VOCs, NO_x, PM_{2.5} per day than the Whittenton Alternative. Therefore, to the extent that the project's need and purpose is focused on meeting the existing and future public transportation demand between Fall River/New Bedford and Boston and enhancing regional mobility, while collaterally improving air quality, it appears to MassDEP that the Stoughton Alternative better serves those ends. If further assessment is conducted of the Alternatives' relative merits to serve the project's purposes, one possible L-076.08

avenue of inquiry is the availability of measures or incentives that would potentially improve the Whittenton Alternative's Southern Triangle boardings and VMT reduction metrics. L-076.08

In further support of the Stoughton Alternative, MassDOT also notes that the Whittenton Alternative will require 12 grade crossings through Taunton raising concerns about safety and noise impacts. The Whittenton Alternative will incorporate 10 crossings now used by the Attleboro Secondary freight line, and reactivate two currently unused crossings. The Report analyzes the traffic impacts at the Whittenton only crossings. The analysis concludes that eight of the crossings will result in only minimal or minor traffic impacts, and the other four may affect traffic operations and the use of driveways abutting the roads on which the cars will queue. The Report offers no information regarding the potential safety impacts on vehicles or pedestrians as a consequence of shifting the line's use from freight to commuter rail and thereby increasing the frequency of train traffic. L-076.09

There is a marked difference in the noise impacts within the City of Taunton associated with the different routes. The Stoughton Electric and Diesel Alternatives' operations will generate 12 and 5 severe noise impacts respectively, as compared to 33 and 40 severe impacts from Whittenton's operations. In addition, the Whittenton Alternative will cause 708 severe horn noise impacts in Taunton as compared to only 28 for Stoughton. The Report concludes that nearly three times the number of affected residents residing in environmental justice neighborhoods in Taunton on the Whittenton route will be disparately impacted by noise in comparison to the percentage affected in non-environmental justice neighborhoods.

As presented in detail below, MassDEP has evaluated the Report in regard to the Stoughton and Whittenton Alternatives' impacts in areas subject to MassDEP's jurisdiction. The adverse impact of the all Alternatives is significant enough to require the project to obtain a variance from several of the performance standards in the Wetland Regulations (310 CMR 10.00). Due to the overlap of the Stoughton and Whittenton Alternatives' routes, except in the areas between the Weir and Canton Junctions, their environmental impacts are indistinguishable in the Southern Triangle and north of Canton Junction. In those areas where they diverge, however, the Stoughton Alternative adversely impacts more wetland resource protection areas along its route including, for example, Bordering Vegetated Wetlands, vernal pools, and wildlife habitat area owing to its traverse of the Pine Swamp, which the Whittenton Alternative avoids. The Division of Fisheries and Wildlife's Natural Heritage Endangered Species Program, has commented on the significant extent of these Alternatives' impact on the Hockomock Swamp and the adequacy of the Report's analysis, but concludes that the differences in their impact on state listed species should not be a determinative factor in the overall selection between these Alternatives. L-076.10

In sum, the Stoughton Alternative better serves the key measures of addressing the project's need and serving its purposes, but the benefit it accrues in that regard from the geography of its route results in greater harm to significant wetlands resources than the Whittenton Alternative. The Whittenton route, on the other hand, carries the potential of disparately impacting residents in environmental justice neighborhoods with excessive noise. Based on representations made in the Report and the MassDEP's experience, it is reasonably likely that through further minimization, mitigation and compensatory measures, which should be detailed in the FEIS/R, the divergence between these Alternatives can be narrowed to the point where their net differences in L-076.11

environmental impacts will be negligible. In contrast, MassDEP is not aware of additional transportation related measures that can close or substantially narrow the Whittenton Alternative's service of project purposes gap.

L-076.11

Wetlands, Rare Species and Biodiversity

As noted earlier, the Stoughton and the Whittenton Alternatives both incorporate the Southern Triangle and also share the route from the Canton Junction north to South Station. The distinction between the two alternatives is the jog Whittenton takes between the Canton and Weir Junctions avoiding the Pine Swamp which the Stoughton Alternative traverses. Both alternatives impact 1.74 acres in the Hockomock Swamp ACEC, with 75% of that impact associated with relocating a stream now confined to the excavated road bed. A trestle will span 1.81 acres of the swamp. In addition, the Stoughton Alternative will permanently impact slightly less than a half acre of wetlands in the Pine Swamp. The diesel versions of the Alternatives have slightly less impact because traction stations are not required.

The Whittenton Alternative has the same or less impacts as the Stoughton Alternative in every wetlands resource category, except for its effect on rare species habitat, connectivity (barrier impacts) and fragmentation. Comparison of these two alternatives shows Whittenton has:

- approximately 1.5 acres less impact on Bordering Vegetated Wetland (BVW);
- 0.77 acres less impact on vernal pool habitat;
- approximately 0.25 acres less impact on loss of supporting vernal pool upland habitat
- 0.76 acres less impact on Outstanding Resource Waters (ORWs);
- Approximately 3.5 acres less impact on Bordering Land Subject to Flooding (BLSF).
Note: measurement of BLSF in acreage is less relevant than its measurement in cubic feet of flood storage lost. However, there is not currently sufficient topographic data to calculate the flood storage losses for each alternative in cubic feet (personal communication, Lisa Standley, Ph.D., VHB, 5/12/11); and
- 13 less occurrences of impacts to Riverfront Area (52 vs. 65).

L-076.12

Note: the number of interceptions of RA is less relevant than the acreage impacted by those occurrences. However, insufficient information is available at present to calculate the impacts on RA acreage (personal communication, Lisa Standley, Ph.D., VHB, 5/12/11, and page 4.16-62 of DEIS/R).

L-076.13

MassDEP's Wetlands Regulations require that projects within wetlands jurisdiction have no short or long term adverse effect on rare species. The project's impacts to rare species will require a wetlands variance. Based on consultation with the Natural Heritage Endangered Species (NHESP), MassDEP relied on the NHESP's Habitat Functions Loss Assessment and NHESP Score (Tables 4.15-27 and 28) in comparing the Stoughton and Whittenton Alternatives' impact on rare and endangered species rather than the Report's evaluation. Stoughton performed slightly worse than Whittenton with a score of 10.5 vs. 10 for impacts to rare species based on NHESP's methodology. The Tables show that the Stoughton route impacts 1.3 additional acres of Hessel's Hairstreak (butterfly) habit, increasing its habitat loss score by 0.5 over the Whittenton route, with a "moderate", barrier effect score for both alternatives; the Whittenton alternative, however, would have a barrier effect on Box Turtle of an additional 2,100 feet which the Stoughton Alternative would not have. (Table 4.15-28). The NHESP advised MassDEP that

L-076.14

because the differences in overall state-listed species impacts between these two Alternatives are small, the differentials should not be a determinative factor in evaluating their relative adverse effects and benefits.

L-076.14

In addition to impacts on rare and endangered species, MassDEP regulates impacts to important wildlife habitat as one of the interests of the Wetlands Protection Act. The project will exceed the thresholds for a wildlife habitat evaluation and should be evaluated pursuant to MassDEP's 2006 Wildlife Habitat Guidance Document. Throughout the inter-agency review process, MassDEP raised concerns about the alternatives' impacts on the quality as well as the quantity of the affected habitat. Quantity, e.g. acres of wetland impact, linear feet of bank, etc., has been the traditional way that project impacts have been evaluated in the permitting process. The development of the landscape level assessment methodology, the Comprehensive Assessment and Prioritization System (CAPS), has made it possible to assess the impacts of projects qualitatively as well as quantitatively. The use of CAPS to assess project impacts is consistent with the Wildlife Habitat Guidance Document which requires a more detailed Wildlife Habitat Evaluation and additional mitigation for project impacts that occur at locations identified on CAPS maps as having an IEI value of 0.6 – 1.0, i.e. the top 40% of wildlife habitat. In addition, the United States Environmental Protection Agency (USEPA) has accepted Massachusetts' use of CAPS as its landscape level assessment method to meet the monitoring and assessment requirements to evaluate wetland health.

L-076.15

The CAPS model assigns a value of 0 to 1 for each point on the landscape, based on the ability of that point on the landscape to serve as wildlife habitat and generates an Index of Ecological Integrity (IEI). Locations with the best habitat score 1.0, while lower quality habitat scores closer to 0. When the model is run depicting the linear route of an alternative, the interception of a cell degrades the value of that point on the landscape to serve as wildlife habitat. Indirect impacts of the project also diminish the score of the cells as stressors do in the natural landscape where roads, railroads, impervious surfaces and other stressors degrade wildlife habitat not only at the point of interception, but also in the area around them. The DEIS/R used the model to assess the impact on wildlife habitat of this long linear project's relatively small impacts on multiple wetlands along the two routes that were modeled (Stoughton with the trestle and Whittenton with the trestle). The Report's CAPS comparative assessment of impacts showed minor differences in impacts on IEI that indicated the Whittenton Alternative would have greater adverse impacts on connectivity potentially resulting in more habitat fragmentation. However, the superior performance of the Stoughton alternative is due primarily to the fact that the Whittenton route is longer than Stoughton's and therefore intercepts more cells in the model (Scott Jackson, UMass, personal communication, 5/16/11).

L-076.16

At MassDEP's request, UMass evaluated the degree to which important habitat (IEI > 0.6) in the baseline assessment would be compromised as a result of the Stoughton Alternative's one mile transit of the Pine Swamp, a 275 acre, un-fragmented high quality wetland that the Whittenton Alternative avoids. These results show that the Stoughton Alternative has a greater loss of cells with high IEI (216.3 units) than the Whittenton alternative (202.8 units) (Brad Compton, personal communication 5/20/11). These results when considered together with the CAPS data reported in the DEIS/R indicate that while the Whittenton Alternative would impact 7 units more than the Stoughton Alternative, the Stoughton route would impact 13.5 additional units

L-076.17

considered high value wildlife habitat. UMass calculates that the loss of 13.5 units would be equivalent to 18 acres of Pine Swamp no longer being characterized as important wildlife habitat (i.e. top 40% IEI), representing 6% of the swamp's area. (Brad Compton, UMass, personal communication, 5/26/11)

L-076.17

The location and extent of the project's impacts to wetland resource areas will require several variances from the Wetlands regulations performance standards. The wetland variance performance standards (310 CMR 10.05 (10)) are discussed in the proposed mitigation section of the Report. The three regulatory criteria to demonstrate eligibility for a variance are:

- (1) Demonstration there are no conditions or alternatives under which the project can proceed without a variance;
- (2) Mitigation measures are proposed to allow the project to be conditioned to contribute to Wetland Protection Act interests; and
- (3) Demonstration that the variance is necessary to accommodate an overriding public interest.

The Report documents that there are no project alternatives that could proceed absent receiving a variance, in particular in regard to the impact to Bordering Vegetated Wetlands and activities in an ACEC. The Report also summarizes the basis for MassDOT's contention that the project accommodates an overriding public interest including: addressing a significant need for public transportation improvements in the South Coast region and providing to the region important benefits in the form of public transit equity, service distribution and ridership, air quality and climate change improvements, and opportunities for smart growth and sustainable development as an alternative to sprawl that is projected to occur under the no-build scenario. The Report presents substantial and credible information on those subject matters, several of which have relied upon in other rail projects to support a variance request.¹ The FEIS/R should further refine how the Alternative selected for further review will advance these public interests.

L-076.18

Meeting the variance criteria requires mitigation measures that will allow the project to contribute to the protection of the interests of the Wetlands Act. It is MassDEP's opinion that in order for either Alternative to go forward, mitigation measures to off-set the project's direct, indirect and cumulative impacts are warranted. Mitigation should directly mitigate wetland impacts, improve wetland conditions and avoid future indirect and cumulative impacts.

L-076.19

¹ Rail projects reviewed for a variance have included: Greenbush Line Corridor (2002-2004), Plymouth Line and Route 3/3A Interchange Modifications (1994), Old Colony Railroad Neponset River Bridge (1993), Ashland Commuter Rail Station (2000), and Newburyport Extension and Layover facility (1996). The transportation needs addressed by these projects included: alleviating severe traffic congestion during peak periods (Greenbush, Old Colony, Ashland); addressing expected growth in commuters (Greenbush ; Old Colony , Newburyport increase in past 20 years) or high ridership generated (total ridership generated by Ashland Station); address deficient options for regional public transportation (crowding on Old Colony and Red Line, access problems with commuter boat; Old Colony – severe congestion on SE Expressway and Red Line; Newburyport – passenger rail discontinued in 1976 resulting in burden on other lines); reduction of Vehicle Miles Travelled on highways to improve regional traffic flow (Greenbush, Ashland); providing relief for oversubscribed parking demand at other rail and subway stations and in Boston (Greenbush, Old Colony, Ashland); and Increase safety for other drivers and pedestrians (Newburyport).

As stated in the DEIS/R, MassDOT convened a wetland mitigation group in which the Department participated. The group acknowledged that detailed mitigation and compensatory measures would not be developed until the preferred alternative/LEDPA was identified. The DEIS/R also reflects the group's general perspective that "...there are sufficient opportunities within the South Coast region's watersheds to provide adequate compensatory mitigation for any of the alternatives." MassDEP typically requires a 2: 1 ratio for BVW mitigation, at least 1:1 for all other wetlands, and encourages a 2: 1 mitigation for rare species impacts. However, flexibility exists in the variance process to consolidate some mitigation into more centralized areas rather than individual mitigation sites at each impact location. While the concept of redressing impacts to some wetland resources within the affected watershed rather than on a site specific basis is valid, that conclusion is premature for impacts to BLSF because it is not known currently what extent of compensatory flood storage can be provided at or near the points of impact, as is necessary to address local impacts to the flood control interest of the Act. This information should be developed in detail in the FEIS/R.

L-076.20

The DEIS/R's lack of specificity in the mitigation assessment also limits MassDEP's and other agencies' ability to consider or comment on the extent to which the impacts to habitat connectivity can be mitigated by methods such as providing wildlife passage structures through the rail bed, and the degree to which improvements to stream crossings may help to improve the passage of fish and wildlife. Similarly, insufficient information has been presented to determine the degree to which existing stream crossings within the abandoned rail bed can be improved because of the site specific information needed on topography and rail bed configuration has not been developed.

L-076.21

MassDOT has committed to land acquisition as a component of the mitigation strategies. MassDEP believes that targeted acquisition to mitigate for the cumulative and indirect effects of the project is an important and valuable contribution towards implementation of smart growth principles. Section 5 of the DEIS/R discusses the indirect and cumulative impacts of the project. The model's assumption's yield projections that show that under Scenario 1 (baseline plus induced growth without smart growth measures) the No-build Alternative will result in an additional 44,995 acres of loss, 13.11 of which will be wetlands. The implementation of smart growth principles can reduce those impacts by over 13,800 acres of land, and over 3.5 acres of wetlands. Similar results are predicted for biodiversity effects, which indicates that aggressive implementation of smart growth can reduce habitat impacts by nearly 50% (Table 5-12). Therefore, it is MassDEP's perspective that the maximum implementation of measures to enable smart growth should be adopted.

L-076.22

MassDOT has demonstrated its commitment and resources to conduct and motivate smart growth planning, but it has limited ability to implement Smart Growth land preservation priorities since much of the opportunity to do so depends on each community's willingness to adopt local zoning controls, and landowners' incentives to participate in transfer of development rights and other such smart growth mechanisms described in the Corridor Plan. One concrete means to translate the planning into resource protection is for MassDOT to fund for conservation protection targeted acquisition of parcels in Priority Protection Areas that are important to meet the long term benefit of populations of rare species and preserve land with high IEI. The selection of high IEI parcels for preservation should consider properties that will

L-076.23

not be adversely impacted by the direct or indirect impacts of the project which will reduce IEI scores after construction. L-076.23

Regardless of the final selected alternative, development of a Smart Growth Corridor Plan has the potential to mitigate environmental impacts and advance environmental preservation along the project corridor. The Plan represents an opportunity to advance environmental protection strategies with land use planning which optimizes economic and housing development, contains sprawl, and protects the integrity of critical natural resource habitats. MassDEP encourages the proponent to conduct an analysis of how to optimize land acquisition for areas that will accomplish these three goals and consult with EEA agencies in an effort to identify and protect areas critical to preserving the integrity of existing and valuable ecosystems. MassDOT should also partner with local planning boards and conservation commissions, regional planning agencies, and non-profit land trust/conservation organizations in a coordinated effort to adopt land preservation strategies which serve to stem wetland habitat fragmentation from sprawl commonly associated with unconstrained development. MassDEP requests the Secretary consider requiring this analysis in the FEIS/R in order to identify commitments that will ensure efforts to acquire land meet the project mitigation requirements and longer-term smart growth goals. L-076.24

MassDEP recommends that the mitigation strategies to be presented in the FEIS/R contain the following measures:

- Provide a 2: 1 ratio for BVW mitigation, at least 1:1 for all other wetlands, and encourages a 2: 1 mitigation for rare species impacts, subject to consultation with the NHESP;
 - Propose locations and design specific details for wildlife crossings;
 - Propose removal of targeted portions of the existing rail bed which will not be re-used for the new rail line (such as within the portion of the Hockomock Swamp where trestle will replace existing rail bed), specifically in locations that would improve wildlife habitat and fish passage, increase connectivity and reduce fragmentation without adversely affecting adjacent wetland resources;
 - Develop topographic information and propose improvements to existing stream crossings at site specific locations to improve wildlife and fish passage;
 - Perform meaningful riverfront area improvements and/or restoration to mitigate for riverfront impacts;
 - Provide on-site elevation specific compensatory storage for lost flood storage, or if such compensatory storage cannot be provided, to demonstrate an insignificant increase in flooding, to demonstrate that any incremental increase in flooding could be contained on the proponent's property, or to acquire flood easements;
 - Acquire land to meet the goals of advancing smart growth, providing long term net benefits to rare species and preserving high IEI land;
 - Commit to specific actions to implement the Corridor Plan and to work with communities to implement smart growth;
 - Propose wetland restoration within the Hockomock ACEC.
- L-076.25

While mitigation sites should be designed to preserve critical functions, such as flood storage volume at each locality, restoration of previously impacted wetlands and land preservation may also be considered as part of the mitigation effort. A high level of assurance needs to be provided that land identified for preservation, restriction, or replication/restoration mitigation to be taken by eminent domain can be acquired and will satisfy specific mitigation goals. As part of these assurances, additional fallback mitigation areas should be identified in the event that primary mitigation goals are not achieved.

L-076.26

Water Resources, Stormwater and Stream Crossings

The DEIS/R concludes that the Stoughton Alternative would involve temporary construction activities within one Zone A area, Zone II areas for six wells, and the IWPA for two wells which would not result in long-term impacts. During post-construction operations, the alternative would discharge stormwater to these same water supply protection areas plus 10 different waterbodies, including one ORW within the Hockomock Swamp ACEC and the East Branch of the Neponset River in the Fowl Meadow ACEC. The Whittenton Alternative's construction work will occur within one Zone A area, the Zone I area for one well, Zone II areas for 10 wells, and the IWPA for two wells. When post-construction operations commence, it would require stormwater discharges to one Zone A area, Zone II areas for 10 wells, the IWPA for two wells, and 11 different waterbodies, but there are no proposed stormwater discharges to ACEC areas. Both Alternatives incorporate one new station in Easton proposed in a Zone II area. MassDEP concurs with the Report's conclusion that with comprehensive and early planning and design of adequate containment, minimization and mitigation measures and consistent implementation and maintenance procedures, as discussed below, neither Alternatives' discharges would result in impairment of surface or groundwater quality or functions.

L-076.27

The project is required to comply with the Massachusetts Stormwater Standards for work proposed in wetland resource areas and buffer zones pursuant to 310 CMR 10.05(6)(k) and 314 CMR 9.06(6). In addition, stormwater standards are required to be met for land disturbances 1-acre or greater pursuant to the EPA NPDES Construction General Permit (CGP), when stormwater discharges are proposed to existing outfalls permitted pursuant to the EPA/MassDEP Municipal Separate Storm Sewer System (MS4) General Permit and/or for the proposed Layover Facilities pursuant to the EPA Multi-Sector General Permit (MSGP). The referenced State and EPA permits require proponents to demonstrate compliance with Total Maximum Daily Load (TMDL) requirements.

The DEIS/R generally identifies potential contaminants of concern that may be discharged in stormwater runoff from track drainage, train stations and layover facilities to wetlands and waters of the Commonwealth and the United States. The DEIS/R also generally discusses best management practices that will be considered to treat the stormwater runoff to comply with State and federal stormwater standards. The Report indicates that the proposed conceptual drainage design would ensure that treatment trains are used at station sites that provide 80 percent Total Suspended Solids (TSS) removal and at least 44 percent TSS removal for discharges to Zones I, II and IWPA areas, as required by the Standards, and that appropriate setbacks, volume controls and pretreatment requirements for these Zones and ORW's will be met. The FEIS/R should assess the ability of the selected alternative to meet each of the 10 Massachusetts Stormwater

L-076.28

Standards or specify if a variance to the standards specified at 310 CMR 10.05(6)(k) and 314 CMR 9.06(6) may be required. L-076.28

The DEIS/R generally discussed Environmentally Sensitive Site Design (ESSD) or Low Impact Development (LID) practices to manage stormwater runoff at proposed stations and parking facilities. Page 4.17-69 indicates the ESSD practices will be considered during the design phase. Because 310 CMR 10.05(6)(k) and 314 CMR 9.06(6) require analysis of alternatives to meet stormwater management requirements using ESSD or LID practices, it is highly recommended that ESSD or LID alternatives be assessed early on in project development as their selection will affect the amount of land taking. Otherwise, ESSD or LID alternatives may be precluded as the project design advances to permitting. For example, the Report indicates that deck parking will be considered as an ESSD practice versus at-grade parking. Deck parking has a smaller impervious area footprint and generates much less stormwater runoff than an equivalent number of at-grade parking spaces. Deck parking would mean that less land would need to be acquired than an at-grade parking facility. However, deck parking is substantially more expensive than at-grade parking, so the trade-off between less land taking and higher capital cost is best weighed through an alternatives analysis such as through the MEPA process. L-076.29

ESSD measures can be furthered through assessment of conceptual design principles in the FEIS/R, such as a project commitment to create smaller parking stalls and circulation lanes than traditional parking lots, specifying use of porous pavements in place of traditional pavements, and pavement disconnection versus use of traditional curb and gutter drainage. Other ESSD and LID practices that should be considered besides those listed in the DEIS/R are retaining existing mature non-invasive vegetation, using exfiltrating bio-retention in place of raised traffic islands, and tree box filters. The Report indicates that station and parking alternatives are to be located on developed sites whenever possible as an ESSD measure to minimize increase in stormwater runoff. When existing developed sites are razed for complete tear downs, MassDEP expects that the Stormwater Standards can be fully met versus only to the maximum extent possible as fewer constraints exist with complete tear downs compared to sites which are only minimally redeveloped. MassDEP recommends that the FEIS/R identify a new station, a reconstructed station, and a section of track in an environmentally sensitive area and design to the maximum extent feasible how those structures would be constructed and operated consistent with ESSD and LID concepts. L-076.30

No information appears to have been included regarding whether stormwater peak runoff rate attenuation requirements will be met. Peak rate control structures are in general larger than water quality treatment practices, so the FEIS/R need to assess whether each station and layover facility contains sufficient land area and whether additional right-of-way needs to be purchased along potential rail line routes to place attenuation structures. Stormwater recharge should be analyzed in the FEIS/R for its potential to attenuate peak runoff rates. If the analysis indicates that stormwater recharge can only attenuate a portion of the peak rate attenuation volume, open attenuation structures should be given preference in the analysis over closed structures such as underground chambers, which have higher maintenance requirements. L-076.31

The DEIS/R notes that layover facilities are classified by MassDEP as Land Uses with Higher Potential Pollutant Loads (LUHPPL), where additional measures are required for source control L-076.32

and pretreatment are required. In addition, the FEIS/R should identify the design capacity of the parking proposed at each station. Stations with parking lots for 1,000 vehicle trips or more are also classified as LUHPPL. MassDEP is crediting the top asphalt layer in porous asphalt as meeting the pre-treatment requirements specified at 310 CMR 10.05(6)(k)(5) for stormwater infiltration from those parking lots with 1,000 vehicle trips or more.

L-076.32

The DEIS/R notes that some alternatives involve Zone A and Zone I of public drinking water sources, as well as Outstanding Resource Waters (ORWs). Zone A, Zone I, Zone II, ORWs, Vernal Pools and other areas are classified as critical areas pursuant to 310 CMR 10.05(6)(k)(6). Zone I may only be used for intended drinking water purposes pursuant to 310 CMR 22.00. In a Zone A, 310 CMR 10.05(6)(k)(6) does not allow stormwater treatment practices or piping unless it's essential to the operation of the public drinking water system. The FEIS/R should identify how each alternative impacts critical areas, and how stormwater requirements will be addressed. Any potential Vernal Pools in the track route or at Stations or Layover Facilities need to be assessed to determine whether they can be certified as Vernal Pools.

L-076.33

There is a TMDL for the Neponset River for pathogens. 310 CMR 10.05(6)(k)(4) requires stormwater treatment measures to meet TMDL requirements in addition to providing TSS removal. Therefore, the FEIS/R should analyze for provision of measures for stormwater discharges to the Neponset that will meet both the TMDL and TSS removal requirements.

L-076.34

Section 7.4.10 of the DEIS/R indicates existing ditches along rail corridors will be improved to ensure proper drainage. In order to be credited as a stormwater treatment BMP, the improvements will need to be designed to meet specifications listed in the Massachusetts Stormwater Handbook, Volume 2 for water quality swales, infiltration trenches, or exfiltrating bio-retention cells. Further, Section 7.4.10 indicates that stormwater systems at existing stations will be upgraded as necessary to accommodate additional pavement. 310 CMR 10.05(6)(k)(7) requires redevelopment at those existing stations subject to wetland/401 regulations to meet the Stormwater Standards to the maximum extent practicable (MEP) and improve existing conditions. This requires a site specific analysis that describes the measures that can be provided to MEP and improve existing conditions for each Stormwater Standard. For example, if there is an existing station, the analysis needs to examine measures to attenuate runoff from the existing pavement rather than simply looking at attenuating the runoff from the proposed new pavement areas.

L-076.35

The DEIS/R appears to indicate that stormwater runoff will only be addressed when point sources, such as outfalls or drainage ditches, are present or proposed and implies that country drainage of runoff from the track drainage does not require compliance with stormwater management measures. Land disturbance of 1-acre or more is classified as a point source by EPA for purposes of the Construction General Permit. In addition, if the track construction, stations, or layover facilities are in a wetland resource area or buffer zone, the Stormwater Standards at 310 CMR 10.05(6)(k) apply. The DEIS/R appears to suggest that the track ballast and underlying or adjacent soils will naturally attenuate contaminants of concern in stormwater runoff from rail operations without treatment. The Stormwater Standards require source control measures to minimize potential for contaminants and treatment. The Greenbush rail line included extensive track drainage system, with a combination of drainage swales and perforated

L-076.36

pipe underdrain in the ballast that carried runoff and groundwater to remote locations for discharge to streams, bordering vegetated wetlands and other resource areas located at low points in the track alignment. Because of the need to maintain a dry rail bed, MassDEP anticipates that a similar track drainage system will need to be designed as part of the project, to provide sufficient treatment prior to discharging track drainage runoff to resource areas.

L-076.36

Stream Crossings

Section 3.2, page 3-101 for the Stoughton Alternative indicates for culverts that would remain in place, existing culverts would be extended to accommodate the wider rail bed. Section 7.4.10 indicates Stream Crossing Standards will be met to the Maximum Extent Practicable (MEP). Compliance with Stream Crossing Standards is fully required for new culverts reviewed pursuant to Wetland or 401 regulations, and the Corps Programmatic General Permit. Compliance to MEP standards is required for replacement culverts. Constructing extensions to existing culverts may inhibit fish, amphibian, reptile, and other wildlife passage.

The FEIS/R needs to analyze new and replacement culverts ability to fully meet the Stream Crossing Standards, rather than only to the MEP as part of the project mitigation opportunity. Bankfull will need to be identified as the Stream Crossing Standards require new or replacement crossings to be sized to 1.2 times bankfull width at a minimum. Spans and open bottom arches should be analyzed to meet the Standards rather than only analyze closed bottom culverts.

L-076.37

During the comment period, MassDOT met with MassDEP representatives and identified spans and open bottom arches as potential mitigation measures within the track alignment containing the proposed trestle. These potential mitigation measures should be considered throughout the entire track alignment to the extent that they are practicable to improve fish and wildlife passage, and do not interfere with safe train operations. Closed bottom culverts are required to be embedded to a depth of at least 2 feet, so closed bottom culvert designs need to analyze measures to install and maintain the stone. The measures need to be met by use of single culverts, rather than double barrels. Where double or multiple barrels are proposed, at least one barrel should meet the Standards by itself. These measures provide for fish, amphibian, reptile, and other wildlife passage, so it is essential that connectivity be provided. These measures for fish and wildlife passage need to be included as part of project design and not deferred to installation at a later time.

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The licensing research and historic water lines were provided by the MassDEP. The DEIS/R identifies several areas where the railroad alignment crosses non-tidal rivers or streams as well as areas where the railroad bed, station or layover facility is proposed on filled tidelands. There is no work proposed within flowed tidelands.

At the level of detail provided in the DEIS/R, the filled tidelands present at the Fall River Battleship Cove Station and at the New Bedford Whale's Tooth Station and Wamsutta layover facility could be considered landlocked tidelands as defined at 310 CMR 9.02. MassDEP welcomes the opportunity to view more detailed plans to confirm. The FEIS/R

L-076.38

should provide a public benefit determination consistent with chapter 168 of the Acts of 2007.

L-076.38

According to the DEIS/R, the layover facilities in Fall River at Weaver Cove East, Weaver Cover West and the ISP off North Main Street along the west side of the Fall River Secondary line are located on filled tidelands. MassDEP established the presumptive line of jurisdiction through professional review of a series of historic maps of the coast. To rebut this presumption, the project team needs to provide, in the FEIS/R and advisably through earlier consultation with MassDEP, a reliable surveyed map or plan that depicts the mean high water mark prior to alteration/impoundment and that can be accurately registered to a contemporary base map and was not available to the presumptive line professional team, along with other information as may be available such as cross-sections of the railroad construction.

L-076.39

MassDEP welcomes the opportunity to meet with the project team to make a definitive jurisdictional determination, as offered in the DEIS/R, based on either field inspection or plans providing greater detail. For planning purposes, the project team should note the following.

- If a non-tidal river or stream is navigable by any vessel any time of the year, presume that public funds have been expended "either upstream or downstream within the river basin" (emphasis added) and will be subject to jurisdiction under MGL c. 91 and 310 CMR 9.00. Lacking a definitive list of where public funds have been expended, MassDEP presumes as a general rule that only the non-navigable uppermost reaches of a river basin are not subject to review.
- The presence of a culvert should not automatically presume a lack of navigation. A field inspection can determine if a canoe or kayak can traverse through a culvert given its length, width and ground elevation.
- If the structure was previously authorized by license or legislation, a minor modification of that authorization is an option as described at 9.05(3)(a) and 9.22(2). MassDEP disagrees with the author's interpretation of that a Minor Modification can replace licensing for existing unauthorized rail structures. If no authorization is found for the existing structure, then a license application is expected to be submitted.
- The exception to licensing at 310 CMR 9.05(3) (c) would only apply if the project team is able to demonstrate the "continuation of a public service project", which presumably would not be true on a rail bed that has been in disuse for a number of years.

L-076.40

Determination of Water-Dependency: At the scale of the plans provided in the DEIS/R, it is difficult to determine the water-dependency of the proposed rail crossings. However, if the proposed crossing spans the water body from one bank to the opposite bank, the Secretary could determine through the MEPA review that it would be unreasonable to be located away from the tidal or inland water and thereby consider the crossing water-dependent pursuant to 310 CMR 9.12(2)(d).

L-076.41

MassDEP agrees with the statement in the DEIS/R that the use of filled tidelands for railroad layover yards in Fall River at Weaver Cove East, Weaver Cover West and the ISP yard off North Main Street are non-water dependent use infrastructure facilities.

Regulatory Standards: All railroad components subject to licensing will be reviewed under the standards of 310 CMR 9.31-9.40, and, for nonwater-dependent infrastructure, under 310 CMR 9.54 and 9.55. Table 4.18-12 summarizes the regulatory standards applicable to this project accurately with the following exceptions.

- Note that “replacement, reconstruction or other modification” to existing railroad beds is allowed, even in a Designated Port Area, provided there is limited net encroachment per 310 CMR 9.31(2)(b) and (c).
- The Final EIR should articulate in what ways the South Coast rail project is consistent with the approved Municipal Harbor Plans for Fall River and New Bedford, per 310 CMR 9.34. Of specific note, the DEIS/R states that intermodal connection to the ferry service in New Bedford is desirable but there was no discussion of how this would be achieved.
- The FEIS/R should articulate how the railroad components subject to licensing will preserve or enhance navigational capacity and maintain or enhance public access pursuant to 310 CMR 9.35 and 9.36. Further detail should be provided to better understand the statement in Table 4.18-12 that “wherever this cannot be achieved, feasible mitigation or compensation measures would be provided.” This is interpreted, at 310 CMR 9.35(1), as enhancing the public’s rights, such as navigation, fishing or providing alternative public access opportunities. Mitigating flood and erosion related hazards and attaining water quality standards are laudable goals but need to be related back to how these measures enhance the inherent rights of the public to be applicable.
- For the nonwater-dependent layover facilities, the performance standards of 310 CMR 9.54 and 9.55 would be applicable; the standards of 9.51 and 9.53 would not be applicable. While it is understood that public access may be restricted in a railroad yard, the FEIS/R should explore where on or near the layover facility the project team can “take reasonable measures to provide open spaces for active or passive recreation at the water’s edge” pursuant to 9.55(2).

L-076.42

Public Benefit Determination: The FEIS/R should provide a public benefit determination consistent with chapter 168 of the Acts of 2007 that includes, among other factors, the benefits to the public trust rights in tidelands and environmental protection or preservation.

L-076.43

Air Quality

In accordance with the April 2009 MEPA Certificate, the air quality analyses of the Alternatives were based on current MassDEP and EPA approved modeling techniques and compared existing and future 2016 and 2030, No-Build and Build conditions for each of the project alternatives. The No-Build condition assumes a limited increase in existing bus service.

The DEIS/R indicates that the proposed project results in emissions reductions from shifts in automobile trips to commuter rail or rapid bus service (i.e., reduction in VMT and traffic congestion). The level of emissions reductions depends on the number of trips diverted to transit for each project alternative. The DEIS/R’s air quality analyses included an evaluation of commuter rail and rapid bus services (travelling and idling) using diesel fuel or electric power.

The DEIS/R includes mesoscale and microscale analyses of vehicular emissions for each Alternative. The DEIS/R briefly describes three fuel options for the Rapid Bus Alternative, including biodiesel and natural gas. However the air quality analysis did not provide an evaluation of the difference in emissions from the fuel options and assumed the use of diesel fuel only. MassDEP recommends that the Expanded Bus service use examine the use of alternative fuels and incorporate their use whenever feasible. The air quality analyses assume that all locomotives used in the rail alternatives will be new.

L-076.44

The mesoscale analysis estimated regional, daily volatile organic compounds (VOCs), oxides of nitrogen (NOX), carbon monoxide (CO), and particulate matter 2.5 and 10 microns in diameter (PM_{2.5} and PM₁₀) emissions resulting from the changes in average daily traffic volume, roadway characteristics, and vehicle emission rates. The mesoscale analysis also determined the change in total ozone precursor emissions within the regional study area. The study area included roadways identified by the CTPS regional model, which generally encompasses eastern Massachusetts. The mesoscale analysis also estimated carbon dioxide (CO₂) emission impacts in tons per year in accordance with the MEPA Greenhouse Gas (GHG) Policy.

The microscale analysis calculated the CO and PM concentrations resulting from increased vehicle emissions at congested intersections near the project stations. The intersections were selected based on the highest congestion levels measured by level of service in localized study areas around each of the twelve stations. A separate stationary source analysis estimated locomotive idling and plug-in power generation emissions at two proposed train layover facilities.

Both the Stoughton (Electric and Diesel) and Whittenton (Electric and Diesel) would reduce emissions of VOC, NOX, CO, CO₂, PM_{2.5}, and PM₁₀ when compared to the No-Build condition. In addition, the results of the air quality analyses predict that these four project alternatives will not result in exceedances of the National Ambient Air Quality Standards for CO, PM₁₀, and PM_{2.5}. Emission reductions from the Stoughton and Whittenton Electric Alternatives are greater than the corresponding Stoughton and Whittenton Diesel Alternatives even when using new and cleaner diesel locomotives. This is primarily a function of better service quality (faster travel times) and, to a lesser extent, reduced traffic congestion. NOX emission reductions in particular are greater with the Stoughton and Whittenton Electric Alternatives.

MassDEP recognizes that there are differences in the emission outcome between the Alternatives; however, the differences are minor at the mesoscale levels. Except for Whittenton's Electric's CO air quality benefits, the results of the air quality analyses presented on Table 4.9-26 summarizing the 2030 mesoscale impacts for each Alternative show that the Stoughton Electric provides the best overall emission reduction of VOC, NO_x, PM₁₀, PM_{2.5} and CO₂ of all the Alternatives.

L-076.45

MassDEP strongly supports the proponent's commitment to the following construction period mitigation measures:

- Require construction contractors to follow all applicable regulations regarding control of construction vehicles emissions through proper equipment and motor vehicle

L-076.46

maintenance, the prohibition of excessive idling of construction equipment engines as required by MassDEP regulations in 310 CMR 7.11.

- Require contract stipulation that all diesel construction equipment used on-site will be fitted with after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs),
- Require contractors to implement appropriate dust control measures such as spraying stockpiles and regular sweeping of roadways adjacent to construction zones.

L-076.46

Greenhouse Gas and Smart Growth

The April 2009 Certificate called for the DEIS/R to provide information on a substantial number of GHG related topics including fuels, building energy efficiency and renewable energy. The Report expressly did not address building energy efficiency or renewable energy assessment based on the rationale that the project's buildings would be open to the outside and not use HVAC equipment. The Report also concluded that while there would be no difference in residential GHG generation between business as usual and a smart growth scenario. The only operational air quality mitigation commitment made is for plug ins and electric block heaters at layover facilities.

L-076.47

MassDEP believes that the Report's rationale for not conducting any stationary source GHG analysis is inconsistent with other MEPA projects subject to the GHG Policy that have evaluated interior and exterior/parking lot lighting for energy efficiency and reliance on photovoltaic energy. While the quantitative energy savings will not be determinative in selecting the FEIS/R Alternative or perhaps substantive enough to justify quantification by modeling, the FEIS/R should identify GHG reduction-related design and operational features that MassDOT will commit to implement. Those commitments should provide for flexibility and incentives to motivate MassDOT to search out the most innovative solutions available when the stations and related facilities are in real-time design and construction.

The Report estimates that even accounting for induced growth, the Stoughton/Whittenton Alternative will result in a net GHG reduction over the No-Build scenario as a result of emission reductions driven by new state and federal rules governing mobile sources. In addition, the DEIS/R projects that in excess of 450,400 VMTs would be reduced as a result of a fully implemented smart growth strategy, but the estimated mileage savings are not converted into GHG reductions. As with the stationary source projections, estimating the GHG mobile-related smart growth may not be significant enough to justify modeled quantification, but the DEIS/R is deficient in failing to identify GHG mitigation commitments that will contribute towards reductions in VMTs.

L-076.48

The DEIS/R indicates that a feeder bus network is "envisioned" by MassDOT to connect the urbanized communities in South Coast region to the stations. A feeder bus network would provide an alternative to driving to stations and would support an expanded TOD effect if MassDOT provided and/or worked with developers to facilitate shuttle buses from business parks, mixed use developments and malls to the stations. MassDEP fully supports the concept of a feeder/shuttle bus network with frequent and convenient local bus linkage to the stations. MassDEP believes a feeder/shuttle bus network that enhances local and intra-regional access to

L-076.49

the stations should be a project commitment and recommends the proponent in cooperation with the two regional transit authorities further explore the concept and provide a project update in the FEIS/R. Feeder buses should accommodate commuters who choose to bike to bus stops. Rail stations should provide adequate bike racks and storage and also provide space and other support for programs that allow train riders to pick up bikes at one locate and drop them off elsewhere. MassDOT should commit to make the project a flagship for implementation of its GreenDOT program.

L-076.49

Environmental Justice

The Report examines the potential benefits to and impacts on communities with environmental justice populations. As noted earlier, the project's purpose is to improve public transportation access to Boston and regional mobility for Fall River and New Bedford, communities with over 57% and 68% environmental justice populations, respectively. The absence of public transit access is particularly significant to these communities where over 20% of the households do not own an automobile in comparison to the other South Coast communities' rates of 90% or more.

The Report examined whether environmental justice populations would suffer a disparate impact as a result of the project looking at factors including: neighborhood fragmentation, residential and disruption and vibration and noise, and air quality. Air pollution will increase slightly with the use of diesel engines, but the emissions will not result in exceedance of any NAAQS.

In regard to noise, the Stoughton and Whittenton Alternatives were generally found not to disparately impact environmental neighborhoods in terms of the percentages of affected residences within an environmental justice neighborhood as compared to the total affected population, although overall the Whittenton Alternative impacts the greatest number of residents and Stoughton the least among all alternatives. In specific communities however, both routes have disparate impacts, particularly the Whittenton Alternative's comparative impact in Taunton. The Stoughton Alternative will have a disproportionate noise impact in Stoughton, 25% of the affected residents, 97 homes, being located in an environmental justice neighborhood. Along the Attleboro Secondary portion of the Whittenton route in Taunton, over 500 residences in environmental justice neighborhoods will be impacted, equaling 35% of the affected population. It should be noted these residents are currently impacted by freight train operations, which operate on a significantly reduced frequency than the proposed commuter rail.

L-076.50


The Report summarizes MassDOT's noise mitigation policy which makes the construction of noise barriers subject to a per-resident cost effectiveness criterion. Based on the difference in impacts, it is projected that the Whittenton Alternative will cost \$420,000 more to implement noise mitigation than required for the Stoughton route. While mitigation cost-effectiveness cannot be ignored, MassDEP has concerns that proceeding on the basis that MassDOT's mitigation commitment is to be limited to its policy formula may not adequately address compliance with MassDEP's air quality regulations and Noise Policy or the disparate impact in certain environmental justice neighborhoods. MassDEP recommends that for the selected Alternative, the FEIS/R more closely evaluate noise impacts and mitigation and make commitments that address the above concerns.

L-076.51

The extent to which the project may provide benefits to environmental justice communities is a mixed calculation with certain neighborhoods potentially gaining in value from their proximity to stations that draw transit oriented development and other neighborhoods declining due to increased noise effects. In improving access to jobs, hospitals, colleges and reducing travel time to Boston, the Stoughton Alternative consistently out-performed the Whittenton Alternative in comparison to the No-Build Alternative. The City of Fall River was the largest beneficiary of the project's job inducing benefits and New Bedford benefited the least.

MassDEP looks forward to continue to work with MassDOT and the inter-agency work group on this project. If there are questions on any of the comments, please contact me.

Sincerely,


Philip Weinberg
Associate Commissioner

Cc: Kristina Eagan, EOT
Lisa Standley, VHB
Richard Lehan, DFG



Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

May 27, 2011

Richard Sullivan, Secretary
Executive Office of Environmental Affairs
Attention: MEPA Office, Aisling O'Shea, EEA No.14346
100 Cambridge St., Suite 900
Boston, Massachusetts 02114

Alan Anacheke-Nasemann
U.S. Army Corps of Engineers, N.E. District, Regulatory
696 Virginia Road
Concord, MA 01742

<i>Project & Document Reviewed:</i>	<i>South Coast Rail Project DEIS/DEIR</i>
<i>Proponent:</i>	<i>Massachusetts Department of Transportation (MDOT)</i>
<i>NHESP Tracking No.</i>	<i>98-3735</i>

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

The Massachusetts Division of Fisheries & Wildlife (the "Division") has reviewed the South Coast Rail Project Draft Environmental Impact Statement/Draft Environmental Impact Report ("DEIS/DEIR") and would like to offer the following comments.

The DEIS/DEIR presents a description of the purpose and need for the project and considers a range of alternatives which differ in their ability to achieve the stated project goals, cost, and constructability. The project alternatives also vary considerably in extent of impacts to state-listed endangered species, wildlife habitat, wetlands, open space, and other environmental resources.

The Natural Heritage & Endangered Species Program ("NHESP") of the Division is responsible for implementation of the Massachusetts Endangered Species Act, M.G.L. c. 131A ("MESA"), and its implementing regulations at 321 CMR 10.00. As discussed in Section 4.15 of the DEIS/DEIR, all of the project alternatives involve some level of work in Priority Habitat of Rare Species and Estimated Habitat of Rare Wetland Wildlife. Consequently, MDOT will be required to file with the NHESP for review of the work under MESA.

The alternatives assessed in the DEIS/DEIR vary greatly as to the extent of their impact to state-listed species and their habitats, and NHESP's preliminary analysis suggests that it *may* be possible to avoid the need for a MESA Conservation & Management Permit for all but one of the proposed DEIS/DEIR alternatives (Stoughton, "straight" and Whittenton variants). However, even if the need for a MESA Conservation & Management Permit could not be completely avoided for the Attleboro and Rapid Bus alternatives (e.g., due to impacts to priority habitat associated with constructing a second track along portions of the New Bedford Main Line), any required endangered species mitigation would be modest compared to the mitigation that would be required for the Stoughton alternative.

L-065.01

The Stoughton alternative would use an inactive railroad right of way that bisects the Hockomock Swamp Area of Critical Environmental Concern ("ACEC"). At $\pm 16,950$ acres, this ACEC encompasses the largest freshwater wetland system in Massachusetts. The Hockomock Swamp provides habitat for numerous state-listed species and a great diversity of native plants and animals. The Stoughton alternative would also bisect the $\pm 5,000$ acre Hockomock Swamp Wildlife Management Area ("WMA") managed by the Division for the protection of wildlife and their habitats as well as for public's enjoyment and use.

www.masswildlife.org

Division of Fisheries and Wildlife

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An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

As outlined in Section 4.15, the Stoughton alternative would result in the loss of state-listed species habitat and would fragment a large habitat, wetland, and open space complex, partially interrupting a migratory corridor used by state-listed species such as the Blanding's Turtle, Eastern Box Turtle, and Blue-spotted Salamander as well as by a variety of other wildlife species. In contrast, the other proposed DEIS/DEIR alternatives would run within or immediately adjacent to existing active rail lines (Attleboro) or existing highways (Rapid Bus). Although these alternatives might impact some Priority Habitat areas, the endangered species impacts and habitat fragmentation effects would be modest, especially in comparison to the Stoughton Alternative.

Endangered Species Impact Analysis

The Executive Summary, Section 4.15, and Section 3.3.3.2 of the DEIS/DEIR contain various qualitative and quantitative measures of the adverse impacts of the various alternatives on state-listed species. This includes a summary of an impact analysis completed by the NHESP, which properly concludes that the Stoughton Alternatives would have far greater impacts to state-listed species and their habitats than the Attleboro or Rapid Bus alternatives (Section 4.15.3.5, see "NHESP Scores" and "Overall Habitat Functions Lost," and "Barrier Effects" in the various tables). This conclusion is similarly reflected in the "Barrier Effect Grade" in Table 3.3-24 which assigns a grade of "F" to the Stoughton and Whittenton alternatives and a grade of "A" to the Rapid Bus and Attleboro alternatives. We note that compared to the Stoughton straight alternative, the Whittenton alternative impacts one additional area of Box Turtle Priority Habitat, but it also avoids the ecologically significant Pine Swamp Atlantic White Cedar wetland that supports a state-listed butterfly. However, because the differences in overall state-listed species impacts between these two Stoughton alternatives are small, it is the Division's opinion that they should not play a determinative role in evaluation of the relative impacts and merits of these two variants of the Stoughton alternative.

L-065.02

The DEIS/DEIR presents other measures for assessing the state-listed species habitat impact of the alternatives: (1) the total acreage of Priority Habitat impacted with or without existing disturbed areas included, and (2) the individual species impact assessments based on vegetation cover types. In the Division's view, these measures may not provide a meaningful basis for comparing state-listed species impacts among the various alternatives, and therefore, should not be used by the Army Corps or MEPA in determining the LEDPA or evaluating which alternatives should be carried forward. The Division believes that the calculations of total acreage of Priority Habitat impacted do not adequately take into account habitat quality or the habitat requirements of the various species, indirect effects, or barrier effects. These broader considerations are necessary to meaningfully assess the effect of a given acreage of impact on a given listed species. In addition, the NHESP disagrees with some of the assumptions of the individual species impact assessments performed by the project proponent based on the vegetation cover type assumptions shown in Table 4.15-9. As examples, (1) Wood Turtles make extensive use of USS, AG, P, and CL cover types; (2) Blue-spotted Salamanders are associated with RM, RM/AWC; (3) Long-leaved Panic Grass can be associated with W (e.g. seasonally drying pondshores), P, and other open canopy settings (e.g. swales, wet meadows, some of which are small and do not classify as wetland based on aerial photo-interpretation; and (3) the host plant for Water Willow Stem Borer is associated with a great diversity of wetland types including W (pond and lake margins), M, SS, vernal pools, and wetter sections of bogs. Finally, the Division notes that the project proponent has recently confirmed an error in the habitat impact acreage calculations related to the Whittenton alternative as presented in several locations in the DEIS/DEIR, including Tables 4.15-22 and 4.15-30. This results in an understatement of the acreage of Priority Habitat impacted by the Whittenton alternative, which actually has impact acreages roughly comparable to the Stoughton "straight" alternative.

L-065.03

Instead, the Division recommends that the Barrier Effect Grade shown in Table 3.3-24, and the NHESP scores and overall assessment of "Habitat Functions Lost" (see tables in Section 4.15.3.5) be used for evaluating the alternatives. Although the Division believes that this subset of the state-listed species information provided in the DEIS/DEIR is adequate for this stage of project evaluation, if the ACOE or MEPA require additional quantitative analysis of the relative state-listed species impacts of the various alternatives, we strongly recommend that the project proponent, the Army Corps and MEPA consult with the NHESP in developing or applying other state-listed species metrics.

Before a project can be eligible for a MESA Conservation & Management Permit, the Director of the Division must first determine that impacts to state-listed species and their habitats have been adequately avoided and minimized, and that the "applicant has adequately assessed alternatives to both temporary and permanent impacts to State-listed Species" (321 CMR 10.23). In addition to the habitat impact assessment discussed above, the DEIR/DEIS contains detailed information about the practicability of the various alternatives and the extent to which the various

L-065.04

alternatives achieve the project purposes. Although the Division will not render a final decision until after receipt of a MESA filing and/or Conservation & Management Permit application, review of public and agency comments, and completion of the MEPA process, it is the Division's opinion that the alternatives analysis presented in the DEIS/DEIR is adequate for this stage in the project review process.

L-065.04

The Division anticipates that one or more alternatives will be retained for further consideration and analysis in the FEIS/FEIR. As acknowledged in the DEIS/DEIR, a more detailed, finer-scale quantification of state-listed species habitat impacts will be conducted during this next phase of review. The NHESP should be consulted about methodology prior to the initiation of further habitat analysis. Similarly, the Division expects that a more detailed quantification of impacts to vernal pool habitat, general wildlife, and state-owned open space will be conducted on the alternative(s) that advance, so that a similarly detailed impact minimization and mitigation plan is included in the FEIS/FEIR.

L-065.05

The Division requests that the FEIR/FEIS contain a comprehensive description of how the project proponent proposes to meet MESA regulatory requirements, including the standards for authorizing a take of a state-listed species through a Conservation & Management Permit, if applicable. This should include detailed information and discussion about rare species and wildlife crossing and barrier design (e.g. culverts and bridges), as well as other impact minimization measures such as construction management to minimize turtle and salamander mortality. Similarly, the FEIR/FEIS should also thoroughly address how the alternative(s) would meet the long term "net-benefit" standard in 321 CMR 10.23 if applicable, including presenting, after consultation with the NHESP, mitigation proposals that are significantly more specific than those described in the DEIS/DEIR. Finally, we request that the EIR/EIS include detailed information about how the project proponent will mitigate impacts to vernal pools, general wildlife, and as discussed below, state-owned open space affected by the project.

L-065.06

Fisheries Concerns

24 named rivers and streams are potentially crossed or adjacent to the alternatives. For a list of species and fisheries survey results for each river or stream, please see Attachment 1.

L-065.07

Stocked trout waters are highly susceptible to changes in water quality and/or quantity such as siltation, water level fluctuations, loss of riparian habitat and alterations of the temperature regime. Therefore, the project must not in any way diminish the ability of Beaver Brook, Rattlesnake Brook or the Wading River to support stocked trout.

L-065.08

Best management practices for erosion and sedimentation control must be adhered to for all phases of construction to minimize potential impacts to the fisheries resources. To the greatest extent practicable, all in stream work should be conducted during low flow periods throughout the year. Times of year when stream flow is high due to extended rain and/or snow melt events should be avoided. If the projects results in the replacement of existing culverts, the culvert replacement should meet the replacement recommendations found in the "Massachusetts River and Stream Crossing Standards: Technical Guidelines, August 6, 2004" (the Standards) including, a minimum height of 6 feet, openness ratio of 0.5–0.75, natural bottom substrates through the crossing structure, and spanning 1.2 times the bank-full width to the greatest extent practical. If the project results in the placement of new culverts, the new crossing structure should, at minimum, meet the general standards for new crossing and strive for the optimum standards whenever possible including, a minimum height of 6 feet, openness ratio of 0.5–0.75, natural bottom substrates through the crossing structure, and spanning 1.2 times the bank-full width to the greatest extent practical. The Standards can be found at http://www.umass.edu/nrec/pdf_files/guidelines_river_stream_crossings.pdf. Also, if the project will alter the streambed, we request that the existing grade be maintained.

L-065.09

Impacts to Hockomock Wildlife Management Area & Other Open Space

In addition to the NHESP's regulatory role, the Division manages Wildlife Management Areas ("WMAs") for the benefit of the citizens of the Commonwealth. As discussed above, the Stoughton alternative would use an inactive railroad right of way that bisects the Hockomock Swamp WMA. As a result, the Stoughton alternative has the potential to adversely affect the quality of habitat within the WMA, and to impact public access and use.

L-065.10

More specifically, the Division notes that the alternatives analysis provided in Section 3 of the DEIS/DEIR may understate the relative adverse impact to open space for the Stoughton Alternative by focusing exclusively on acreage of protected open space impacted. Given the ecological significance of the Hockomock, and the fact that

the Stoughton Alternative will bisect the WMA resulting in significant wetland, habitat, and open space fragmentation, it is the Division's opinion that the Stoughton Alternative is likely to have a greater adverse impact to protected open space than the other alternatives, despite a potentially lower acreage impacted.

L-065.10

For these reasons, the Division requests that the FEIR/FEIS contain a significantly more detailed and refined analysis of the scope of open space impacts associated with the Stoughton alternative's route through the Hockomock Swamp, including any impacts or infrastructure (e.g., access roads) related to the construction or ongoing maintenance of the trestle and railbed and right-of-way, as well as set forth a detailed plan to minimize and mitigate unavoidable open space impacts.. This more detailed impact analysis and mitigation plan should be completed for any other alternative(s) carried forward in the FEIR/FEIS.

Greenhouse Gas Emissions

Given the Commonwealth's increased concern about the extent to which greenhouse gas (GHG) emissions may impact the environment and our native flora and fauna, we request that the DEIS/DEIR provide a more comprehensive analysis of the extent to which the project will impact overall GHG emissions. This should include an analysis of GHG emissions associated with construction implementation as well as production of materials and supplies (e.g. trains, rails, ties, other building supplies). Finally, the Division recommends a coarse analysis of the GHG emissions associated with increases in secondary development attributed to the rail project. Although the current analysis shows a net decrease in GHG emissions associated with the project, to the extent that a more comprehensive analysis shows that the project alternatives result in a net increase in GHG emissions over the no-build alternative, the Division recommends that any increase be offset through mitigation.

L-065.11

In closing, the Division commends MDOT for taking a proactive approach to addressing endangered species permitting issues and other environmental impacts to-date. This includes, but is not limited to, a continuing commitment to constructing a trestle through a portion of the Hockomock Swamp, should the Stoughton Alternative be constructed. The Division looks forward to continued consultation with the project proponent and inter-agency working group, should this project move forward, as we continue to fulfill our MESA regulatory function. If you have any questions about the MESA portion of this letter, please contact Jon Regosin, Ph.D. at (508) 389-6376. If you have any questions about the portion of this letter dealing with the Hockomock Wildlife Management Area, please contact Jason Zimmer, Southeast District Manager at (508) 759-3406. We appreciate the opportunity to comment on this project.

Sincerely,



Thomas W. French, Ph.D.
Assistant Director

Attachment (1)

cc: Kristina Egan, EOT
Lisa Standley, VHB
Richard Lehan, General Counsel, DFG
Chris Boelke, NOAA
Tim Timmerman, EPA
Ed Reiner, EPA
Maria Tur, USFWS
Nat Tipton, DCR
Liz Sorenson, ACEC, DCR
MEPA Coordinator, DEP SERO
Philip Weinberg, Lealdon Langley, & Mike Stroman, DEP

Jason Zimmer, DFW
Rich Hartley, DFW
Jack Buckley, DFW
Town of Acushnet
Town of Attleboro
Town of Berkley
Town of Boston
Town of Braintree
Town of Canton
Town of Dartmouth
Town of Dedham
Town of Dighton
Town of Easton
Town of Fairhaven
Town of Fall River
Town of Foxborough
Town of Freetown
Town of Lakeville
Town of Mansfield
Town of Mattapoisett
Town of Middleborough
Town of New Bedford
Town of Norton
Town of Norwood
Town of Quincy
Town of Raynham
Town of Rehobeth
Town of Rochester
Town of Sharon
Town of Somerset
Town of Stoughton
Town of Swansea
Town of Taunton
Town of Westport

Attachment 1. Fisheries survey results for each river or stream potentially crossed or adjacent to the alternatives.

Fisheries surveys of the Assonet River have yielded 7 species: American eel (*Anguilla rostrata*), bluegill (*Lepomis macrochirus*), brown bullhead (*Ameiurus nebulosus*), chain pickerel (*Esox niger*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*) and redfin pickerel (*Esox americanus*).

Fisheries surveys of Beaver Brook have yielded 8 species: American eel (*Anguilla rostrata*), bluegill (*Lepomis macrochirus*), brown bullhead (*Ameiurus nebulosus*), golden shiner (*Notemigonus crysoleucas*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*), redfin pickerel (*Esox americanus*) and yellow perch (*Perca flavescens*). Additionally, the brook is annually stocked in the spring with brook trout (*Salvelinus fontinalis*), brown trout, rainbow trout (*Oncorhynchus mykiss*) and/or tiger trout (*Salmo trutta x Salvelinus fontinalis*).

Fisheries surveys of Cedar Swamp River have yielded 6 species: American eel (*Anguilla rostrata*), banded sunfish (*Enneacanthus obesus*), creek chubsucker (*Erimyzon oblongus*), brook trout (*Salvelinus fontinalis*), redfin pickerel (*Esox americanus americanus*) and swamp darter (*Etheostoma fusiforme*).

Fisheries surveys of the Cotley River have yielded 5 species: American eel (*Anguilla rostrata*), chain pickerel (*Esox niger*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*) and swamp darter (*Etheostoma fusiforme*).

Fisheries surveys of Dam Lot Brook have yielded 4 species: American eel (*Anguilla rostrata*), chain pickerel (*Esox niger*), largemouth bass (*Micropterus salmoides*) and tessellated darter (*Etheostoma olmstedii*).

Fisheries surveys of Fall Brook have yielded 7 species: American eel (*Anguilla rostrata*), banded sunfish (*Enneacanthus obesus*), brown bullhead (*Ameiurus nebulosus*), chain pickerel (*Esox niger*), creek chubsucker (*Erimyzon oblongus*), golden shiner (*Notemigonus crysoleucas*) and redfin pickerel (*Esox americanus americanus*).

Fisheries surveys of Furnace Brook have yielded 3 species: American eel (*Anguilla rostrata*), largemouth bass (*Micropterus salmoides*) and tessellated darter (*Etheostoma olmstedii*).

Fisheries surveys of Hodges Brook have yielded 4 species: creek chubsucker (*Erimyzon oblongus*), fallfish (*Semotilus corporalis*), redfin pickerel (*Esox americanus americanus*) and tessellated darter (*Etheostoma olmstedii*).

Fisheries surveys of the Mill River have yielded 10 species: American eel (*Anguilla rostrata*), black crappie (*Pomoxis nigromaculatus*), bluegill (*Lepomis macrochirus*), brown bullhead (*Ameiurus nebulosus*), chain pickerel (*Esox niger*), common shiner (*Notropis cornutus*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*), redfin pickerel (*Esox americanus americanus*) and tessellated darter (*Etheostoma olmstedii*).

Fisheries surveys of the Neponset River have yielded 14 species: American eel (*Anguilla rostrata*), black crappie (*Pomoxis nigromaculatus*), bluegill (*Lepomis macrochirus*), brown bullhead (*Ameiurus nebulosus*), common carp (*Cyprinus carpio*), chain pickerel (*Esox niger*), golden shiner (*Notemigonus crysoleucas*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*), redfin pickerel (*Esox americanus americanus*), swamp darter (*Etheostoma fusiforme*), white perch (*Morone americana*), white sucker (*Catostomus commersoni*) and yellow perch (*Perca flavescens*).

Fisheries surveys of the Pine Swamp Brook have yielded 4 species: brown bullhead (*Ameiurus nebulosus*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*) and redbfin pickerel (*Esox americanus americanus*).

Fisheries surveys of the Queset Brook have yielded 3 species: American eel (*Anguilla rostrata*), bluegill (*Lepomis macrochirus*) and tessellated darter (*Etheostoma olmstedii*).

Fisheries surveys of the Rattlesnake Brook have yielded 4 species: American eel (*Anguilla rostrata*), banded sunfish (*Enneacanthus obesus*), brown bullhead (*Ameiurus nebulosus*) and redbfin pickerel (*Esox americanus americanus*). Additionally, the brook is annually stocked in the spring with brook trout (*Salvelinus fontinalis*), brown trout, rainbow trout (*Oncorhynchus mykiss*) and/or tiger trout (*Salmo trutta* x *Salvelinus fontinalis*).

The Taunton River supports a wide variety of warm and estuarine fish species. Fisheries surveys have yielded 28 species: alewife (*Alosa pseudoharengus*), American eel (*Anguilla rostrata*), Atlantic menhaden (*Brevortia tyrannus*), banded killifish (*Fundulus diaphanous*), black crappie (*Pomoxis nigromaculatus*), blacknose dace (*Rhinichthys atratulus*), blueback herring (*Alosa aestivalis*), bluegill (*Lepomis macrochirus*), bluefish (*Pomatomus saltatrix*), brown bullhead (*Ameiurus nebulosus*), carp (*Cyprinus carpio*), chain pickerel (*Esox niger*), common shiner (*Notropis cornutus*), creek chubsucker (*Erimyzon oblongus*), crevalle jack (*Caranx hippos*), fallfish (*Semotilus corporalis*), gizzard shad (*Dorosoma cepedianum*), golden shiner (*Notemigonus crysoleucas*), inland silverside (*Menidia beryllina*), largemouth bass (*Micropterus salmoides*), mummichog (*Fundulus heteroclitus*), pumpkinseed (*Lepomis gibbosus*), redbfin pickerel (*Esox americanus americanus*), striped bass (*Morone saxatilis*), tessellated darter (*Etheostoma olmstedii*), white perch (*Morone americana*), white sucker (*Catastomus commersoni*) and yellow perch (*Perca flavescens*).

Fisheries surveys of the Three Mile River have yielded 8 species: bluegill (*Lepomis macrochirus*), chain pickerel (*Esox niger*), golden shiner (*Notemigonus crysoleucas*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*), redbfin pickerel (*Esox americanus americanus*), tessellated darter (*Etheostoma olmstedii*) and yellow perch (*Perca flavescens*).

Fisheries surveys of the Town River have yielded 7 species: bluegill (*Lepomis macrochirus*), brown bullhead (*Ameiurus nebulosus*), chain pickerel (*Esox niger*), golden shiner (*Notemigonus crysoleucas*), pumpkinseed (*Lepomis gibbosus*), white sucker (*Catastomus commersoni*) and yellow perch (*Perca flavescens*).

The Wading River supports a wide variety of fish species. Fisheries surveys have yielded 14 species: American eel (*Anguilla rostrata*), banded sunfish (*Enneacanthus obesus*), bluegill (*Lepomis macrochirus*), brown bullhead (*Ameiurus nebulosus*), brown trout (*Salmo trutta*), chain pickerel (*Esox niger*), common shiner (*Notropis cornutus*), creek chubsucker (*Erimyzon oblongus*), fallfish (*Semotilus corporalis*), golden shiner (*Notemigonus crysoleucas*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*), redbfin pickerel (*Esox americanus americanus*) and white sucker (*Catastomus commersoni*). Additionally, the river is annually stocked in the spring with brook trout (*Salvelinus fontinalis*), brown trout, rainbow trout (*Oncorhynchus mykiss*) and/or tiger trout (*Salmo trutta* x *Salvelinus fontinalis*).

Fisheries surveys of Whitman Brook have yielded 4 species: chain pickerel (*Esox niger*), largemouth bass (*Micropterus salmoides*), pumpkinseed (*Lepomis gibbosus*) and tessellated darter (*Etheostoma olmstedii*).

We currently have no fisheries survey information for Black Brook, the Blue Hill River, Lovett Brook, Steep Brook or Terry Brook.



Paul J. Diodati
Director

Commonwealth of Massachusetts

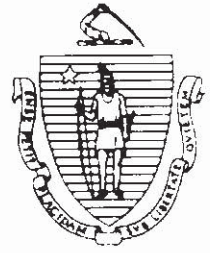
Division of Marine Fisheries

251 Causeway Street, Suite 400

Boston, Massachusetts 02114

(617)626-1520

fax (617)626-1509



Deval Patrick
Governor

Timothy P. Murray
Lt. Governor

Richard K. Sullivan, Jr.
Secretary

Mary B. Griffin
Commissioner

May 27, 2011

Richard K. Sullivan, Jr.
Secretary, Executive Office of Energy and Environmental Affairs
MEPA Office
100 Cambridge St. Ste. 900
Boston, MA 02114
Attn: Nicholas Zavolas

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

Re: NAE-2007-00698

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

The Division of Marine Fisheries (*Marine Fisheries*) has reviewed the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the Massachusetts Department of Transportation to develop a public transportation system for the South Coast region, "the South Coast Rail Project," with respect to potential impacts to marine fisheries resources and habitat.

Many of the rivers and streams listed in Table 4.14-7 of the Biodiversity section of the DEIS/DEIR provide passage and spawning habitat for diadromous fish species as well as winter flounder and various species of shellfish. Species identified for these rivers and streams and recommended time-of-year (TOY) restrictions for in-water work in these systems are included below (Table 1). Recommended TOY restrictions are based on cross-referencing the rivers and streams identified in the DEIS/DEIR with the recently released Recommended Time of Year Restrictions (TOYs) for Coastal Alteration Projects to Protect Marine Fisheries Resources in Massachusetts¹. These restrictions may not be required if the proponent can demonstrate that the actual construction location is outside the area used by diadromous species (e.g., upstream of an obstruction to fish passage) or uses methods that will not affect fish passage or use of spawning riffles (e.g., containment structures). Recommended TOYs are included for the Fall season for several rivers to protect emigrating juveniles. These restrictions may not be required if the proposed work will not obstruct passage. There are efforts underway to improve the maps of fish passage and spawning locations which may be available in the next 12 months and can benefit the construction planning process.

L-066.01

¹ Evans, N.T., Ford, K.H., Chase, B.C., and Sheppard, J. 2011. Recommended Time of Year Restrictions (TOYs) for Coastal Alteration Projects to Protect Marine Fisheries Resources in Massachusetts. Massachusetts Division of Marine Fisheries Technical Report, TR-47.

Table 1. Species present and recommended time-of-year restrictions (TOYs) for river and stream crossings for the South Coast Rail Project.

River or Stream	Project Alternative	Species Present	Time-of-Year Restriction	
			Spring	Fall
Assonet River	Southern Triangle	Alewife American eel Blueback herring Rainbow smelt White perch Winter flounder Shellfish	Jan. 15 – Nov. 15	
Cedar Swamp River	Southern Triangle	American eel	March 15 – June 30	
Cotley River	Southern Triangle	American eel	March 15 – June 30	
Fall Brook	Southern Triangle	Alewife American eel Blueback herring White perch	March 15 – June 30	Sept. 1 – Nov. 15
Rattlesnake Brook	Southern Triangle	Alewife American eel Blueback herring Rainbow smelt White perch	March 1 – June 30	Sept. 1 – Nov. 15
Steep Brook	Southern Triangle	American eel	March 15 – June 30	
Terry Brook	Southern Triangle	American eel	March 15 – June 30	
Beaver Brook	Attleboro Stoughton Whittenton Rapid Bus	American eel	March 15 – June 30	
Hodges Brook	Attleboro	American eel	March 15 – June 30	
Neponset River	Attleboro	Alewife American eel American shad Atlantic tomcod Blueback herring Rainbow smelt White perch Winter flounder Shellfish	Feb. 15 – Nov. 15	
Three Mile River	Attleboro	Alewife Blueback herring White perch	April 1 – June 30	Sept. 1 – Nov. 15
Wading River	Attleboro	American eel	March 15 – June 30	
Black Brook	Stoughton Whittenton	American eel	March 15 – June 30	
Mill River	Stoughton Whittenton	Alewife American eel Atlantic tomcod Blueback herring	Feb. 15 – June 30	Sept. 1 – Nov. 15

Pine Swamp Brook	Stoughton Whittenton	American eel	March 15 – June 30
Queset Brook	Stoughton Whittenton	American eel	March 15 – June 30
Taunton River	Stoughton Whittenton Rapid Bus	Alewife American eel American shad Atlantic sturgeon Atlantic tomcod Blueback herring Rainbow smelt Shellfish White perch Winter flounder	Jan. 15 – Nov. 15
Whitman Brook	Stoughton Whittenton	American eel	March 15 – June 30
Blue Hill River	Rapid Bus	American eel	March 15 – June 30
Dam Lot Brook	Rapid Bus	American eel	March 15 – June 30
Lovett Brook	Rapid Bus	American eel	March 15 – June 30
Town River	Rapid Bus	Alewife American eel Blueback herring	March 15 – June 30 Sept. 1 – Nov. 15

Questions regarding this review may be directed to John Logan in our New Bedford office at (508) 990-2860 ext. 141.

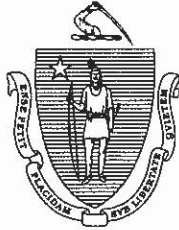
Sincerely,



Paul J. Diodati
Director

cc: Christopher Boelke, NMFS
Ken Chin, DEP
Robert Boeri, CZM
Ed Reiner, EPA
Richard Lehan, DFG
John Sheppard, DMF
Brad Chase, DMF
Kathryn Ford, DMF
Christian Petitpas, DMF

PD/jl/rl/sd



The Commonwealth of Massachusetts

May 2, 2011

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

Jennifer McCarthy
Chief, Regulatory Division
New England District
US Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Attn: Alan Anacheke-Nasemann

RE: South Coast Rail Project, Southeastern Massachusetts. MHC #RC.15924. EEA#14346.
CE-NAE-2007-00698.

Dear Ms. McCarthy:

Staff of the Massachusetts Historical Commission (MHC), office of the State Historic Preservation Officer, have reviewed your letter of April 4, 2011, and the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR), for the project referenced above.

Project alternatives described in the DEIS/DEIR include the Attleboro, Stoughton and Whittenton Diesel and Electric rail alternatives and the Rapid Bus alternative. The Middleborough Alternative is no longer under consideration. The DEIS/DEIR, Preface Section P.4 indicates that the Massachusetts Department of Transportation (MADOT) has recommended the Stoughton alternatives, including diesel or electric rail service on the reactivated Stoughton line through the towns of Stoughton, Easton, Raynham and Taunton, as its preferred project alternative. The Corps proposes to evaluate multiple project alternatives to identify the Least Environmentally Damaging Practical Alternative.

The Corps has requested the MHC's concurrence with the completeness of identification efforts for known but not for as-yet-unidentified historic properties, and with the Corps' preliminary determinations of eligibility and effect. Preliminary determinations of National Register eligibility and effects to previously identified historic properties are presented in DEIS/DEIR Sections 1.5.8 and 4.8. Recommendations for additional cultural resources identification and evaluation efforts for the project alternatives are also included in Section 4.8, and are noted in your letter.

The Corps proposes to complete historic properties identification and evaluation efforts once a preferred alternative has been selected as a single corridor. The draft research design and methodology for intensive-level cultural resources survey for the preferred project alternative should be submitted to the MHC for review and comment.

The MHC prefers to comment on the results of the identification and evaluation efforts and the Corps's effect determinations after the cultural resource surveys have been completed for the preferred alternative.

L-012.01

Section 4.8.5 of the DEIS/DEIR generally summarizes proposed mitigation of impacts to cultural resources. Mitigation measures for specific project adverse effects, including noise, vibration, alteration of setting and demolition are discussed in Sections 4.8.5.3. Although avoidance and minimization are considered in Section 4.8.5.1 and .2, an adverse effect to significant historic properties is presumed for the project as a whole, and recommendations for the development of a Memorandum of Agreement (MOA) are described on page 4.8-95.

The presumption of adverse effect and mitigation is premature at this stage of project planning when several project alternatives are still in consideration, and with the identification and evaluation efforts, and the consultation process, not yet completed. The Final EIS/EIR should describe the relationship of consultation under 36 CFR 800.6 to the development of appropriate measures to avoid, minimize or mitigate adverse effects to significant historic properties, to more closely track the regulatory process of 36 CFR 800.

L-012.02

MHC also notes that mapping of historical architectural resources identified in DEIS/DEIR Volume II figures 4.8-1 to 4.8-29 are derived from 2009 cultural resources identification efforts. Plans for track alignments, stations, layover facilities, track and electrical transmission infrastructure have been refined from the alternatives presented in the 2009 ENF (pg. 1-7). The currently proposed 2011 project alternatives are described in Section 1, and are shown in Section 4.5, 4.12 and 3.2 figures, including conceptual station and layover facilities impact areas and locations of traction power electrical transmission infrastructure. Project figures in the Final EIS/EIR should accurately present the preferred project alternative impact areas and their relationship to identified historical architectural resources.

L-012.03

These comments are provided to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800). If you have any questions or require more information at this time, please write to Jonathan K. Patton at this office.

Sincerely,



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

xc: Kathleen Atwood, USACOE-NED
Anthony Guy Lopez, Advisory Council on Historic Preservation
Bettina Washington, THPO, Wampanoag Tribe of Gay Head (Aquinnah)
George Green Jr., THPO, Mashpee Wampanoag Tribe
John A. Peters, Jr. Massachusetts Commission on Indian Affairs
A. Kenneth Alves, Assonet Band, Wampanoag Nation
Kristina Egan, MADOT
Andrew Brennan, MBTA
Holly Palmgren, MBTA
Secretary Richard K. Sullivan, EEA, Attn: Aisling O'Shea, MEPA Unit
Stephen C. Smith, SRPEDD
Historical Commissions, Towns of: Quincy, Milton, Canton, Randolph, Braintree,
Holbrook, Avon, Stoughton, Norwood, Needham, Sharon, Easton, Foxborough, Mansfield, Bridgewater, Brockton, West
Bridgewater, Taunton, Berkley, Lakeville, Middleborough, Norton, Attleborough, Fall River, Freetown, New Bedford
Deborah C. Cox, PAL
Lisa A. Standley, VHB, Inc.



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

MEMORANDUM

TO: Richard K. Sullivan Jr., Secretary, EEA
ATTN: Aisling O'Shea, MEPA Unit
FROM: Bruce K. Carlisle, Acting Director, CZM
DATE: May 27, 2011
RE: EEA 14346, South Coast Rail Project DEIR/DEIS; New Bedford, Fall River, Freetown

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Draft Environmental Impact Report/Statement (DEIR/DEIS), noticed in the *Environmental Monitor* dated March 23, 2011. While this project will have potential impacts to communities along the entire length of the proposed alternative routes from Taunton, New Bedford, and Fall River to Boston, CZM has focused its comments on those sections that have the potential to impact coastal resources and coastal communities. The project proponent, the Massachusetts Executive Office of Transportation and Public Works (EOT), has submitted an application to the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. The project will also require review and concurrence under CZM's Federal Consistency review process.

Project Description

The DEIR/DEIS states "(T)he purpose of the South Coast Rail project is to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts and, to enhance regional mobility, while supporting smart growth planning and development strategies in the affected communities." The DEIR/DEIS provides information on the need for the project and eight evaluated alternatives as required by MEPA. These alternatives include a No-Build Alternative, a Rapid Bus Alternative, and both electric and diesel versions for three different rail alternatives. Early in the preparation of the DEIR/DEIS, the U.S. EPA requested that a hybrid alternative be evaluated. Although mentioned in the DEIR/DEIS, early evaluation quickly eliminated this as an alternative and it was not evaluated in detail.

L-092.01

CZM understands that all of the rail alternatives propose the same infrastructure in the "Southern Triangle" portion of the project which includes the coastal communities, and therefore will have similar potential resource impacts. The Rapid Bus Alternative has similar potential impacts to coastal resources, especially from the perspective of station location and development. Given the similarity of impacts to coastal resources from all the build alternatives, CZM does not expect coastal resource impacts should be a significant driver in the selection of the proposed alternative. Therefore, CZM's comments will only focus on those parts of the "Southern Triangle" portion of the project that are within the coastal zone and which could potentially have impacts to coastal resources.

The rail alternatives include five proposed rail stations and two layover facilities in the project's "Southern Triangle" and within the coastal zone. Several options are being considered for the layover facilities. The two rail stations in New Bedford located within the coastal zone include the Whale's Tooth Station and the State Pier Station. The State Pier Station was eliminated from consideration in the DEIR/DEIS. The two rail stations in Fall River located within the coastal



zone include the Battleship Cove station and the Davol Street station. The fifth and final station located with the coastal zone portion of the project is the South Main Street station (UStorage Site) in Freetown. Two potential sites are being considered for layover facilities in New Bedford. The Wamsutta Street Layover option is within the coastal zone, near the harbor and adjacent to the Whale's Tooth Station. The Church Street Layover option is outside the coastal zone and several miles from the harbor. Three potential sites are being considered for layover facilities in Fall River - the ISP Layover option, the Weaver's Cove West option, and the Weaver's Cove East option - are all located within the coastal zone. The actual rail route taken between this "Southern Triangle" segment of the project and Boston is mainly outside the coastal zone. It is likely to have little or no impact on coastal resources. A part of the proposed "Southern Triangle" goes through the coastal town of Berkley, but not within or near the coastal zone boundary.

Project Comments

New Bedford Whale's Tooth Rail Station

The Whale's Tooth station is the only rail station currently proposed for the New Bedford portion of the project that is within the coastal zone. While the proposed site is presently a paved parking lot, the construction of the rail station infrastructure and reconfiguration of the site present an opportunity to improve the site's stormwater infrastructure to both minimize stormwater runoff and to treat, to the maximum extent possible, the remaining runoff. Given the significant idling time that trains are likely to spend at this location, attention should be given to the potential non-point source pollutants that may come from these trains. This proposed rail station will share some existing rail infrastructure with ongoing and future commercial/industrial freight rail uses. This rail station is also located across Herman Melville Boulevard from the New Bedford/Fairhaven Designated Port Area (DPA) of the port. With this in mind, it is important that proposed rail station activities and associated uses be compatible with the working waterfront characteristics of the area and able to coexist with industrial port uses. CZM and the City of New Bedford have worked closely with the MA DOT to ensure that the proposed rail activities were consistent with the June 14, 2010 state-approved New Bedford/Fairhaven Harbor Plan Update. This plan identifies the Whale's Tooth Parking Lot area as a future inter-modal transportation center, including commuter rail, freight rail, local and regional bus service, taxi and trolley service, and parking. As the future plans for this proposed rail station are developed in greater detail, it is necessary to regularly review the design details to ensure this compatibility is maintained. This compatibility concern is especially true for any future transit oriented development, particularly residential development that may be proposed as part of the project. CZM recommends that low-impact development techniques and practices be used, to the greatest extent possible, to reduce potential non-point source impacts.

L-092.02

New Bedford Overnight Train Layover Facility Site Options

The Church Street Overnight Train Layover Facility site is outside the coastal zone and far from the harbor area. Therefore, this site can be assumed to have lower potential impacts on coastal resources and existing industrial port operations than the Wamsutta Overnight Train Layover Facility site, located adjacent to the proposed Whale's Tooth Rail Station and DPA uses. However, CZM recognizes that the Wamsutta site may have logistical, operational, or other characteristics that make it the preferred site over the Church Street location. If the Wamsutta site is selected for the overnight train layover facility, CZM recommends that attention be given to minimize non-point source pollutants from the layover facility and to, also, minimize any conflicts the layover facility might have with existing or potential future freight operations to and from the industrial port.

L-092.03

Fall River Rail Stations

Two rail stations are proposed within Fall River, Battleship Cove and Fall River Depot. The Battleship Cove station is within the coastal zone. It is adjacent to the Mount Hope Bay DPA, near an area of marine industrial activities and aging mill buildings. The DEIR/DEIS states that this station is partially within the DPA. However, CZM recently clarified its DPA boundary in this area and the station site is no longer in the DPA. This station is proposed to be a seasonal station designed to service walk-in and pick-up/drop-off customers. The Fall River Depot Station is partially within the coastal zone in an urban area of residential and commercial activity. It will be a year-round station that includes extensive parking facilities. Both proposed stations are relatively near the coastal waters of Mount Hope Bay, and station designs should include infrastructure and strategies to minimize stormwater runoff and to treat to the maximum extent possible the remaining stormwater runoff. Attention should also be given to the potential non-point source pollutants that may come from idling trains at the stations. Both proposed rail station will share a portion of the existing rail infrastructure that runs into the industrially developed portion of the waterfront. CZM recommends that accommodations be made to maintain any existing or potential future industrial/commercial freight rail activities that support the industrialized portion of the port. The Fall River Depot station is separated from the waterfront by several busy roadways. The city's harbor planning process from the late 1990's expressed a desire to allow a more pedestrian friendly access and reconnection to the waterfront from this area, and proposed a long-term strategy to reduce area traffic.

L-092.04

Fall River Overnight Train Layover Facility Site Options

The three proposed Fall River layover facilities are with the coastal zone, near the waters of Mount Hope Bay/Taunton River. While no layover facility is proposed within a FEMA Velocity Zone, a small portion of the Weaver's Cove West Layover Facility is within the FEMA Zone A 100 year floodplain. CZM recommends that the train layover facility selected be located outside of the FEMA Zone A. Given the projected sea-level rise and the long-term nature of this rail infrastructure, CZM also suggests that the proponent consider including a margin of safety to avoid a layover facility being located in a future elevated Zone A. Finally, CZM recommends that attention be given to minimizing non-point source pollutants from the layover facility as oils and grease that may accumulate from the layover and idling of multiple trains.

L-092.05

Freetown South Main Street Rail Station

While the access road to the proposed South Main Street Rail station is within the coastal zone, the rail station itself is located just outside the coastal zone. As such, it is not likely to have significant impacts on coastal resources of the Taunton River. However, CZM recommends that non-point pollution from increased impervious areas be treated to the greatest degree possible, including Low-Impact Development techniques to reduce impervious areas where possible.

L-092.06

Coastal Zone and Chapter 91

CZM's review of Section 4.18, Coastal Zone and Chapter 91, of the DEIR/DEIS, raised the following comments and suggestions. The DEIR/DEIS states that future public access to the shoreline may be restricted following construction of a layover facility at any of the three potential layover sites being considered in Fall River. CZM notes that mitigation for the lost public access may be required. The DEIR/DEIS also states that the Fall River Weaver's Cove West Layover Facility Site would likely need to be licensed under Chapter 91 as a temporary use. CZM recommends that the proponent investigate the potential for this facility to qualify for licensing as an accessory to water dependent industrial uses under 310 CMR 9.12(3). This approach to licensing

L-092.07

would allow a longer license term than the 10 year license limit for a temporary use in a DPA. CZM recommends that the project proponent discuss these issues and options with DEP to receive a more definitive determination. | L-092.07

Air Quality Impacts to Coastal Waters

The scientific understanding of the role of atmospheric nitrogen compounds, such as NO_x, on the water quality of coastal embayments has improved in recent years. While the DEIR/DEIS included an air quality study, it did not explicitly discuss whether the various route alternatives, or the electric vs. diesel alternatives had any significant disadvantages or advantages from a nitrogen deposition perspective. CZM recommends that subsequent review documents address the nitrogen deposition to coastal embayments more explicitly. | L-092.08

Federal Consistency Review

The proposed project is subject to CZM federal consistency review, which requires that the project be found to be consistent with CZM's enforceable program policies. For further information on this process, please contact Bob Boeri, Project Review Coordinator, at 617-626-1050 or visit the CZM web site at www.mass.gov/czm. | L-092.09

BKC/dsj,dd,rlb

cc: Mayor Scott W. Lang, New Bedford
Mayor William A. Flanagan, Fall River
Kristina Egan, South Coast Rail Manager
Massachusetts Executive Office of Transportation
David Johnston, Acting Regional Director
Southeast Regional Office, MA DEP
Liz Kouloheras
Southeast Regional Office, MA DEP
Karen Adams, Chief,
Regulatory Branch, NED, US Army Corps of Engineers
Kristin Decas, Executive Director,
New Bedford Harbor Development Commission
P.O. Box 50899, New Bedford, MA 02745
Paul Dipietro, Section Head, Water Resources
Boston Office, MA DCR
Kevin Mooney, Design Engineer, Waterways
Hingham Office, MA DCR

Regional/Regional Planning Organizations

Page	Name
1	Old Colony Planning Council
13	Metropolitan Area Planning Council
24	Southeastern Regional Planning & Economic Development District

Old Colony Planning Council



Robert G. Moran, Jr.
President

70 School Street
Brockton, MA 02301-4097

Pasquale Ciaramella
Executive Director

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April 27, 2011

Mr. Alan R. Anacheka-Nasemann
U.S. Army Corps of Engineers
New England District
Attn: CENAE-R
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
[Aisling O'Shea], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

MAY 4'11 REG DIV

Re: EEA #14346: South Coast Rail Project
Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR)

Dear Mr. Anacheka-Nasemann and Secretary Sullivan:

Old Colony Planning Council (OCPC) is currently reviewing the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) submitted for the South Coast Rail Project (EEA #14346), which was released on March 23, 2011. As you are aware, the document is over 2,500 pages in length and contains an abundance of information related to the proposed project and associated benefits and impacts.

I realize that the public forums scheduled for the first week of May will provide an opportunity to become more familiar with the proposed project and to provide testimony; however, the fact remains that a 2,500 page document needs to be read, digested, and discussed, in order to fully comprehend the complexities of the proposed project.

L-007.01

At our most recent Old Colony Joint Transportation Committee (JTC) meeting, it was voted unanimously to seek an extension of the public comment period. This project has far reaching benefits and impacts and therefore, it would be appropriate and reasonable that a project of this magnitude would have a lengthy public participation component and comment period.

I thank you for your consideration of this request and the opportunity to comment on this project to ensure that it accomplishes its objectives with minimal environmental impacts. L-007.01

Sincerely,



Pat Ciaramella
Executive Director

cc: OCPC Delegates and Alternates
Federal and State Legislators
OCPC Region Chairs, Chief Elected Officials
OCPC Region Chairs, Planning Boards
Mr. Jeffrey Mullan, Secretary and CEO, MassDOT
Mr. Francis DePaola, P.E., Acting Highway Division Administrator, MassDOT
Mr. Richard Davey, Rail and Transit Division Administrator, MassDOT
Mr. Bernard McCourt, Director, MassDOT District 5
Mr. Lionel Lucien, Public/Private Development Unit, MassDOT
Mr. Andrew Lehmann, MPO Liaison, MassDOT Planning
Mr. Reinald Ledoux, Jr., Administrator, BAT
Mr. Frank Gay, Administrator, GATRA
Mr. Joseph Cosentino, Administrator, SRTA
Mr. John Bullard, Chairman, Southeastern Massachusetts Commuter Rail Task Force
Mr. Paul Maloney, P.E., Metropolitan Planner, FHWA
Ms. Mary Beth Mello, Region 1 Regional Administrator, FTA
Mr. Joseph Szabo, Administrator, FRA
Mr. Curt Spalding, Region 1 Regional Administrator, EPA

Old Colony Planning Council



Robert G. Moran, Jr.
President

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May 27, 2011

Mr. Alan R. Anacheke-Nasemann
U.S. Army Corps of Engineers
New England District
Attn: CENAE-R
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
[Aisling O'Shea], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA #14346: South Coast Rail Project
Draft Environmental Impact Statement/Report (DEIS/DEIR)

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

Old Colony Planning Council (OCPC) has reviewed the Draft Environmental Impact Statement/Report (DEIS/DEIR) submitted for the South Coast Rail Project (EEA #14346). The proposed transportation project is a Massachusetts Department of Transportation (MassDOT) initiative to bring public transportation to the South Coast region of the Commonwealth. MassDOT's stated purpose is "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility while supporting smart growth planning and development strategies in the affected communities." The DEIS/DEIR document included an examination of the benefits and impacts related to each of the alternatives which were studied as part of the proposed project. I thank you for the opportunity to comment on this proposed project and offer the following for your consideration.

Planning Consistency

Overall, the proposed project is consistent with the major planning efforts and documents of the Old Colony Planning Council (OCPC). Specifically, the Old Colony Planning Council Regional Policy Plan encourages the creation of concentrated, mixed use developments; expanded housing opportunities; the preservation of open space; the provision of transportation choice; all of which have the potential to increase the number of jobs and business opportunities. In addition, the Regional Policy Plan

L-070.01

supports projects which promote the use of public transportation rather than the Single Occupancy Vehicle (SOV). This proposed project has the potential to provide the host communities with various smart growth opportunities, and therefore, is consistent with the planning objectives of Old Colony Planning Council (OCPC). The Economic Development and Land Use Corridor Plan which was produced to enhance the aforementioned opportunities provides a potential framework for partnership between the host communities and the proponent far into the future of the proposed project. As such, I strongly encourage the Commonwealth to continue supporting the host communities as well as the entire South Coast Region as the project impacts have been identified to be far reaching.

L-070.01

The Old Colony MPO Regional Transportation Plan (RTP) identifies the need of passenger rail service to the South Coast Region as well as to the Cape Cod Region. The restored commuter rail service on the Old Colony Lines has provided the connection to Boston for the residents of Southeastern Massachusetts and the resulting economic development is clear in some communities. However, in other communities, the experience has been less robust. Therefore, I caution and strongly urge the proponent to work closely with the communities of the South Coast Region in order to be responsive to their individual needs, desires, and concerns.

L-070.02

Public Participation

In order to ensure an effective and open public participation process, MassDOT implemented a comprehensive community involvement process, which included an Interagency Coordinating Group; the Southeastern Massachusetts Commuter Rail Task Force; a civic engagement process; and an extensive project website. This public participation model was widely successful in identifying and addressing issues related to the proposed project before the release of the DEIS/DEIR document. Following the DEIS/DEIR release, MassDOT provided a memorandum that helped the reader understand the components of the document; however, I felt as though MassDOT could have done more in terms of helping host communities understand the potential impacts related to the proposed project. Considering that the FEIS/FEIR document might be the first chance that the host communities have the opportunity to review a Least Environmentally Damaging and Practicable Alternative (LEDPA), it seems reasonable that there be an extensive public outreach campaign in those communities following release of the LEDPA as well as an extended public comment period to allow for all aspects related to final design and mitigation to be identified and sufficiently resolved.

L-070.03

On April 27, 2011, Old Colony Planning Council (OCPC) sent a letter to the Army Corps of Engineers and the Massachusetts Environmental Policy Act (MEPA) Office asking for an extension on the public comment period. This request was sent in order to support our member communities with their review of this important document. As you are most certainly aware, the DEIS/DEIR document was released for public review during a very busy time of year for communities of the Commonwealth. The spring of every year is when the communities of the Commonwealth typically plan for town meetings and town departments are very busy determining budgets for the upcoming fiscal year. This 2,500 page document included a multitude of chapters containing technical information related to the impacts associated with the proposed project and the public was given sixty-five (65) days to review, comprehend, and provide comment.

L-070.04

This put a great deal of pressure on host communities to conduct a comprehensive review of the 2,500 page document while making plans to address their upcoming fiscal year. In addition, the size of the document also made it difficult for those people of the Commonwealth, for whom, English may not be their primary language. Reading a document of that size and complexity is challenging for those who work in the planning, engineering, environmental, or transportation related fields and I suspect even harder for those who do not. Therefore, I strongly urge the proponent to consider an elongated comment period for the FEIS/FEIR, a thorough explanation of the complexity of the review process, as well as public meetings held in the host communities in order to fully engage those most closely affected by the proposed project. It is our conclusion that this sixty-five day period was insufficient and our hope is that when the FEIS/FEIR is released, more consideration is given to extending the comment period and a more robust outreach component.

L-070.04

Alternatives Analysis

The DEIS/DEIR document provided extensive examinations of eight (8) alternatives for the proposed project. The alternatives included in the DEIS/DEIR document included: 1.) No-Build (Enhanced Bus) 2.) Attleboro Electric 3.) Attleboro Diesel 4.) Stoughton Electric 5.) Stoughton Diesel 6.) Whittenton Electric 7.) Whittenton Diesel and 8.) Rapid Bus. All of the alternatives were analyzed and descriptions of the benefits and impacts of each were included in the DEIS/DEIR. As required by the MEPA regulations, MassDOT selected the Stoughton family as the preferred alternative, thereby requesting that it be moved forward for in-depth analysis in the FEIS/FEIR document. OCPC encountered many residents and stakeholders whom did not fully comprehend the joint environmental review process and misunderstood the ramifications of such a selection. I recognize that MassDOT has made efforts to demonstrate the differences in the environmental review processes; however, I believe that more clarity on the subject would go a long way. As such, I strongly urge the proponent and the Army Corps of Engineers to continue to provide the public with documentation as well as public participation events in order to fully educate them as to the roles, responsibilities, timelines, and functions of the joint environmental review process.

L-070.05

Safety and Security

Grade Crossings

Grade crossings are important factors when dealing with the interactions of railroads and roadways. According to the DEIS/DEIR, there are numerous grade crossings along each of the alternatives, which have the potential to create conflicts between trains and vehicles and/or people. Since the Old Colony Line restoration (1997), there have been several accidents at grade crossings along the individual corridors. In addition, some communities benefit from quad-gates while others only have two gates which stop vehicles and people from crossing the tracks when a train is approaching or traveling through. I support the use of the Automatic Highway Crossing Warning (AHCW) Systems as mentioned in the DEIS/DEIR. Unfortunately, there doesn't seem to be consistency when it comes to what type of gates have been used on the Old Colony Lines, and therefore, I strongly urge the proponent to consider the use of quad-gates throughout the corridor to ensure the highest level of

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safety for the traveling public. In addition, I recommend that the proponent work closely with the abutters along the selected route to identify areas where crossings may be an issue and to mitigate their concerns. L-070.06

Right-of-Way (ROW)

The Right-of-Way for the proposed project is of utmost concern to the towns of Easton and Stoughton. These communities are concerned with the following items as they relate to the proposed project: access, proper maintenance, safety, and security. The FEIS/FEIR should demonstrate who will be provided access to the ROW; where that access will exist; safety measures that will be in place to ensure that the integrity of the rail remains intact; security plans that identify whom will have authority of the ROW and how it will be protected; and lastly, maintenance plans which demonstrate how the proponent will be ensuring that aspects related but not limited to, drainage, structural integrity, and overall conditions of the ROW will be taken into account. L-070.07

In addition, the project proponent should include detail regarding how existing utilities will be impacted and mitigated as part of the construction of the proposed project.

Emergency Response

According to the DEIS/DEIR, MassDOT has chosen the Stoughton family of alternatives (electric & diesel) which would extend the existing rail from the Stoughton station to Fall River and New Bedford. This alternative route presents challenges related to emergency response in that a substantial portion of the route will be in the Hockomock Swamp. As the Hockomock Swamp is considered an ACEC, impacts related to construction and operations must be minimized to the greatest extent possible; however, the DEIS/DEIR did not address how emergency response personnel will be able to access a possible accident should it occur in the swamp. As such, I strongly urge the proponent to include such information in the FEIS/FEIR filing and further identify potential access points along the proposed corridor. L-070.08

In addition, emergency response vehicles would need to respond to accidents should they occur within their communities. This proposed project presents challenges to the emergency response personnel in that should the train be blocking the roadway and thus, not allowing access to another part of a community, those personnel will not be able to respond to a call in a timely fashion. As such, I strongly recommend that the proponent work closely with the first responders of the host communities to properly and sufficiently describe how those situations will be avoided in the FEIS/FEIR. L-070.09

Environmental Impacts

Wetlands

The Hockomock Swamp Area of Critical Environmental Concern (ACEC), at 16,950 acres, is the largest vegetated wetland system in Massachusetts. If the Stoughton Alternative is selected there will be a variety of impacts within the Hockomock Swamp, which is a concern. One concern raised by the Town of Easton is ability to access the rail line within the Hockomock Swamp in case of an emergency or for routine maintenance. The DEIS/DEIR does not mention how emergency crews will be able to access the rail line in case of an emergency. If emergency access roads are created that could potentially add another level of impact to the Hockomock Swamp. Additional concerns from the Town of Easton are the potential archeological sites within the Swamp that date back 9,000 years, as it was a place of significance to the Wampanoag Native American Tribe. The project proponent should look at conducting pre-construction studies to if any archeological sites will be disrupted because of the rail line.

L-070.10

Wildlife

According to the DEIS/DEIR, if the Stoughton alternative is chosen, it would have the least amount of environmental impact, but the fact remains it still travels through the Hockomock Swamp, a state designated Area of Critical Environmental Concern (ACEC) as well as the Pine Swamp in Raynham. The Town of Easton is concerned with wildlife crossing the track, not only within the ACEC and Pine Swamp, but also through other heavily vegetated areas, where animals, especially deer may cross the track. Deer crossing could lead to deer being hit by a train or causing an accident. This situation may be mitigated with the installation of fencing throughout the Hockomock and Pine Swamps as well as any area populated by deer. In an effort to mitigate impacts on the 13 rare and endangered species within the Hockomock Swamp the project proponent should look at conducting pre-construction studies to determine population size, distribution, or usage of the rail bed in an effort to finalize mitigation measures. The Town of Stoughton also had concerns with the proposed rail being adjacent to the Charles W. Welch Memorial Fish and Game Preserve, which is directly off of Route 138. I urge the proponent to work closely with the potential host communities to address their concerns related to wildlife areas in and around the selected route and provide suitable mitigation.

L-070.11

Water

The Town of Easton has a number of water concerns with the proposed Stoughton alternative going through Easton, particularly the impact on the water supply within the community. All of Easton's water comes from wells within the ground and there is a particular concern with the well located off Gary Lane in Easton. The rail bed is directly adjacent to the well and the Town is concerned with pollutants from the train seeping into the ground and affecting the quality of drinking water as well as maintenance concerns at the pumping station from this particular well. I request that the proponent work closely with the potential host communities in an effort to identify water resource issues and properly mitigate the effects of the proposed project on those areas.

L-070.12

Quality of Life

Visual

The most prominent visual concern is the construction of an overhead catenary system if the electric option is chosen. The presence of a catenary system, while more energy efficient, may be considered clutter and/ or a visual detriment to the communities, as a majority of the lines transverse residential, commercial and forested areas. As such, a hybrid option which would use the overhead catenary system in outlying areas and diesel-electric in design-sensitive urban areas should be analyzed in order to be responsive to the concerns of the potential host communities. The DEIS/DEIR states that the visual impact to the proposed Easton Village station would be substantial due to the construction of train station and clearing of vegetation if the Stoughton Alternative (diesel or electric is chosen). The proposed Easton Village and existing Stoughton stations are examples of locations where substantial visual impacts would occur and have the potential to adversely impact the potential host communities. Therefore, I strongly advise the project proponent to work closely with all of the potential host communities to address these concerns regarding the visual impacts related to the overhead catenary systems.

L-070.13

Cultural Resources

The DEIS/DEIR defines cultural resources as archeological sites as well as historic buildings, structures and districts. There are a number of these cultural resources in close vicinity to the proposed rail line. Some of the more prominent cultural resources that are of concern include the Stoughton Train Station building. Listed on the National Register of Historic Places, the station has been closed and boarded up since 2009. I strongly encourage the proponent to work with the Town to restore the station to make it become a centerpiece of the Stoughton's downtown area. The station could serve multiple purposes including housing a ticket booth and coffee shop, but more importantly as a shelter to protect people who are waiting for the train from inclement weather. The Town of Easton also had concerns with a number of cultural resources, namely the North Easton Historic District, which is a National Historic Landmark District adjacent to the proposed Easton Village Station. The North Easton Historic District houses a number of architecturally and historically significant buildings which should be preserved regardless of what alternative is chosen. Another cultural resource within the Town of Easton is the Hockomock Swamp; as it is a place of potential cultural significance for the Wampanoag Native American Tribe and it should be studied further to determine the extent of the archeological significance of the site.

L-070.14

These cultural resources have the potential to be impacted in some capacity, either visually impacted or by noise and vibration, but I strongly encourage the project proponent to address the concerns posed by the communities of Easton and Stoughton about these cultural resources within their communities.

Sound

There are a number of concerns as to what the sound impacts will be along the proposed commuter rail line. According to the DEIS/DEIR, the Town of Easton will be the second most affected community in the report in terms of moderate and severe noise impacts. One of the more prominent concerns is the noise impact occurring from the locomotive warning horns, especially during early morning hours. Additional concerns include the locomotive and rail car noise when passing structures within close proximity of the rail line. The Town of Easton noted that noise impacts would be most severe at the proposed Easton Village Station, as that station is situated in a densely developed residential neighborhood. I strongly advise the project proponent to work with the Town of Easton to address these concerns regarding the increased noise level through a variety of mitigation measures including the installation of four quadrant gates where appropriate to reduce the need of locomotive warning horns, as well as the use of noise barriers and noise insulation in and around structures as needed.

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Vibration

According to the DEIS/DEIR there are approximately 29 residences in the communities of Easton and Stoughton that would be impacted by vibration levels that range from 80-86 VdB, which is above the annoyance criteria of 80VdB set by the Federal Transit Administration (FTA). These vibration impacts could be possibly mitigated with the installation of rubber ballast mats, which could reduce the vibration impacts from 3-10 VdB. Even with the installation of the rubber ballast mats, some residences may still be above the FTA annoyance limit of 80 VdB. Additional mitigation measures should be examined to address any residence impacted above the 80 VdB annoyance threshold. The Town of Easton has an additional concern about the potential effects of vibrations, particularly on the Historic Train Station, which is currently the home of the Easton Historical Society. While the DEIS/DEIR states that station is below the 100 VdB threshold for damage to fragile and historic structures, the Town is concerned with the effects of vibrations from the commuter rail on the station over the approximate 100 year life span of the project. I strongly advise the project proponent to conduct a baseline assessment of existing historic structures located on the selected route area to determine vibration impacts.

L-070.16

Land Use

In regards to land use issues, the Town of Easton has expressed concern about the Stoughton Alternative passing through the Southeastern Regional Vocation High School complex, specifically a number of sports fields that would need to be relocated. I encourage the project proponent to work with the Town of Easton and school officials to come up with a plan to relocate these fields to another location around the school complex. In addition, the town of Stoughton has substantial concerns related to the impact that the proposed project will have on the downtown area. Currently, the rail spur terminates just south of the downtown and the historic rail station is closed and not functioning as a shelter for patrons of the commuter rail system. The issues related to potential land uses in and around the potential rail line are items that I urge the proponent to continue to work closely with the potential host communities in order to ensure that the proposed project provides for positive economic development opportunities.

L-070.17

Transportation

Traffic

According to the DEIR/DEIS document, the traffic impacts related to the proposed project are based on ridership forecasts. The transportation section of the DEIS/DEIR outlined the methodology used to analyze the impacts related to the proposed projects that included, but were not limited to: safety, grade crossings, gate closures, vehicle volumes, public transportation, parking, and traffic queuing. Unfortunately, it is noted that the Brockton Area Transit (BAT) was omitted from the discussion of bus service in the study area. Importantly, BAT provides bus service that extends into the towns of Easton and Stoughton, which are potential host communities, should the Stoughton route be ultimately selected. Therefore, I urge the proponent to include BAT in all discussions related to bus service and consult with them related to potential service enhancements.

L-070.18

The transportation section of the DEIS/DEIR presented findings for all of the proposed alternatives and provided a good baseline conditions analysis that should be included in the FEIS/FEIR document. The FEIS/FEIR should also include a more detailed analysis of transportation impacts related to the selected route which would include all aspects analyzed in the DEIS/DEIR. In addition, the FEIS/FEIR should include detailed site plans that include the following; but not limited to: trip distribution assignments, potential parking areas, intersection LOS, and bicycle and pedestrian accommodations. Overall, the transportation section of the DEIS/DEIR was informative; however, without a selected route, it was difficult to assess the potential impacts as the section did not provide a detailed impact study for each potential station location. As such, I strongly urge the proponent to continue to work with the host communities and to provide public involvement opportunities once an alternative is chosen in order to ensure that all aspects related to transportation impacts are identified and properly mitigated.

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Bicycle and Pedestrian Accommodations

Bicycle and pedestrian accommodations are essential to the success of the smart growth potential of the proposed project. The DEIS/DEIR discussed potential improvements for bicyclists and pedestrians; however, lacked specific plans related to the design and implementation of those improvements. As such, the FEIS/FEIR should include bicycle and pedestrian circulation site plans, which should include, but not be limited to: conceptual station site sidewalk locations; crosswalk locations, and bicycle lanes and secure storage areas in order to ensure that the project provides for safe and realistic bicycle and pedestrian travel.

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Public Transportation

Future public transportation connections are an important component for this proposed transportation project. Large public transportation vehicles are harder to maneuver, require more space, operate on their own schedule, and therefore, require different provisions than a passenger motor vehicle. As such, the local Regional Transit Authorities (Brockton Area Transit Authority (BAT), Greater Attleboro Taunton Regional Transit Authority (GATRA), and Southeastern Regional Transit

L-070.21

Authority (SRTA)) must be involved in the station and conceptual design discussions and the fixed route interconnectivity analyses and planning. This effort should include all three (3) transit providers as their individual service areas continue to expand.

In addition, private transportation providers such as Plymouth & Brockton and Bloom also provide valuable commuter services and therefore, should also be considered in these discussions, analyses and planning efforts. Transit services should be designed and funded, if feasible, for the areas in order to support the usage of the proposed project. In addition, innovative services connecting the proposed stations to the points of interest in the local communities should also be included, while encouraging local employers near proposed stations to partner with the MassRIDES program to promote ridesharing and carpooling.

L-070.21

Parking

In recent years, OCPC has documented a steady decrease in the parking demand for the commuter rail lots along the Old Colony Lines. This decreasing trend could be attributed to a variety of factors, such as; high unemployment, an increase in carpooling or drop-offs, and/ or more people choosing to drive to work instead of using public transportation. Clearly, without in-depth analyses, the list of possibilities remain on the table; however, one item that OCPC has documented is the increase in number of private parking lots in close proximity to the existing commuter rail lots providing cheaper rates for patrons of the commuter rail system. As such, I recommend that the proponent work closely with the host communities and the surrounding business owners in order to avoid the trends currently happening on the Old Colony Lines.

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Ridership

The DEIS/DEIR included information related to expected ridership for the different alternatives; however, the numbers are based on 2007 Regional Transportation Plans information and therefore, the FEIS/FEIR should include updated ridership numbers reflecting forecasts included in the most recent plans currently under development and to be finalized later this summer. In addition, I encourage the proponent to include a section outlining the effect of declining ridership due to potential poor on-time performance of the proposed project.

L-070.23

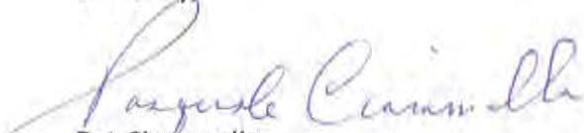
Conclusions

I have concerns related to the environmental review of the proposed project. Although the idea of a streamlined review is a good one, there also exists potential to create confusion and skepticism related to the proposed project. I strongly urge to the project proponent to consider an extensive public participation outreach campaign and extended comment period following the release of the FEIS/FEIR.

L-070.24

I thank you for your consideration of this request and the opportunity to comment on this project to ensure that it accomplishes its objectives with minimal environmental impacts.

Sincerely,



Pat Ciaramella
Executive Director

cc: Federal and State Legislators
OCPC Region Chairs, Chief Elected Officials
OCPC Region Chairs, Planning Boards
OCPC Delegates and Alternates
Mr. Jeffrey Mullan, Secretary and CEO, MassDOT
Mr. Francis DePaola, P.E., Acting Highway Division Administrator, MassDOT
Mr. Richard Davey, Rail and Transit Division Administrator, MassDOT
Ms. Kristina Egan, South Coast Rail Project Director, MassDOT
Mr. Bernard McCourt, Director, MassDOT District 5
Mr. Lionel Lucien, Public/Private Development Unit, MassDOT
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Ms. Mary Beth Mello, Region 1 Regional Administrator, FTA
Mr. Joseph Szabo, Administrator, FRA
Mr. Curt Spalding, Region 1 Regional Administrator, EPA



Smart Growth & Regional Collaboration

May 27, 2011

Richard K. Sullivan, Secretary
Executive Office of Energy & Environmental Affairs
Attention: MEPA Office
Aisling O'Shea, MEPA #14346
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: South Coast Rail, DEIS/DEIR #14346

Dear Secretary Sullivan:

The Metropolitan Area Planning Council (MAPC) regularly reviews proposals deemed to have regional impacts. The Council reviews projects for consistency with *MetroFuture*, the regional policy plan for the Boston metropolitan area; MAPC's Smart Growth Principles; the Commonwealth's Sustainable Development Principles; as well as impacts upon the environment. MAPC has reviewed the above referenced Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR), which is undergoing concurrent state and federal review, and offers the following comments on the South Coast Rail Project.

MAPC's overall comments on the DEIS/DEIR are highlighted in this letter, and more detailed comments on the project are presented in the attached summary of comments.

The South Coast Rail Project is an initiative of the Massachusetts Department of Transportation (MassDOT) to bring public transportation to the South Coast region, connecting Boston to the cities of Fall River and New Bedford via commuter rail. The stated goals of the project are increased transit access and ridership, more equitable distribution of transit services, improved regional air quality, action against climate change, and support of opportunities for smart growth and sustainable development, particularly through transit-oriented development in and around new station locations.

The DEIS/DEIR evaluated five alternatives:

- No-Build (Enhanced Bus)
- Attleboro Alternatives (Electric and Diesel)
- Stoughton Alternatives (Electric and Diesel)
- Whittenton Alternatives (Electric and Diesel)
- Rapid Bus

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Jay Ash, *President* • Michelle Ciccolo, *Vice-President* • Marilyn Contreas, *Secretary* • Grace S. Shepard, *Treasurer* • Marc Draisen, *Executive Dire*

To facilitate review of the South Coast Rail Project under MEPA and inform the scope of study necessary for the Final Environmental Impact Statement (FEIS) and Final Environmental Impact Report (FEIR), MassDOT is required by the MEPA office to identify a preferred corridor in the state portion (DEIR) of the joint DEIS/DEIR. In the Preface to the DEIS/DEIR, MassDOT has identified the Stoughton family of alternatives as the Commonwealth's preferred corridor for the South Coast Rail Project. A preferred mode for the Stoughton family of alternatives remains to be specified.

L-093.01

The Metropolitan Area Planning Council (MAPC) concurs with MassDOT's recommendation. Based on the DEIS/DEIR's findings, the Stoughton Electric Alternative meets all project purpose measures to the greatest degree, followed closely by the Stoughton Diesel Alternative. However, it is important to note that achieving the greatest benefits and least environmental impacts of this project will require implementation of the "high" smart growth scenario outlined in the DEIS/DEIR and based on the findings of the South Coast Rail Economic and Land Use Corridor Plan.¹

As required by the USEPA's Section 404 (b)(1) Guidelines, the Army Corps of Engineers will determine the Least Environmentally Damaging Practicable Alternative (LEDPA) after receiving public comment on the DEIS/DEIR. MAPC looks forward to a continued transparent review process in which a preferred alternative is selected in the next phase of EIS/EIR review.

L-093.02

The Stoughton Alternatives would provide commuter rail service to South Station using the Northeast Corridor, Stoughton Line, New Bedford Main Line, and Fall River Secondary. From New Bedford to Boston, the distance is 54.9 miles and it is 52.4 miles from Fall River to Boston. At a cost of \$1.88 billion, the Stoughton Electric Alternative is forecast to add 9,580 new daily riders. The Stoughton Diesel Alternative would add 8,140 new riders and cost \$1.48 billion. At 74.5 minutes, the Stoughton Electric Alternative has a faster travel time compared to the Stoughton Diesel Alternative which is 84 minutes. Both alternatives are forecast to significantly reduce vehicle miles traveled (VMT) by 296,000 and 229,000 for the Electric and Diesel Alternatives respectively.

MAPC is generally supportive of the South Coast Rail project. The Fall River-New Bedford area is currently the only major urban area in eastern Massachusetts not served by commuter rail. The South Coast area is densely developed, but also has extensive under-realized commercial, industrial, and housing opportunities. Expansion of the commuter rail to this area will improve residents' access to jobs and services, while providing a more affordable housing supply to employees of Metro Boston, and improve the viability of industrial and commercial enterprises in Metro Boston, in the South Coast cities, and at station locations along the line. Expanded transit service to developed urban areas is essential to the health and growth of the Commonwealth and is a core element of MAPC's *MetroFuture* Plan.

L-093.03

¹ Completed by MassDOT, June 2009. Also referred to as the Smart Growth Corridor Plan.

MAPC is pleased that a comprehensive economic development and land use corridor plan, the Smart Growth Corridor Plan, was undertaken before making a major transportation investment such as the South Coast Rail project. We feel a similar corridor planning process should be undertaken in all areas where major investments are planned or will be needed as a result of anticipated development. The Smart Growth Corridor Plan establishes a foundation for a comprehensive process to implement sustainable land use and development patterns along the rail corridor.

In order to ensure that project benefits are maximized and any negative impacts are minimized and mitigated, the following attachment summarizes the issues that need to be addressed in the FEIS/FEIR in greater detail. The key areas of concern include: developing and implementing a Finance Plan, impacts on South Station, construction impacts to commuter rail and freight service, and developing and implementing a Parking Plan.

L-093.04

Many of the issues raised in this letter were previously addressed in MAPC's comment letter addressing the Environmental Notification Form (ENF) and in the Secretary's Certificate on the Environmental Notification Form for the South Coast Rail Project.^{2,3}

Thank you for the opportunity to comment on this important project.

Sincerely,



Marc D. Draisen
Executive Director

cc:

Thomas Tinlin, City of Boston
William Friel, Town of Canton
Andrew A. Gala Jr., Town of Foxborough
Kristina Egan, MassDOT
Pat Ciaramella, OCPC
Benjamin E. Puritz, Town of Sharon
Francis T. Crimmins, Jr., Town of Stoughton
Taber Keally, Chairman, Three Rivers Interlocal Council
Steven Smith, SRPEDD

² Letter from Marc D. Draisen, MAPC Executive Director, to former Secretary Ian A. Bowles, Executive Office of Energy and Environmental Affairs, January 9, 2009.

³ Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form, April 3, 2009.

South Coast Rail, DEIS/DEIR# 14346
MAPC's Detailed Comments

Finance Plan

Developing a finance plan is a critical component to implementing a successful project. A detailed finance plan that includes the potential to share costs with potential partners (i.e., Amtrak, MBTA, Mass Coastal, the Federal Railroad Administration (FRA) and CSX) needs to be addressed in the FEIS/FEIR. The FEIS/FEIR should include a comprehensive exploration of potential cost savings and improved services through these types of partnerships. If the proponent hasn't done so already, MAPC recommends pursuing funding opportunities that may be available through the Federal Railroad Administration (FRA).

L-093.05

MAPC suggests that the Secretary require the DEIS/DEIR also include information on the following five items, all of which are related to the pace and financing of the development of South Coast Rail:

1. **Contributions by owners and developers.** To what degree, in what ways, and at what times will owners and developers along the route contribute to the costs of the project, either through repayment of bonds or other financing mechanisms? What form will these repayments take, e.g., District Improvement Financing (DIF)?
2. **Project phasing.** Would it be possible to phase implementation of the project, such as sequential completion of lines south of Boston, eventually reaching both Fall River and New Bedford? Phasing should not indicate a lack of commitment to the full project, but it may make accomplishment of this expensive project more practicable in a period of federal retrenchment from public transit.
3. **Interim steps to improve mobility.** What mechanisms could be employed to improve transit service to some of the destinations along the route in the short-term, through mechanisms others than commuter rail expansion? Improvement of bus service accompanied by multi-modal facilities along the route could provide a measurable improvement in service in the shorter term, at less cost than the entire project. We are pleased that the Smart Growth Corridor Plan already calls for the development of multi-modal centers at key sites along the line, and we are also pleased that MassDOT is engaged in conversations with the Southeast Regional Transit Authority (SERTA) regarding multi-modal options in the vicinity of the Whale's Tooth station in New Bedford. Advancing some of these elements more quickly could help to catalyze development while improving regional mobility even before the new line goes into effect. Again, these recommendations are made not out of any desire to delay the project or to truncate its full completion, but rather to ensure that residents receive a measurable level of service improvement speedily.
4. **Electric v. diesel alternative.** While MAPC is eager to move the commuter rail system to electric power as soon as possible, there may be financial implications to the choice. These factors could have a bearing on the feasibility of the project.

L-093.06

L-093.07

L-093.08

L-093.09

**South Coast Rail, DEIS/DEIR# 14346
MAPC's Comments**

Therefore, the financing plan should compare the financial implications of the two alternatives. If the electric alternative is chosen, a clear way of financing it should be outlined. If the diesel alternative is chosen, a long-term plan to move to electric should be provided.

L-093.09

5. **State of Good Repair.** Once complete, the South Coast Rail project needs to remain in a State of Good Repair, a critical component for providing safe and reliable service for riders in addition to providing a foundation for future growth. State of Good Repair programs include promoting system maintenance and implementing innovative financing strategies. Please outline plans for the State of Good Repair in your FEIS/FEIR.

L-093.10

Impacts at South Station

Although the majority of the project's new stations and track will be built outside of the MAPC region, we are concerned about the impacts that construction and new service will have on the existing rail system within the region. The FEIS/FEIR needs to evaluate the Stoughton Alternatives' construction and operation impacts to South Station, even though we understand that the Stoughton Alternatives will only add four new trains per day.

L-093.11

Commuter rail service at South Station is currently restricted by the number of tracks that can be placed within its existing footprint. Independent of the South Coast Rail project, MassDOT is undertaking a project to construct seven new terminal tracks at South Station to accommodate existing and projected future demand for commuter rail service. MAPC understands that the new terminal tracks will be constructed prior to the operation of the South Coast Rail project, and we would like that commitment to be confirmed by the Secretary in the FEIS/FEIR, based upon commitment from MassDOT. What is the anticipated completion date for the new terminal tracks and what measures are being taken to ensure that both projects are coordinated? How will the addition of seven new terminal tracks at South Station affect existing service along the Stoughton Line?

L-093.12

According to the DEIS/DEIR, train frequency from Canton Junction station to Stoughton station along the existing MBTA Stoughton Commuter Rail Line alignment ranges from 17 roundtrip (34 total trains) passenger trains per day on weekdays to no passenger trains on weekends. The FEIS/FEIR needs to summarize the number of existing and forecasted freight and passenger trips during the weekday and weekends. Specific attention to the number of existing and future passenger trips at South Station needs to be included.

L-093.13

South Station Air Rights, a significant development project above South Station, proposes 1.375 million square feet of office space, 170,000 square feet of residential space, 200 hotel rooms, and over 930 parking spaces. The FEIS/FEIR should explain specifically how the construction of this project, which has already been approved by the Board of Directors of the Boston Redevelopment Authority, affects South Coast Rail and adding track space at South Station. The FEIS/FEIR should also provide an update as the

L-093.14

South Coast Rail, DEIS/DEIR# 14346 MAPC's Comments

practicality and likely timetable for this development in light of current and project economic conditions.

L-093.14

Construction Impacts to Commuter Rail and Freight Service

Every attempt should be made to ensure that existing commuter rail and freight service is not disrupted while construction is underway. MAPC's comment letter for the South Coast Rail's ENF asked for a "comprehensive explanation of impacts on current commuter rail service during construction." While the DEIS/DEIR addressed construction impacts related to household income and land acquisition requirements, an explanation of impacts on current commuter rail and freight service during construction was not included. The FEIS/FEIR needs to address this issue with particular focus on traffic impacts related to at-grade crossings and bridge reconstruction sites. This request is also mentioned on page 23 of the Secretary's Certificate, "The DEIR should include a detailed analysis of...impacts associated with roadway intersection and bridge reconstruction associated with the rail alternatives."

L-093.15

Freight

Allowing freight by rail to expand in Massachusetts is critical to keeping trucks off the road and reducing greenhouse gas emissions.

The following questions pertaining to freight need to be addressed in the FEIS/FEIR:

- Acknowledgement that the policies and programs in MassDOT's Massachusetts State Rail and Freight Plans (September 2010) are consistent with the South Coast Rail program. L-093.16
- What is the existing number of freight trips in the South Coast region and when do they occur? L-093.17
- Is freight service in the South Coast region forecast to increase, decline or remain the same? L-093.18
- How exactly would freight service benefit from the implementing the Stoughton Alternative? L-093.19
- Page 4.1-75 of the DEIS/DEIR states:
Under the Stoughton Alternative the current and future proposed freight operation splits the proposed main line. As a result, this sets up conflicts between operating passenger trains and freight trains during the same period of time. L-093.20

What are potential solutions to resolve these conflicts?

South Coast Rail, DEIS/DEIR# 14346 MAPC's Comments

- Page 4.1-77 of the DEIS/DIER states:

Presently, the only access to the remaining active freight rail customers on the existing Stoughton Branch is via the Northeast Corridor through Canton Junction. This need to access the high-speed corridor will definitely be impacted by the coming of the high-speed train service. The MBTA may or may not grant a freight carrier access to the Canton area through the proposed reconstructed line between Winter Street, Taunton, and the present location of end-of-track in Stoughton.

L-093.21

How will this impact freight and commuter train service for the Stoughton Alternative?

- Are there additional issues regarding freight service once a Stoughton Alternative is implemented? If so, how should they be addressed?

L-093.22

Amtrak

Provide an overall explanation of the impacts on Amtrak service along the corridor. How would the preferred Alternative benefit or impair Amtrak service?

L-093.23

Parking Plan

The FEIS/FEIR needs to contain a detailed parking plan for the Stoughton Alternatives. The plan needs to consider not only legitimate parking needs, but also other Commonwealth goals, such as reducing impermeable surfaces and allowing adequate space for transit-oriented development (TOD). At a minimum, the parking plan needs to include:

- Conversion of excess parking at stations to more useful economic development or TOD uses.
- Consideration for structured parking at stations to allow more space for TOD development.
- Programs for off-hours/weekend use of the commuter rail lots to serve as parking to bolster economic development activities in the communities.
- Description of any additional private land acquisitions that would be necessary to accommodate parking, along with the commensurate impacts of those land purchases.

L-093.24

**South Coast Rail, DEIS/DEIR# 14346
MAPC's Comments**

Smart Growth

MAPC is pleased to see the findings and recommendations of the Smart Growth Corridor Plan integrated into the DEIS/DEIR and expects that these will be maintained in the FEIS/FEIR. Achieving the benefits of the smart growth scenario described in the DEIS/DEIR will depend on the implementation of the actions outlined on page 5-27, which were drawn from Chapter 7, Implementation of the South Coast Rail Corridor Plan. One of the most important of these actions is the funding of technical assistance to municipalities to support the development and adoption of plans, zoning, development review procedures, and other programs and policies necessary to support smart growth and transit-oriented development. Many of these communities lack the resources they need to implement these kinds of activities, but achieving the benefits of the smart growth scenario depends on their ability to do so. The Commonwealth has committed \$300,000 each year for the past three years in technical assistance and MassDOT's Preface to the DEIS/DEIR states that annual technical assistance is expected to continue during the project development phase. The FEIS/FEIR should clarify the specific timeframes and amount of funding commitments for this continued technical assistance.

L-093.25

Another critical element of smart growth is the identification and mitigation of regional impacts when building major new infrastructure. This should certainly be the case in regard to South Coast Rail. We ask the Secretary to ensure that the FEIS/FEIR specifically call out impacts that are likely to affect more than one municipality, and to require that the proponent determine mechanisms to mitigate those impacts, just as surely as the proponent would respond to impacts that might be brought to its attention by a single city or town.

L-093.26

Finally, we note that the Commonwealth's infrastructure investment in the South Coast Rail region is now governed by Executive Order 525, which directs state agencies to invest state funds in a manner consistent with the Corridor Plan. We urge the Secretary to require that the FEIS/FEIR explain how all investments related to the development of South Coast Rail – as well as investments to mitigate adverse impacts – are consistent with the Corridor Plan and the Corridor Map accompanying that Plan. This requirement would be entirely consistent with the requirement in EO 525 that “a web-based tracking system will be developed to track investment decisions and ensure that policy decisions are transparent.” Furthermore, in order to ensure such transparency, it is essential that each state agency engaged in land use and infrastructure investment in the South Coast Region release to the public its implementation strategies to comply with the Executive Order. Both MassDOT and EOEEA should release these strategies as addenda to the FEIS/FEIR.

L-093.27

**South Coast Rail, DEIS/DEIR# 14346
MAPC's Comments**

Environmental Justice

In the discussion of indirect impacts associated with the South Coast Rail project, the DEIS/DEIR correctly notes that a smart growth scenario significantly reduces the project's indirect environmental impacts. By concentrating new development in identified areas, particularly those around existing and proposed commuter rail stations, the amount of land impacted by induced development, and the related environmental impacts of that development, are reduced. In the discussion of these indirect impacts though, the DEIS/DEIR does not discuss the potential of displacement of Environmental Justice populations in the vicinity of these stations. The FEIS/FEIR should explain how displacement will be avoided. This may include anti-displacement studies, which are among the potential uses of technical assistance funds under the South Coast Rail Plan, as well as specific state or local actions that might reduce displacement or mitigate its impacts, including but not limited to the development or preservation of affordable housing in the vicinity of the stations.

L-093.28

Historic Resources

In places where an existing historic train station will no longer be used for that function, the FEIS/FEIR must recognize that abandonment and neglect of historic structures could result in negative impacts to the community. Particularly in places like downtown Stoughton, where the train station represents an important element contributing to the historic character of the area, mitigation of this impact must include a variety of support actions, including both below market rate transfer of ownership and funding to support repairs and rehabilitation, in order to allow for viable reuse of the structure. The Secretary should require such actions to be specified in the FEIS/FEIR.

L-093.29

Visual Resources

In Stoughton, the tracks cross through the downtown near its center and are strongly part of the visual landscape. Fencing and overhead catenaries (for the Stoughton Electric Alternative) should be designed to be visually appealing so as to enhance downtown Stoughton. Current plans for the downtown area directly adjacent to the tracks include a public park and pedestrian-oriented retail and residential areas. The Secretary should require such actions to be specified in the FEIS/FEIR.

L-093.30

Monitoring and Evaluation

MAPC looks forward to reviewing a draft monitoring and evaluation plan for the long-term assessment of project impacts and mitigation in the FEIS/FEIR. The monitoring and evaluation plan will assess the accuracy of projected impacts and the effectiveness of mitigation measures, allowing for mid-course corrections if necessary.

L-093.31

South Coast Rail, DEIS/DEIR# 14346 MAPC's Comments

Stoughton Alternatives

The Stoughton Alternatives include the construction of a new station, the North Easton Train Station, which would be located on the border of Easton and Stoughton. A new parking lot with 509 spaces is proposed. The proposed parking lot is sited in Stoughton, a community in the MAPC region, while Easton is within the Old Colony Planning Council region.

According to the DEIS/DEIR, there are 239 park-and-ride trips and 27 drop off trips forecast during the morning peak hour. Does this necessitate a parking lot with 509 proposed spaces? Has the potential opportunity for using existing parking spaces at Roche Brothers and adjacent office building to the west of Roche Brothers been explored⁴? Has structured parking been considered at this site? A feeder bus connection should also be considered for this station in order to reduce auto trips and parking requirements.

L-093.32

The Stoughton Alternatives propose modifying the existing Stoughton Train Station to accommodate a second track. Modifications to the tracks and platforms would require changes to the parking layout in the existing lots near the station. Approximately 185 existing parking spaces would be relocated and 350 parking spaces would remain undisturbed.

L-093.33

According to the DEIS/DEIR, there are zero park-and-ride trips and 44 drop off trips forecast during the morning peak hour. Does this necessitate retaining 350 parking spaces and relocating 185 parking spaces? The FEIS/FEIR should also consider establishing a feeder bus connection for this station.

It should be noted that MAPC's comment letter for the ENF stated "although reasonable amounts of parking are essential, is it important that not all of the prime land near stations be lost to parking." Priority should be given to accommodating Transit Oriented Development (TOD) in prime sites near the stations to the maximum extent feasible.

L-093.34

Midday Storage of Consists (Train Sets)

The DEIS/DEIR states that the rail alternatives will require midday storage of consists (train sets) in the Boston area to ensure that enough trains would be available for South Coast Rail trains to depart from South Station for the evening peak commute. The Stoughton Alternatives would require layover capacity for four additional consists.

L-093.35

- Where are the proposed locations of the storage?
- Does the storage require construction of additional facilities?
- How does this affect other train routes?

⁴ DEIS/DEIR, Figure 3.2-36, North Easton Conceptual Station Design.

South Coast Rail, DEIS/DEIR# 14346 MAPC's Comments

Mid-Day Layover Storage Facilities

As part of the track expansion project, mid-day layover storage facilities would be constructed to ensure that an adequate supply of trains is available to support evening peak hour commuter transit needs.

L-093.36

- Where will the layover storage facilities be located?
- Explain how passenger and freight operations will be separated.
- What will the impact be on both freight and passengers during construction?

Bicycle and Pedestrian Access

MAPC is pleased that the DEIS/DEIR mentions the need for bicycle and pedestrian access. However, the conceptual station designs need to graphically depict bicycle and pedestrian connections and their access to surrounding retail, commercial and residential uses. As previously requested in MAPC's comment letter on the ENF, incorporating bicycle and pedestrian paths along rail rights of way for the Stoughton Alternatives should be addressed in the FEIS/FEIR.

L-093.37

At Grade Crossings

Information about the Stoughton Alternatives' grade crossings is provided in the DEIS/DEIR. However, information about whether they are safe for pedestrians is not clearly conveyed. MAPC would like to see this information depicted on the Grade Crossing Figures 4.1-54 – 4.1-58 for the Stoughton Alternatives. In addition, to what extent were the grade crossings developed with the input of the communities?

L-093.38

Bus and Shuttle Connections

The project should include a proposal to expand bus and shuttle connections between the stations and nearby retail, office, and residential uses for the proposed Stoughton Alternatives. Expanded transit service supporting the operation of the new commuter rail line should be a key element of the mitigation plan. To be successful, bus and shuttle connections need to avoid duplications of service, minimize transfer points, and minimize total travel times. The proponent should also ensure that Regional Transit Authorities (RTAs) and Transportation Management Associations (TMAs) that provide service in the area are incorporated into these plans.

L-093.39

Joint Ticketing

MAPC applauds the proponent's proposed use of joint ticketing for commuter bus and rail access. SRPEDD and the commuter bus operators have advocated for transportation policymakers to address the transit fare inequity between modes with a joint ticketing system that allows bus operators to offer the same pass as commuter rail with free access to MBTA bus and rapid transit. A joint ticket for commuter bus would enhance bus service within the region and encourage the use of public transportation.

L-093.40



SOUTHEASTERN REGIONAL PLANNING & ECONOMIC DEVELOPMENT DISTRICT
88 BROADWAY ♦ TAUNTON, MA 02780-2557

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Norton
Plainville
Raynham
Rehoboth
Rochester
Seekonk
Somerset
Swansea
Taunton
Wareham
Westport

May 4, 2011

Mr. Alan Anachecka-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.

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

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

L-015.01

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

L-015.02

SRPEDD further agrees with the analysis of environmental factors including wetlands, air quality, water resources, etc. and supports the conclusion that the Stoughton route

L-015.03

performed best on the measure of environmental impact. The fact that the Stoughton route follows rail beds that were in use a little over fifty years ago is an obvious factor in minimizing the environmental impact. | L-015.03

We are very familiar with the corridor as it passes through the Hockomock Swamp ACEC and agree with the conclusion that the wetlands impact will be limited, especially if the trestle is constructed. We would further request significant mitigation to repair any degraded areas of the ACEC. | L-015.04

It should be pointed out that there are many factors beyond the project purpose that argue in favor of this project and in favor of the Stoughton Alternative. These factors include the smart growth benefits of this investment and the significant reduction in vehicle miles traveled and subsequent greenhouse gas reductions. The region also anxiously anticipates the projected economic benefits that will be associated with the restoration of commuter rail service to Southeastern Massachusetts. | L-015.05

We believe that based upon the information presented in the DEIS that the Least Environmentally Damaging Practicable Alternative (LEDPA) should be determined to be the Stoughton Alternative. SRPEDD further supports the electric alternative with its lower carbon footprint and faster travel time between South Coast and Boston. | L-015.06

SRPEDD urges the Army Corps and its partners to complete the review and make the determination of the LEDPA as expeditiously as possible. The region has been working on the restoration of commuter rail service for more than two decades and we are anxious for the Corps to complete its review so that MassDOT can proceed with a financial plan and other aspects of this project. | L-015.07

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

Sincerely,

Randall H. Kunz, Chair
Southeastern Regional Planning and Economic Development District

Cc: Kristina Egan, MassDOT

Municipal Government Organizations and Elected Officials

Page	Name
1	City of Boston Environment Department
6	City of Fall River Conservation Commission
8	City of Fall River Planning Department
10	City of New Bedford City Council
11	City of New Bedford Planning Board
13	City of New Bedford Planning Department
14	City of Taunton
16	Easton Conservation Commission
17	Easton Historical Commission
18	Fall River City Councilor Raymond Mitchell
19	Norton Conservation Commission
31	Port of New Bedford Harbor Development Commission
49	Town of Canton
63	Town of Easton
70	Town of Mansfield and Mansfield Natural Resources Trust
73	Town of Norton
75	Town of Raynham Board of Selectmen
77	Town of Stoughton
113	Westport Community Schools

June 2, 2011

Richard K. Sullivan Jr., Secretary
Massachusetts Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114
Attention: Aisling O'Shea, MEPA Office

Alan Anacheke-Nasemann, Project Manager
U. S. Army Corps of Engineers, New England District, Regulatory Division
696 Virginia Road
Concord, MA 01742

Re: South Coast Rail Draft Environmental Impact Statement/Draft Environmental Impact Report

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

The City of Boston Environment Department has reviewed the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) and offers the following comments. This department comment on an Environmental Notification Form (ENF) in January 2009.

The purpose and need for the project is “to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA and to enhance regional mobility, while supporting smart growth planning [economic development and environmental preservation] and development strategies in the affected communities.” It is proposed by the Massachusetts Department of Transportation (MassDOT). This department supports the concept of rail service meeting these ends. L-087.01

The U. S. Army Corps of Engineers (USACE) is to determine if the project is water-dependent and “to evaluate if there are less environmentally damaging practicable alternatives available, taking into consideration cost, existing technology and logistics in light of the *overall* project purpose.” The USACE has determined that the project is not water-dependent and that there are practicable alternatives.

The 2009 Environmental Notification Form (ENF) described some alternatives that would use portions of existing commuter rail lines. We noted that the Attleboro/Stoughton commuter rail line Boston stops are Hyde Park, Ruggles and Back Bay on the Orange Line (passing Forest Hills station) and South Station on the Red Line. The Middleborough line stops at JFK and South Station on the Red Line, passing Andrew and Broadway stations. The Northeast Corridor Acela and Regional trains pass Green Street, Stony Brook, Jackson Square, Roxbury Crossing, Ruggles and Massachusetts Avenue stops on the Orange Line in Boston; they stop at Back Bay on the Orange Line and terminate at South Station.

The ENF indicated that the Old Colony Main Line (Middleborough) could not accommodate additional trains without significant infrastructure improvements and that the Northeast Corridor also had insufficient capacity for new service.

Alternatives 1 through 4 would require construction of a new mid-day layover facility in downtown Boston with infrastructure such as fueling stations, inspection tracks and crew quarters. Rolling stock would be maintained at the MBTA's Southampton Street facility in Boston or at the Commuter Rail Maintenance Facility in Somerville. Alternative 5 would require layover and maintenance facilities at terminal bus stations and a mid-day layover facility near South Station. There is currently no reserve capacity at South Station to meet the bus layover and maintenance need; plans for a horizontal air rights expansion of the bus terminal will result in 16 new berths. The DEIR will analyze locations for a mid-day bus layover facility and the potential use of the expanded bus terminal for layover and maintenance.

Additional information on infrastructure needs and impacts will be presented in the Draft Environmental Impact Report (DEIR).

Alternatives included in the DEIS/DEIR are:

- No-Build (Enhanced Bus)
- Commuter Rail
 - Attleboro Electric
 - Attleboro Diesel
 - Stoughton Electric
 - Stoughton Diesel
 - Whittendon Electric
 - Whittendon Diesel

The Whittendon alternatives are a variant of the Stoughton alternatives. Attleboro alternatives would require construction of a third track along the Northeast Corridor (NEC) between the Attleboro Bypass and the Readville interlocking Station. Rail alternatives would operate seven five- to eight-coach consists daily.

The Enhanced Bus alternative would operate at 15-minute headways during morning peak hours with express service from each station to Boston. It would utilize the proposed expansion of the existing South Station bus terminal from 35 to 50 bays. It also assumes the construction of seven new terminal tracks at South Station. MassDOT has filed a recent application for the tracks to accommodate existing and projected demand for commuter rail service. The expansion proposal will proceed regardless of the outcome of the South Coast Rail project.

New mid-day layover facilities for 35 to 40 train sets would be required in the Boston area. The park-and-ride Logan Express site on I-93 in Braintree has been identified as for this use. Overnight layover facilities for the rail alternatives would be located at the New Fall River/New Bedford end of the lines.

The ENF had indicated that alternatives including a Stoughton option would require construction of a new mid-day layover facility in downtown Boston with infrastructure such as fueling stations, inspection tracks and crew quarters and that rolling stock would be maintained at the MBTA's Southampton Street facility in Boston or at the Commuter Rail Maintenance Facility in Somerville. The DEIS/DEIR does not include new/additional information about maintenance and fueling and how those needs may affect Boston.

L-087.02

Commuter rail trains would be powered by electric or diesel locomotives; the Massachusetts Bay Transportation Authority (MBTA) presently operates diesel locomotives and two diesel-electric

locomotives. Electric locomotives have higher performance characteristics than diesel including acceleration and top travel speeds. A catenary is necessary to power electric locomotives.

The Stoughton Electric Alternative meets all project purpose measures to the greatest extent followed closely by the Stoughton Diesel Alternative and the Whittendon Electric Alternative. The Bus Rapid Transit would perform most poorly. The Attleboro alternatives are the least practicable. Elements affecting Boston would include:

L-087.03

- construction of a fourth track along the NEC between Forest Hills Station and Back Bay Station;
- construction of a fourth track within existing real estate on the north side of the NEC between Readville Station and Forest Hills;
- construction of a fourth track on the south side between Forest Hills and Ruggles Station/Massachusetts Avenue that would require demolition of the existing southern retaining wall and expansion of the cut section;
- reconstruction of several orange line stations;
- unspecified impacts to residents and business under the Southwest Corridor toward the Back Bay and abutting structures in the South End for utility relocation;
- removal and planned replacement of parks and other open/recreational spaces along the corridor including the Southwest Corridor Park which would lose 8.54 acres for tree to six years for construction and lose 2.85 acres permanently; and
- a cascading negative impact on the on-time performance of the entire southerly Commuter Rail system.

Construction of the fourth track would take 10 to 12 years.

Due to speed, noise impacts would be more severe with electric locomotives than with diesel. Preliminary mitigation measures would not be recommended until the final design process.

We appreciate that construction specifications will stipulate that all diesel construction equipment used on-site will be fitted with after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs) and that construction contractors will be required to utilize ultra-low sulfur diesel fuel for all off-road construction vehicles. We request that the same mitigation measures also be required for on-road vehicles on which catalysts or filters can be accommodated and that the use of ultra-low sulfur diesel fuel be required. It is essential that any plan for the prohibition of excessive idling of construction equipment engines be enforceable and that the same requirements be put into place for on-road vehicles as well. Idling restriction signage may not be sufficient for this task.

L-087.04

The ENF described vibration analyses for areas in Attleboro, Norton, Lakeview, Freetown, Canton, Stoughton, Bridgewater and Middleborough. We note again that vibration is an existing issue for some Orange Line stations and their immediate environs. They are most prominent around Roxbury Crossing, Ruggles and Massachusetts Avenue; an area of the South End has also been affected by increased sound and vibration over the past two years. No vibration measurements have been taken along Boston alignments to establish existing conditions. We believe that a baseline is necessary.

L-087.05

We had asked that the DEIR identify the number of net new trips that will be added under each rail alternative and match them to the times of existing services. The DEIS/DEIR indicates that, for purposes of comparing alternatives, headways for commuter rail alternatives were set at 40 minutes on the branches and 20 minutes on the trunk, during the peak period in the peak direction. Scheduled travel times on existing services were not altered in the comparison. The rail alternatives were assumed to provide one train every 40 minutes or three trains per peak period with a fourth train operating on the shoulder near the peak rush hour periods. During the off-peak periods six additional

L-087.06

trains would operate on a three-hour frequency from the terminal stations and ninety minutes on the trunk portion. This translates to nine round trip trains per weekday operations from each terminal station with one additional round trip from East Taunton for a total of 38 weekday trains per day. There is no information regarding the schedules of existing service in/through Boston. This is important information for assessing impacts, including vibration. It would also help to determine, in rights-of-way used by multiple rail entities that do not work cooperatively to minimize impacts, how each contributes to conditions that affect the comfort of residents.

L-087.06

The DEIS/DEIR indicates that the Least Environmentally Damaging Practicable Alternative (LEDPA) for vibration will be identified during preliminary and final design. We request that more detail about existing service and conditions and planning begin while environmental review continues.

L-087.07

We again ask for a description of the work, associated timelines and potential impacts at and around Readville station when catenary is being installed.

L-087.08

On Earth Day, 2011, Mayor Thomas M. Menino released *A Climate of Progress*, his updated Climate Action Plan. The Plan encompasses the 2010 consensus report, *Sparking the Climate Revolution*, and the recommendations of Boston's Climate Action Leadership Committee and Community Advisory Committee. The Plan includes a set of wide-ranging recommendations aimed at significantly reducing greenhouse gas (GHG) emissions and preparing for the risks of climate change in Boston and is the guiding document for climate change adaptation. It calls for reducing Boston's GHG emissions by 25% by 2020 and incorporating the potential effects of climate change in all planning and review of public and private projects. Both *Sparking the Climate Revolution* and *A Climate of Progress* can be accessed at cityofboston.gov by opening the Environmental & Energy Services site and clicking on "Climate Action."

The five overarching recommendations of the Leadership Committee are:

- reduce Boston's GHG emissions 25% by 2020;
- immediately start incorporating projected effects of climate change — particularly sea-level rise, heat waves, and more intense storms — in all planning and review for municipal and private projects;
- develop a comprehensive public engagement effort, including a public commission and strong partnerships with community organizations;
- use climate action opportunities to advance Boston's green economy and jobs goals; and
- ensure that climate action has clear public and private leadership and sufficient public and private resources.

This department appreciates the inclusion of GHG information in the DEIS/DEIR and would favor electric, rather than diesel, service. We believe that the potential for renewable energy generation and energy conservation be explored along the chosen alignment. An anticipated increase in the number of days over 90 or 100 degrees and the number of consecutive high-heat days will lead to increased stress on the electrical grid. The use of diesel-powered life-safety/emergency systems that may add to ozone pollution levels and increase the heat island effect should be minimized as feasible. Generating facilities that are capable of providing power off of the grid can help to eliminate some more polluting systems. LED lighting and other sustainable technologies and practices should be included in a plan of construction and operating standards for new service.

L-087.09

We also recommend that the multiple issues associated with climate change be considered in additional project planning. Sea level rise and an increase in the number and intensity of storms

L-087.10

resulting in the need for intensified stormwater management are only two of the challenges over the life of a transportation system.

L-087.10

Base upon the information in the DEIS/DEIR, it appears that the Stoughton Electric alternative would provide the greatest overall benefit. We hope to receive more information that would add to our understanding of the complex issues undertaken in this analysis. Thank you for the opportunity to offer comment.

L-087.11

Sincerely,

Bryan Glascock
Commissioner

South Coast Rail DEIS.DEIR, 6.11.doc.DBG:MTZ.mtz



City of Fall River
Massachusetts
Conservation Commission
One Government Center • Fall River, MA 02722
TEL (508) 324-2340 • FAX (508) 324-2531

WILLIAM A. FLANAGAN
Mayor

May 23, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
Email: SCREIS@USACE.army.mil

Secretary Richard K. Sullivan, Jr., EOEEA
Attn: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
Email: aisling.o'shea@state.ma.us

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

The Fall River Conservation Commission is writing to request that the U.S. Army Corps of Engineers endorse the Massachusetts Department of Transportation's preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative. We would further request that the U.S. Army Corps of Engineers and the Massachusetts Environmental Policy Act (MEPA) Office establish a scope of work for the Final Environmental Impact Statement/Report (FEIS/FEIR) that identifies one route – the Stoughton alternative – for further study. L-034.01

We believe that of the options under consideration, the Stoughton route offers the best balance of transportation and economic development opportunities while minimizing environmental impacts. As the document shows, L-034.02

- The Stoughton alternatives have less impact on wetlands than the Rapid Bus and Attleboro options. Of the impacts, 1.8 of the acres are in the Hockomock Swamp Area of Critical Environmental Concern and are primarily the loss of wetlands that have formed on the former rail bed. The project includes relocating a stream currently on the rail bed back to its natural channel, which will create ecological benefits. The Commonwealth has committed to constructing an elevated trestle through the swamp, which will facilitate the movement of animals across the rail alignment; L-034.03

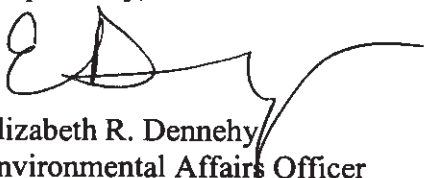
- While there are potential impacts to threatened and endangered species, the Corps lists measures to be developed in coordination with regulatory agencies to avoid, minimize and mitigate rare species impacts within the project Study Area. Mitigation for biodiversity impacts can also be included for further development in the FEIS/FEIR; L-034.04

- The Stoughton route appears to meet the project purpose with the least amount of environmental damage. Trip time is a critical consideration in determining the best alternative, and rail trip time is significantly shorter than Rapid Bus, and Stoughton straight is the fastest option. The shorter travel time will attract more riders and take more vehicles off the roads, improving regional mobility and VMT reduction. Also, the Stoughton route provides greater air quality and climate-related environmental benefits; L-034.06
- The project design includes smart growth measures that would encourage the creation of compact development zones and aid in the protection of undeveloped land, which could help to preserve the character of the South Coast; and L-034.07
- Mitigation is outlined for environmental resources, visual and noise impacts and vibration in the documents. The FEIS/FEIR should present further details for the Stoughton alternative. We encourage the agencies to work together with the Massachusetts Department of Transportation to develop a resource mitigation approach that addresses the Commonwealth and United States' specific needs but also takes a look at broader possibilities for the region that will serve to enhance important ecological functions. L-034.08

We would ask you to please consider that according to the criteria established by the Commonwealth's Executive Office of Energy and Environmental Affairs, Fall River is defined as an Environmental Justice Community. We believe that Fall River's Environmental Justice population could benefit from increased access to jobs, education and other opportunities offered by the rail project. L-034.09

In closing, we would ask you to endorse the Massachusetts Department of Transportation's preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative.

Respectfully,



Elizabeth R. Dennehy
Environmental Affairs Officer
Fall River Conservation Commission

cc: Kristina Egan, South Coast Rail Manager
Massachusetts Department of Transportation
Ten Park Plaza, Suite 4150
Boston, MA 02116-3973

via Email (05/23/11) and regular mail



City of Fall River, Massachusetts

PLANNING DEPARTMENT

JAMES K. HARTNETT
PLANNING DIRECTOR

May 23, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

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

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

I am writing to support MassDOT's preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative of LEDPA. We are also asking that the U.S. Army Corps of Engineers work with the State of Massachusetts and support -- the Stoughton alternative -- for further study. L-035.01


The Stoughton route offers the best balance of transportation, economic development and environmental impact of the options under consideration. As the document shows, L-035.02

- The Stoughton route rail trip time is significantly shorter than Rapid Bus, and Stoughton straight is the fastest option. Trip time is a critical consideration for the City of Fall River in determining the best alternative. Any additional travel time will significantly affect the use of rider ship in the Fall River area.
- Overall the Stoughton route has less impact on wetlands and the environment than the other alternatives. Stoughton also provides greater air quality and climate environmental benefits.
- The Attleboro route fails operationally, and also has a high cost per rider.
- The Whittenton alternative, does not serve the people of Fall River well. These residents would experience a longer trip (by over 10 minutes each way). This longer commute time would significantly impact the rider ship numbers of city residents.

We would ask you to please consider that according to the criteria established by the Commonwealth's Executive Office of Energy and Environmental Affairs. Fall River has the highest unemployment rate in the state and would benefit from increased access to jobs, education and other opportunities offered by the rail project. L-035.03

In closing, we would ask you to endorse the Massachusetts Department of Transportation's preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative. L-035.04

Respectfully,



James K. Hartnett
Planning Director

Cc: Kristina Egan
Director, South Coast Rail
Massachusetts Department of Transportation
Ten Park Plaza, Suite 4150
Boston, MA 02116-3973



City of New Bedford
MASSACHUSETTS

RITA D. ARRUDA
CITY CLERK

OFFICE OF THE CITY CLERK
133 WILLIAM STREET 02740-6182
TEL 508-979-1450 / FAX 508-991-6225

May 12, 2011

Mr. Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheke-Nasemann:

At a meeting of the New Bedford City Council held on April 28, 2011, the City Council voted to Adopt a Written Motion by Ward Five Councillor Jane L. Gonsalves urging that the City Council go on record in support of the South Coast Rail Project.

I am writing pursuant to that Motion to provide comments on the South Coast Rail (SCR) Draft Environmental Impact Statement/Report on behalf of the City Council. The City Council strongly supports the building of the South Coast Rail Project, which is so important to the residents of the Greater New Bedford Region. The City Council also strongly supports the Stoughton alternative with a 70 minute commute. L-026.01

The SCR project is not just about access to the Boston area, although this is vitally important to the economic recovery of the City of New Bedford, it is about connectivity and opening up a Region of the Commonwealth that is/and has been under-connected, underserved, and often simply an afterthought of this Boston-centric State for far too long. L-026.02

The SCR project offers economic opportunity to Environmental Justice communities and others, including access to educational opportunities, workforce training, and service learning, which is currently prohibited by lack of public transit to the South Coast Region. L-026.03

In addition, we are urging that the Army Corps of Engineers do not extend the comment period, as the core of the information has been available online since the Fall of 2009, and further delays will preclude us from applying for Federal funding opportunities because of the need of a permitted project. L-026.04

Furthermore, the SCR project is an issue of equity. New Bedford and Fall River are the only Cities of their size and population that do not have Commuter Rail access, yet we continue to pay taxes, thus supporting public transit for all other regions of the Commonwealth. L-026.05

In closing, I would reiterate that the SCR project is an EQUITY issue, not just a transportation issue or just an economic issue. The people of New Bedford, and the South Coast Region, deserve and demand equal access that other Regions of the State, including our opponents to the north of us, have been enjoying for decades the positive impacts that Commuter Rail has brought to their Communities. We ask for nothing more or less than that which other Communities currently enjoy and benefit from. I urge that you consider this as you make your decision.

Very truly yours,

Rita D. Arruda, City Clerk/Clerk of the City Council

cc: Jane L. Gonsalves, Councillor Ward Five
Jill MacLean, Assistant City Planner
File

MAY16'11 REC DIV



PLANNING BOARD

CITY OF NEW BEDFORD

SCOTT W. LANG, MAYOR

May 3, 2011

Mr. Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheke-Nasemann,

I am writing this letter, in my capacity as Chairman of the New Bedford Planning Board, to express my strong support for the recently completed South Coast Rail Draft Environmental Impact Statement/Report (DEIR), prepared by the Corps. This report is a most thorough evaluation of a proposed transportation initiative that will benefit New Bedford and the entire south coast.

L-013.01

Fifty years ago the intent of public rail service was simply to connect New Bedford to Boston, the recent proposed transportation initiative seeks to establish new opportunities along the entire fifty mile corridor. The proposed commuter rail service is being intentionally planned to maximize economic benefit to all thirty-one communities along it's route. This initiative overcomes long-standing environmental justice issues by re-establishing transportation equity to the south coast as other gateway communities have benefitted, statewide.

L-013.02

The DEIR examines in great detail how the most practicable environmental alternative, the proposed Stoughton Alternative, is the least damaging solution in creating job access, lessening urban and suburban sprawl and anticipating the consequences of impending climate change on a regional level. With the uncontrollable rise in fuel prices, there is no better time in American history than the present to move this transportation project forward. The corridor planning study underwent a robust civic engagement process, meeting in over one-hundred different settings while examine dozens of alternative routes, economic variables and scenarios. It appears that the Stoughton alternative has risen as the preferred, most practicable alternative, affording convenient, reliable Boston access within seventy (70) minutes.

L-013.03

New Bedford has recently completed a Comprehensive Master Plan – New Bedford 2020, adopted by this Planning Board on November 22, 2010. Consistent with this Master Plan, abundant reference to the re-establishment of commuter rail is acknowledged in the transportation and economic sections. This particular rail project will complete the City's intermodal port to rail capacity. The City has also begun a long awaited re-zoning process to become consistent with this proposed rail corridor plan.

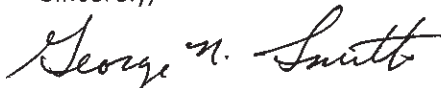
L-013.04

MAY12'11 REG DIV

On the behalf of the New Bedford Planning Board, I therefore, respectfully, urge you and the Army Corps to support this Stoughton alternative, as you continue onward towards the initiation and completion of a final EIR.

L-013.05

Sincerely,

A handwritten signature in cursive script that reads "George N. Smith".

George N. Smith, Chairman
New Bedford Planning Board



CITY PLANNING DEPARTMENT

CITY OF NEW BEDFORD

SCOTT W. LANG, MAYOR

May 2, 2011

Mr. Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheka-Nasemann,

I am writing this letter to express my strong support for the recently completed South Coast Rail Draft Environmental Impact Statement/Report (DEIR). This report is one of the most thorough evaluations of a proposed transportation initiative that I have ever reviewed in my thirty-six year career as a public service employee. L-011.01

While over fifty years ago the intent of public rail service was simply to connect New Bedford to Boston, the recent proposed transportation initiative seeks to accomplish myriad new opportunities. The proposed commuter rail service is being intentionally planned to maximize economic benefit to all thirty-one communities along this fifty mile corridor. This initiative overcomes long-standing environmental justice issues by re-establishing transportation equity between the south coast and other gateway communities, statewide. L-011.02

The DEIR examines in formidable detail how the most practicable environmental alternative, the proposed Stoughton Alternative, is the least damaging solution in creating job access, lessening urban and suburban sprawl and anticipating the consequences of impending climate change on a regional level. With the instability of oil derived transportation fuel, there is no better time in American history than the present to push ahead this transportation project. L-011.03

The corridor planning study underwent a rigorous civic engagement process, meeting in over one-hundred different settings to examine dozens of alternative routes and scenarios. It appears that consensus has it that the Stoughton alternative has risen as the preferred, most practicable alternative, affording Boston access within seventy (70) minutes. New Bedford has begun a long awaited re-zoning process to become consistent with this proposed rail corridor plan. L-011.04

I therefore, respectfully, urge you and the Army Corps to support this Stoughton alternative, as you continue onward towards the initiation and completion of a final EIR. L-011.05

Sincerely,

David A. Kennedy
City Planner

MAY 5'11 REG DIV

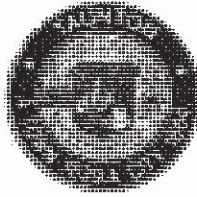
City of Taunton

Office of the Mayor

Charles Crowley
Mayor

Gill E. Enos
Budget Director

Todd Castro
Assistant to the Mayor



15 Summer Street
Taunton, MA 02780
Tel. (508) 821-1000
Fax (508) 821-1005

May 5, 2011

Richard K. Sullivan, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office : Aisling O'Shea
100 Cambridge St., Suite 900
Boston, MA 02114

Dear Director,

As Mayor of the City of Taunton, I, along with the unanimous support of the several editions of the Taunton Municipal Council have enthusiastically supported the direct Stoughton Route that will provide rail service to our community and to the South Coast region in a more timely and cost effective manner. The direct Stoughton Route will travel south from Boston through the communities of Stoughton, Easton and Raynham over the same railroad bed that had been used by passenger trains over 150 years ago. Once entering Taunton, the trains will stop at a station planned along Dean Street (Route 44) where my administration has designated and endorsed a Transit Oriented District (T.O.D.) The trains would continue southward through Taunton to another station planned behind Depot Drive near the intersection of Route 140 and Route 24. The route would have only five (5) at-grade crossings through its entire length through Taunton. The direct Stoughton Route provides for the quickest route between the South Coast communities and Boston and it would provide, according to the studies, the highest ridership.

L-016.01

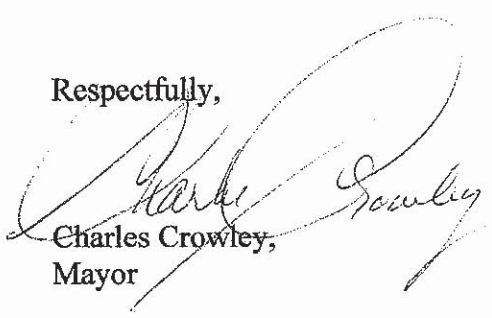
The citizens of Taunton through their elected representatives have gone on record as in favor of the direct Stoughton Route, and they have also gone on record as emphatically opposed to the Attleboro Route as well as the Whittenton Alternative Route, as those options would provide from fourteen to fifteen (15) at-grade crossings within our community, and effectively cut off public safety operations within our community. The Attleboro Route and the Whittenton Alternative Route would also cause the trips between Boston and the South Coast communities to be longer and less cost effective. The Attleboro Route as well as the Whittenton Alternative Route would cause the trains to run through our heavily congested residential area where the houses are right up against the tracks. The noise mitigation measures that would be necessary would also add to the costs of this route.

L-016.02

Attleboro officials have long contested that route for environmental reason. My administration with the unanimous support of the Taunton Municipal Council in Taunton has worked closely with the Selectman of Dighton and Norton to endorse the application Three Mile River Area of Critical Environmental Concern (A.C.E.C.), which was recently adopted by the Commonwealth of Massachusetts. The Attleboro Route runs directly through this A.C.E.C. L-016.03

On behalf of the citizens of Taunton, I want to express our sincere and emphatic support for the direct Stoughton Route that will provide the highest ridership, the quickest trip from the South Coast to Boston, and provides the least impact to our citizens. I believe the only intelligent choice is the direct Stoughton Route. I look forward to see that route adopted and for our community to become the gateway to the South Coast.

Respectfully,



Charles Crowley,
Mayor

From: Anacheka-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:06 AM
To: SCREIS, NAE
Subject: FW: SouthCoast Rail DEIS (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

From: Danielson, Stephanie [mailto:SDanielson@easton.ma.us]
Sent: Friday, April 01, 2011 1:51 PM
To: Anacheka-nasemann, Alan R NAE
Subject: SouthCoast Rail DEIS

Dear Alan,

On behalf of the Easton Conservation Commission, we respectfully request more time to review the SouthCoast Rail DEIS and submit comments. As you know the DEIS is over 2,500 pages with a great deal of technical information to review and analyze. It is not possible to complete a thorough review in only 60 days. Therefore, we ask that you grant an additional 60 days for the comment period.

E-006.01

Sincerely,

Stephanie Danielson
Land Use Planner

Department of Planning & Community Development
Town of Easton
136 Elm Street
Easton, MA 02356
508.230.0641

Help make the earth a greener place. If at all possible resist printing this e-mail and join us in saving paper.

Classification: UNCLASSIFIED
Caveats: NONE

TOWN OF EASTON
HISTORICAL COMMISSION



May 4, 2011

The Easton Historical Commission vehemently opposes the proposed commuter rail service through our town for many reasons, including its negative impact on numerous historic districts and sites. L-014.01

The proposed route will bisect the North Easton Village National Register District, the Richardson National Landmark District, and the Ames Local Historic District. Its proximity to these districts, as well as their associated buildings, will cause irreparable harm to them. The project is ill-conceived on many levels. History cannot be mitigated. L-014.02

The promised increase in revenue to local towns will not happen. How many people south of Raynham commute to Boston daily? The Taunton bus that transported folks from Fall River to Boston was cancelled due to lack of ridership. Do people from Fall River or New Bedford want to commute 1 ½ hours each way, every day, to go to work? A 2009 report based on federal census data showed that only 1.4% of the Fall River workforce took public transportation to work. Are the people who make up their above-average unemployment rate qualified for and able to afford the trip into Boston for jobs which don't even exist? L-014.03

Using Brockton as an example: With three commuter stations, where are the promised mixed-use developments that the state predicted would magically appear around them? Associated data there shows that their residents' use of public transportation has not increased since the stations were built in 1997. The city's crime rate has increased. Could there be a connection? L-014.04

There are also a myriad of safety issues regarding grade crossings, a severe lack of safe and adequate parking, and permanent damage to the Hockomock Swamp to consider as well. L-014.05

The whole idea is a bad one. Not enough people will use this rail line, it will cost billions that we don't have (funneling money from other pressing needs for repairs to roads and bridges and funding our schools), and it will create more unfunded maintenance costs. Additionally, the damage to local, state, and national historic sites will be devastating. Once our history is gone, it's gone. L-014.06

We urge you to reconsider this proposal and spare Easton and our neighbors from the costs and devastation to our history, environment, and communities. L-014.07

Melanie-Jane Deware
Chairman

Melanie Deware, Steve Donahue, Paul Fitzpatrick, Edmund Hands, Tim Hurley, Greg Strange, John Ventresco



Raymond A. Mitchell
City Councilor

City of Fall River Massachusetts

May 26, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

email: SCREIS@USACE.army.mil

Dear Mr. Anacheke-Nasemann:

I would like to take this opportunity to express my support for the proposed South Coast Rail Project. This project will bring many opportunities to the residents of Fall River. Not only by allowing convenient, low cost travel options to Boston without driving, but it will also allow more employment opportunities for our residents. L-057.01

I believe that the proposed South Coast Rail Project is greatly needed by our citizens. It will allow our community easy access to jobs and services available in the Boston area. In closing, I would just like to offer my support of this great opportunity for our City.

Very truly yours,

Raymond A. Mitchell
Raymond A. Mitchell
City Councilor

/ct



Norton Conservation Commission

70 East Main Street

Norton MA 02766

508-285-0275

508-285-0277 fax

conservation@nortonmaus.com

May 26, 2011

Secretary Richard K. Sullivan

EOEEA

Attn: MEPA Office (Aisling O'Shea), EEA no. 14346

100 Cambridge Street, Suite 900

Boston MA 02114

Alan Anacheka-Nasemann, Project Manager

ACOE, NE District, Regulatory Division

RE: NAE-2007-00698

696 Virginia Rd

Concord MA 01742-2751

RE: EEA no. 14346 and NAE-2007-00698, the South Coast Rail Project

Dear Secretary Sullivan and Mr. Anacheka-Nasemann,

The Norton Conservation Commission has reviewed the Draft Environmental Impact Statement (DEIS)/Draft Environmental Impact Report (DEIR) for the South Coast Rail Project, EEA no. 14346 and NAE-2007-00698. We strongly agree with the MassDOT's assessment that the Attleboro Alternative is the least practicable of the Alternatives and should be eliminated from further consideration. We offer the following comments:

L-049.01

1. In the Mitigation Section, under Vibration Dampening, existing rail bed materials replaced for vibration transmission should be properly and completely removed from the sites. In the past, rail ties have been left and dumped in wetland areas adjacent to the rail line. The project must ensure that rail ties will not be dumped into Wetland Resource Areas. Section 4.12.4.3 should be expanded to clearly state the method of removal rather than stating the generic "disposed of in accordance with applicable regulations" phrase. Under Visual Screening, internal landscaped areas should include native vegetation where feasible and not include any species listed by the Invasive Plant Atlas of New England (IPANE).

L-049.02

L-049.03

2. Additional potential vernal pools identified by NHESP and SCR proponents should be completed as described on page 4.14-28 in the Attleboro Secondary. Two field-verified vernal pools are mentioned in the text but not illustrated as vernal pools in the Figures. Vernal pools ATA-03 and ATA-13 should be illustrated as vernal pools in all Figures. SCR should confirm that impacts to the buffer to these two vernal pools have been evaluated.

L-049.04



Norton Conservation Commission

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conservation@nortonmaus.com

3. On page 4.14-57, SCR acknowledges tracks and rail road ties prevent amphibian, reptile and small mammal migration, except through culverts but, some of the culverts in the Attleboro Secondary are too small to allow amphibian, reptile and small mammal crossing, and may act as a barrier, particularly along the section with Wading River on both sides of the tracks in Norton. This area should be evaluated for wildlife crossings. L-049.05
4. Wildlife crossings, under-rail troughs and underpass locations should also be reviewed with the local Conservation Commission to ensure that they are appropriately placed. SCR should utilize skilled trackers to evaluate track, scat and sign for the most biologically appropriate and cost effective location for the crossing. The drift fences to funnel animals into the tunnels would have to be regularly maintained if made out of drift fence material. SCR should consider constructing them with a more permanent material like that proposed for the wingwall guides if appropriate and approved by NHESP. The requirement for such wildlife corridor crossings should be for common wildlife as well, not just state-listed species. Spotted turtle should receive special attention in the Attleboro Alternatives so that the species doesn't become threatened due to the increase in trains. The new Attleboro Bypass is proposed through undeveloped land and should include wildlife crossing features and nesting sites. There is a gravel pit area west of Chartley Pond in Norton (in Figure 4.15-4a Title 2) that may be suitable for turtle nesting restoration sites. The DEIS/DEIR acknowledges that the Gilbert Street Rear in Mansfield (wetland MMA-22) and Medeiros land in Norton will become segmented for wildlife and must provide a wildlife crossing area to prevent species isolation. L-049.06
5. Vegetation Management Plans and Yearly Operating Plans should be updated for the powerline easement and the railroad, and submitted to the local Conservation Commission for review to ensure items such as post-construction maintenance of drainage swales is included. L-049.07
6. The third track for the Northeast Corridor would require earthwork for the expanded railbed, three-track catenary supports with wires along the length of the line, reconstructing three existing train stations and reconstructing 22 bridges, which will have direct impacts to four historic bridges and indirect noise and contemplative impacts to four historic resources. Archaeological reconnaissance surveys have not been completed in these locations despite the documented potential for unrecorded sites in sensitive areas. Please require these surveys be done. Copies of archaeological surveys should be submitted to the local conservation commissions, historic commissions and boards of selectmen or city council. L-049.08



Norton Conservation Commission

70 East Main Street

Norton MA 02766

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conservation@nortonmaus.com

7. The Attleboro Secondary will pass through 4.3 miles in Norton containing five resources recommended for eligibility on the National Register listing including the Wading River area, Chartley Area, Taunton Copper Works, William M. Sturdy House No. 1 and William M. Sturdy House No. 2. The Barrowsville station is within two of these resources. The Attleboro Secondary will have direct impacts to 8 historic properties and indirect and potential adverse impacts to 70 historic properties including grade crossings at Union Rd, South Worcester St, and John Scott Blvd; the Wading River Area and the Chartley Area; and the William M. Sturdy House in Norton, that should require sound insulation and mitigation barriers utilizing methods described in the Mitigation Section (4.8.5.3). The Attleboro Bypass route is assessed for moderate to high archaeological sensitivity for pre-contact/contact Native American habitation and resource procurement/processing sites and post-contact Euro-American agrarian-related cultural deposits, including the Barrowsville station location. Severe noise impacts to historic properties are expected and should require soundproofing and noise mitigation. An intensive whole site excavation-type archaeological survey should be required for portions of this route as it passes through the Three-Mile River ACEC due to expected Native American resources. L-049.09
8. Figures 4.15-3b through 4.15-4a appear to be incorrect with respect to the southern-most portion of the maps and contain a portion of Dedham/Westwood/Norwood section of Figure 4.15-3a. This should be corrected to view the actual maps as intended. L-049.10
9. Please clarify whether or not the Attleboro Secondary will be reconstructed along full length of track or just in certain portions. L-049.11
10. Mitigation for the Attleboro Alternatives is required for 20.56 acres of wetland alteration. SCR proposes a watershed approach using the Watershed Plans rather than compensate within the same general area of the waterbody or reach to be altered. This approach may be reasonable, *provided* filling of wetlands does not create a local flooding problem. Should proposed wetland alteration contribute to local impacts of flooding, please require floodplain compensation or wetland restoration in those local areas rather than through a wetland banking program. Impacts to homes and businesses should be reduced as much as possible. Local officials should provide input regarding which locations may result in flooding impacts on surrounding homes and businesses. SCR should work closely with local Conservation Commissions to ensure that flooding of abutting properties does not increase as a result of this project. Similarly, vernal pool alteration is proposed and it is assumed that replication would be done on a watershed scale rather than replicated near the fill location. SCR could provide upland protection through fee simple acquisition or conservation restriction, of existing vernal pools along the route that will not be altered as part of the compensation. L-049.12



Norton Conservation Commission

70 East Main Street

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11. On page 4.16-119 under "Bank", SCR states that wildlife habitat evaluations will be completed to guide mitigation decisions. Please require wildlife habitat evaluations for the portions of the track that will fragment locally important wildlife habitats, such as BioMap Cores and Supporting Landscapes, areas of locally known wildlife migration routes and the entire length of the new tracks for the Attleboro Bypass. Rather than solely using Appendix B of the Massachusetts Wildlife Habitat Protection Guidance for Inland Wetlands (DEP, March 2006) in those evaluations, require the inclusion of skilled trackers (such as those with a Cybertracking Certification) to evaluate the track, scat and sign of local wildlife along the train routes. Inclusion of this important information will facilitate identifying the most appropriate locations for the placement and sizing of wildlife crossing structures. Please require that adequate funding be available for the maintenance of such structures should they require on-going maintenance and require the review of Operation and Maintenance Plans for the train route to ensure maintenance of these structures is included. L-049.13
12. Please require that any culvert repair, replacement or new construction associated with the train routes take into consideration the most accurate rainfall data for sizing purposes. Rainfall amounts should be taken from the Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada¹ known as the "Cornell data". Use of the Cornell Data for rainfall amounts will ensure that the culverts/bridges etc. are properly sized for the rain events we currently receive and will ensure a long-term success of operation with projected climate change models for increases in rate, intensity and duration of storm events. Please also require the use of the Cornell Data in sizing storm water basins at the station locations. L-049.14
13. When each culvert is evaluated for replacement, SCR should re-evaluate the need for wildlife crossings. Page 4.16-96 says "where possible, culverts would be replaced to meet stream crossing standards". How will that be determined and by whom? It should be evaluated and coordinated with the local conservation commissions as well as the ACOE and NHESP. L-049.15
14. All storm water discharges for the Attleboro Secondary are in Norton and all receiving waters are on impaired water list. While this is already an active rail line, there currently isn't any storm water management. SCR should provide treatment to extent practicable and at a minimum improve existing conditions on all portions of the existing track where work is to be done. L-049.16

¹ Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada. Daniel S. Wilks and Richard P. Cember. Cornell University, Publication No. RR 93-5. September 1993 and the beta website.



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15. Maintenance of tracks, country-style drainage swales, filter fabric at ballasts to capture grease-inspection must be incorporated into an Operation and Maintenance Plan that addresses the regular maintenance, repair, replacement, and disposal. | L-049.17
16. Is there an opportunity to use solar power at the traction power stations? | L-049.18
17. Norton has three ACECs; the Hockomock Swamp ACEC; the Canoe River ACEC and the Three-Mile ACEC. Storm water management projects in Norton within an ACEC have typically infiltrated as much post-development storm water as the soil can hold regardless of the minimum requirements of DEP. Project proponents have also provided a minimum of 93% TSS removal rates within their proposed storm water systems. Proposed work in Norton within an ACEC should comply with these local standards. | L-049.19
18. Public and private protected land sections of the DEIS/DEIR still do not appear to identify the lands with Conservation Restrictions that may be impacted by the rail alternatives. There are conservation restricted lands directly adjacent to the Attleboro Secondary in Norton. Protected open space layers are still inaccurate on plans (figures 4.14). Please update those Figures identifying the location of CRs and update Open Space data layers. Please include a description of any other action that needs to be taken if there is an additional conversion of protected land as a result of the map inaccuracy. | L-049.20
19. The Attleboro Alternatives would convert 8.93 acres of permanently protected land to another use with an Article 97 conversion. The DEIS/DEIR incorrectly states on page 4.10-40 that access to protected land would not be significantly impacted. The Conservation Commission and Land Preservation Society of Norton (LPS) should be allowed the opportunity to determine if the impacts to their properties will be significant. For instance, most residents access Chartley Pond at the railroad crossing on Union Ave and proposed alterations to the at-grade crossing are likely to alter that access, and is likely to be significant. Similarly, access to the LPS land is typically along the powerline on Richardson Ave. | L-049.21
20. Page 4.10-31 states that Barrowsville Pond Conservation Area and Lion's Park Ball Field would not be "substantively impacted by development of the Barrowsville Station" but does not identify the potential or the direct/indirect impacts. These must be identified. The Conservation Commission should have the opportunity decide if the proposed impacts will be "substantive" to their own property, based on local concerns at the local level. | L-049.22
21. The proposed public land alterations to 3.34 acres in Mansfield on Gilbert Street Rear would include potentially significant barriers to wildlife migration and impacts to | L-049.23



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- vernal pool species. The Article 97 conversion should include a sizeable replacement area within the same wetland/upland area. Also, the 0.65 acres of Land Preservation Society Land at the Medeiros Preserve should also be replaced in the immediate vicinity and provide a connection to other protected land as an alternate wildlife migration route to prevent fragmentation and species isolation in this northwestern portion of Norton. L-049.23
22. Mitigation measures for the Attleboro Alternatives (page 4.10-56) do not identify the 0.02 acres of public land on the Three-Mile River in Norton that will be converted as listed on page 4.10-63 or 0.65 acres of LPS land for mitigation and should be added for mitigation. These parcels should be identified and listed for mitigation. L-049.24
23. An inaccurate timeline for Shpack Superfund site clean-up is described on Page 4.12-8. The clean-up of the radiological materials is scheduled through 2011 not 2010. Also, this portion of the clean-up only encompasses the work done by the ACOE. The EPA and PRPs still need to finalize the chemical and materials clean-up. This work has not yet begun and will extend well past the 2010 clean-up date projected in the DEIS/DEIR. The conclusion of a "low potential impact" should be re-evaluated and discussed in further detail on page 4.12-43. The Shpack site fits more closely with the "high potential impact" due to the changing site use and conditions, future clean-up and wetland restoration activities, construction activities and remediation activities. The site will also have ongoing monitoring and assessment. L-049.25
24. The route taken for the materials removal from Shpack is via Union Road over the railroad tracks, at the at-grade railroad crossing. This portion of Union Road is lower than the surrounding wetlands and has been documented as a high turtle mortality area of Norton due to roadkill. Should SCR need a restoration project for the Attleboro Bypass, wildlife crossings to allow reptile and amphibian migration between the wetlands should be considered a reasonable and viable option. L-049.26
25. Screening methods of soils excavated for the Attleboro Bypass near Shpack should be more specific and include methods for radiological contamination screening (Page 4.12-55). L-049.27
26. Attleboro Alternatives include impacts to habitat for nine state-listed species. Box turtle habitat altered at the Barrowsville Station site should be replicated. The discussion of alteration of rare species habitat for the Three-Mile River should be expanded. SCR proponents must ensure that there is adequate funding for the daily monitoring proposed in section 4.15.3.4 and provide measures to ensure that the erosion and sediment controls established during construction are actually removed at the end of the project and will not create a new barrier to wildlife movement. SCR should confirm with NHESP that there are no new Priority Habitat areas along the L-049.28



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- approved route prior to construction and provide the necessary documentation and avoidance and mitigation measures; two new Wood Turtle records have been accepted by NHESP in the Three-Mile River near the bridge replacement area this year. L-049.28
27. The description of Three-Mile River on page 4.17-17 is incorrect. The Three-Mile River starts in Norton and *then* runs through Taunton. The surface water category should be updated to clarify this too. L-049.29
28. Chapter 91 absolutely takes jurisdiction over waters navigable waterway by canoe or kayak and applies to the Three-Mile River. This section near the bridge is navigable by canoe and kayak. The Open Space Committee has sponsored trips along this reach of the river in the past. L-049.30
29. The proposed construction at the Barrowsville station site would alter bordering vegetated wetland and a stream for access to the site. There is an Order of Resource Area Delineation for the wetland boundary and an Order of Conditions (OOC) for a residential development on the property. The bvww and stream have been altered and the OOC requires restoration of the altered resource areas. SCR should coordinate with the local Conservation Commission to ensure that the plans contain a restoration designs for altered wetlands and stream as part of the approval process before the Commission for the construction of the Barrowsville Station. L-049.31
30. There are two certified vernal pools on the second parcel of the permitted project at the proposed Barrowsville Station location (SCR proposes to use only one of the parcels). Impacts to the buffer zone and critical terrestrial habitat are likely to impair obligate, facultative and common vernal pool species' migration, cover, foraging, nesting and overwintering habitat. SCR may consider permanently preserving the second parcel as a local restoration project for the Attleboro Secondary. L-049.32
31. The Barrowsville Station location is assessed for moderate to high archaeological resources and should have an intensive archaeological survey conducted prior to local permitting. Copies of the survey should be submitted to the Conservation Commission and Norton Historical Society. L-049.33
32. Barrowsville station has 3.53 new acres of impervious cover and 339 parking spaces. It should be considered a LUHPPL. Please require that only non-sodium based de-icers are used at the station. L-049.34
33. Responses to the comments for the ENF are not readily found in the DEIS/DEIR as described in Volume I: DEIS/DEIR Text. Appendix 8.2-A was not included in the copy I received. L-049.35



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The Attleboro Alternative requires 18.7 new miles of track to construct a third rail to the Northeast Corridor; 2.8 miles of a two-track railroad in a new right of way for the Attleboro Bypass within the National Grid electric transmission easement, requiring new construction of catenary supports and wires along the entire length as well as a traction power facility and new two at-grade road crossings; and another 9.7 miles of track revisions to the existing track, two new stations including one in Barrowsville in Norton, new traffic lights and sidewalks, and new power stations, one at Meadowbrook Pond in Norton, for the Attleboro Secondary.

The Attleboro Alternatives do not further the stated purposes of the project due to the increase in construction costs, travel time to get into Boston and the greater amount of wetland alteration and environmental impacts than the other route options. For the following reasons, we believe that the Attleboro Alternative is not the Least Environmentally Damaging Practicable Alternative (LEDPA) and should be removed from further consideration:

L-049.36

- Construction impacts of the Attleboro Alternative include disruption of business, loss of revenue and economic opportunity, noise, dust, and disruption of traffic flows. The Attleboro Alternatives:
 - have the highest lost property tax revenue of \$81,332.57 per year in 2009 dollars; and will have a significant impact on municipalities already experiencing losses in local aid;
 - will displace six residences and six local businesses;
 - have the highest capital cost and highest cost per rider; and
 - will take the longest amount of time for construction, nearly twice as long.
- An indirect impact of the train is loss of wetland for new residential growth.
 - the Attleboro Alternative expects an additional loss of 13.41 acres of wetland for residential construction
 - the acres of decreased value show the Attleboro Alternative has a higher biodiversity impact than the other routes, in 138,496 acres of land
 - the increased water demand of 12,828,725 gallons per household is also higher than the other routes
 - there will be more greenhouse gas emissions with the Attleboro Alternative than the other alternatives. Attleboro has more vehicle miles travelled per day
- The Attleboro Alternative would operate on a poor on-time performance and negatively impact the performance of the other train lines.



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- Compared to the Stoughton and Whittenton Alternatives, the two Attleboro Alternatives (Electric and/or Diesel) have the: L-049.36
 - most costly construction estimates and highest cost per rider (\$2.01 billion vs. \$1.88 billion and \$1.81 billion²);
 - longest construction time (7 years vs. 4 and 3 years);
 - most residences and businesses to be displaced (6 residences vs. 4 and 3; 6 businesses vs. 4 and 4);
 - most lost property tax revenue (\$81,333.00 vs. \$71,099.00 and \$59,614.00);
 - most moderate and severe impacts from noise (1730/469 # of sensitive receptors vs. 1320/408 and 1409/417);
 - most direct and indirect (visual and noise) impacts to historic resources (8 direct/32 indirect visual/5 indirect noise vs. 6/24/0 and 7/31/2);
 - most impacts to high and moderate sensitivity archaeological areas (5/4 vs. 2/3 and 2/2);
 - most land acquisition and conversion from protected open space, by nearly four times (8.93 acres vs. 1.69 and 1.24);
 - The Attleboro Bypass requires acquisition of public and private land totaling 15.66 acres from 30 separate parcels³. Public land in Norton would need to be purchased, resulting in Article 97 conversions.
 - most upland habitat loss, primarily associated with the construction of the third track in the Northeast Corridor, (190.86 acres vs. 182.27 and 187.98);
 - An additional 20.27 acres of wildlife habitat for the rail improvements along the Attleboro Bypass and 0.42 acres of wildlife habitat would be lost for the power substations. The Bypass would create a significant barrier to amphibian movement between vernal pools and upland habitat with loss of genetic diversity from the habitat fragmentation. Edge effects and barriers to wildlife movement along the Bypass would also prevent migration along the dirt powerline corridor between privately protected open space in Norton, Mansfield and Attleboro.

² All amounts quoted in this section were taken from the Executive Summary dated February 2011, Table 1-10 Summary of Direct Impacts.

³ These quantities do not match the Executive Summary Table 1-10 but were taken from Volume 1: DEIS/DEIR Text dated February 2011.



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L-049.36

- An additional 33.17 acres of wildlife habitat for the rail improvements and 0.14 acres of wildlife habitat would be lost for the power substations⁴.
- CAPS data show three times more direct losses in the Attleboro Alternatives than any other Alternatives (Page 4.14-99). The 31.2 miles of new track would bisect Priority Habitat and further fragment wildlife corridors created by permanently protected land pieced together by the Towns of Norton, Mansfield and Attleboro, and the Land Preservation Society of Norton, Mansfield Natural Resources Trust, and the Attleboro Land Trust. Canopy gap in new double and single track sections is anywhere between 40-80 feet for single track improvements to 80-120 feet for triple tracks construction. Norton's CAPS maps show significant loss of ecological integrity.
- most wetland habitat losses (20.56 acres vs. 11.86 and 10.34);
- most the vernal pool losses (5.36 acres vs. 1.77 and 1);
 - Attleboro Bypass would fill 2.81 acres of wetland with three vernal pools, loss of 3.37 acres of upland habitat for 7 vernal pools within 100 feet, and loss of 12.4 acres of upland habitat for 16 vernal pools within 750 feet.
 - The Attleboro Secondary would also require fill of wetlands containing vernal pools with an estimated loss of habitat of 0.73 acres, 0.90 acres of upland habitat loss of 4 vernal pools within 100 feet, and 7.14 acres of habitat of 44 vernal pools within 750 feet.
- most wetland edge impacts by nearly three times (15.85 acres vs. 5.46 and 5.45);
- most total wetland impacts in acres (20.56 acres vs. 11.94 and 10.34);
 - The Attleboro Alternative will alter 20.56 acres of federally regulated wetland, 240 linear feet of bank, 18.07 acres of BLSF and 62 locations of riverfront area. Overall wetland alteration in the Attleboro Alternatives is listed as 2.1 acres just along the Northeast Corridor and 0.42 acres within the Three-Mile River ACEC.
 - The 4.71 acres of bordering vegetated wetland (bvww) alteration for the new Attleboro Bypass will occur in undisturbed areas and will have more direct impacts as well as buffer impacts.
 - Thirty-six wetlands are found along the Attleboro Secondary route in Norton, with six stream crossings, five of which are perennial. The Attleboro Secondary would permanently alter 0.71 acres and temporarily alter 1.05 acres of bordering vegetated wetland. It will also permanently alter 3.64 acres and

⁴ *ibid*



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temporarily alter 0.94 acres of Bordering Land Subject to Flooding; and permanently alter 0.47 acres of and temporarily alter 0.57 acres of Outstanding Resource Waters. Temporary alteration to bank is expected to be 448 linear feet. The assessment of direct wetland impacts should be evaluated with the final route selection.

L-049.36

- most total wetland impacts within ACECs in acres (2.59 acres vs. 1.72 and 1.72);
 - Vernal pool habitat within the Three-Mile ACEC (0.12 acres), 0.54 acres of buffer habitat and 3.70 acres of upland habitat would be altered.
 - A total of 0.89 acres (and 1.43 acres-temporary) of BVW, 0.42 acres (0.67 temporary) will be in the Three-Mile River ACEC for the Attleboro Secondary; 4.14 acres (1.10 temporary) of BLSF, 23 stream crossings (5 perennial), 1 CVP, 4 PVP and 3 field-verified VPs consisting of approximately 0.49 acres (0.67 temporary) of ORW alteration is proposed with this project.
 - Wetlands within three ACECs and 5.34 acres of Outstanding Resource Waters will be impacted.
- most impacts to Outstanding Resource Waters (ORWs) (5.34 acres vs. 1.71 and 0.95);
- greatest number of proposed storm water discharges to waterbodies both for ACECs and non-ORWS;
- most habitat fragmentation, resulting from 2.8 mile Attleboro Bypass;
 - Two BioMap Core habitat areas would be altered in Norton along the Three-Mile River and ACEC. Similarly, two locations of Living Waters in Norton would be altered with new bridges. Bridges would have to be constructed to prevent negative impacts to fisheries or flow of water. Temporary impacts to terrestrial and aquatic wildlife would be severe in the undeveloped sections. Mitigation should be required. Construction should be avoided during the breeding season (April through June) in Attleboro Bypass, as proposed, and portions of the Attleboro Secondary within the Three-Mile River ACEC. Turtle gates and wildlife underpasses should be employed along the Attleboro Bypass and portions of the Attleboro Secondary near the Wading River and the Three-Mile River BioMap core areas. Replacement habitat should be incorporated into the plans for the Attleboro Bypass and Attleboro Secondary within the Three-Mile River ACEC.
- the most construction in drinking water protection areas;
- the most discharges to a drinking water protection area; and



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- potential to impact 22 public water supply wells, including 6 in Zone I.
- The Attleboro Alternatives will impact 17.5 acres of designated farmland, with 7.1 acres of farmland soil to be converted in the Attleboro Secondary. Farmland soils in Norton at the Barrowsville Station include unique farmland soils and farmland soils of statewide importance.

L-049.36

Greater access to and use of public transportation, such as this proposed rail project, will provide a significant benefit to Massachusetts in terms of reducing emissions from the number of single-passenger commuter cars, bringing us closer to the goals of the Massachusetts Clean Energy and Climate Plan for 2020. While some riders may not take the train the entire route into Boston, many may find job opportunities at other stops along the route and will help stimulate our local economies and reduce unemployment. We are encouraged by the inclusion of LID techniques proposed for stations, including infiltration, permeable pavement and rain gardens.

L-049.37

L-049.38

The Norton Conservation Commission reiterates its support of removing the Attleboro Alternative from further consideration. Thank you.

Sincerely,

David Henry,
Chairman

CC: VIA EMAIL:

Kristina Egan, MassDOT

Lisa Standley, VHB

Eric Hove and Nancy Farrell, Regina Villa

Stephen Smith, SRPEDD

Michael Yunits, Town Manager

Heather Graf, CCAST

Frances Shirley, Land Preservation Society of Norton

Elizabeth Leidhold, Mansfield Conservation Agent

Ruth Goold, Norton Historical Society VIA REGULAR MAIL



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

May 26, 2011

Dear Mr. Anacheke-Nasemann and Secretary Sullivan,

I am writing today in support of the South Coast Rail project and the Environmental Impact Statement that is currently being commented upon. To benefit freight and passengers, uncongested access to the Boston area is important. Therefore, the Port of New Bedford prefers the Stoughton route above the Attleboro alternative.

F-006.01

The benefits of moving freight and people by train are substantial. A train can move freight more efficiently, reducing fuel consumption and greenhouse gas emissions.

F-006.02

The South Coast Rail project will provide and update a crucial link to the Harbor Development Commission (HDC) of New Bedford, where I serve as the Executive Director. This rail link will give the port an ability to move freight from vessels to rail, with the potential of taking thousands of trucks off of local roads. The savings in road maintenance and fuel consumption will be substantial.

The South Coast Rail project will also restore passenger rail transportation from South Station in Boston to the South Coast of Massachusetts, catalyzing nearly half a billion dollars in economic development every year. The cities of Taunton, Fall River and New Bedford are the only cities within 50 miles of Boston that are not served by commuter rail.

F-006.03

In the interest of understanding the importance of rail and freight to the Port of New Bedford, the HDC commissioned a study (enclosed), which was released in April, 2011. It is important to keep freight in mind as part of the review and assessment process.

F-006.04

Thank you for your consideration in this matter. If you have any questions, do not hesitate to call my office at 508-961-3000.

Sincerely,



Kristin Decas

Executive Director

New Bedford Harbor Development Commission

CC:

Mayor Scott W. Lang, City of New Bedford.

Ned Codd, MassDOT

Kristina Egan, MassDOT

Matt Morrissey, NBEDC

Louis Elisa, Seaport Council

Ellen Cebula, Seaport Council

Jill McLean, City of New Bedford

David Kennedy, City of New Bedford

HDR Corporation

April 29, 2011

PORT OF NEW BEDFORD MASSACHUSETTS



FREIGHT RAIL CONNECTIONS

Excerpts from the New Bedford Business Development
Study

HDR Corporation

HDR Corporation

April 29, 2011

Freight Rail Connections

One of the most critical elements that differentiate small to medium niche ports from each other in the competitive regional market is their ability to offer a wide range of cost effective and efficient land based transportation services. This includes competitive truck and rail service providers, efficient road access and freight rail with efficient connections to the national rail system. Larger ports because of higher volume throughputs, and subsequent higher revenues, are able to maintain and improve these services because of the capability to handle large amounts of cargo cost effectively to and from waterfront facilities. Smaller ports face pressure to redevelop rail properties as communities abandon port activities in favor of less-industrial economic development. Many ports have seen the erosion of freight rail infrastructure in favor of commercial development, recreational use of right of ways for trails or the development of commuter services. This erosion of freight rail infrastructure has contributed to the loss of port activity and opened the door to increased gentrification around marine facilities. This has reduced the competitive opportunities for several commercially viable seaports.

New Bedford has freight rail access and a pending rail improvement project that should benefit the local economy. The New Bedford Freight Rail Yard and proposed Transportation Center collectively constitute the primary rail facilities in the Port district of New Bedford. The Massachusetts Bay Transportation Agency (MBTA) has plans to develop the western side of the current New Bedford Rail Yard site as a passenger station and layover yard for MBTA commuter trains as part of the MBTA's South Coast Rail project, which entails the extension of commuter rail to New Bedford and Fall River. The passenger facility is sometimes referred to as the "Whales Tooth" facility. In addition to the station, the MBTA intends to create an adjacent parking lot.

The Commonwealth recently completed the "First Taking" segment of a transaction between the Commonwealth of Massachusetts and freight railroad CSX. In that transaction, certain property along the eastern side of the current yard has been designated for freight purposes. The designated properties include serving yard tracks and connections to:

- The Teant Track site owned by the City of New Bedford,
- The Environmental Protection Agency's (EPA) dredged material handling site along Herman Melville Blvd.,
- Rail access to the former Revere Copper facility,
- Rail access to the Maritime Terminals, and
- Developable property along Herman Melville Blvd, retained by CSX.

In addition to the designated freight only facilities in New Bedford Yard, the serving freight railroad (Massachusetts Coastal Railroad, or "Mass Coastal") can access customers at and around Nash Road, and the New Bedford Industrial Park off Braley Road. While the New Bedford Yard site is key to assessing port development potential, the other sites mentioned above may provide additional opportunity for freight rail traffic. In aggregate, New Bedford has access to more rail facilities than many similar sized ports.

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Figure 1 Proposed New Bedford Freight and Commuter Rail Facility

Role of Rail in Development of Small to Medium Size Ports

Rail is increasingly becoming a critical component of port development in small to medium sized ports throughout the United States and Canada. Ports that have allowed this infrastructure to erode have seen decreased port capacity for handling freight, shifting cargo moves to higher cost, lower volume methods, such as truck, making some ports less competitive.

Ports that retain good rail and highway connections have found success in attracting freight and cargo from larger ports that have, in many instances, become more specialized and expensive. Smaller ports often have the ability to be more aggressive in labor costs and terminal pricing but must retain the flexibility to handle a wide range of cargos and adapt to changing market conditions. Essential to this is the ability to handle cargo movements between various transportation modes (vessels, rail and trucks). Terminal and freight yards must be maintained and operated in an efficient manner. In addition, value added services such as Customs port of entry designation, free trade zones, cargo processing and warehousing all contribute to port competitiveness in regard to providing for a full range of services.

There are certain elements that are necessary for freight rail infrastructure to provide proper support to a port. These elements include a local serving yard, transloading capabilities and warehouse and/or cross-dock capabilities. While on dock rail capabilities make movement of certain materials easier, on dock rail is not an essential element. Additionally, specific operating capabilities and clearance restrictions play heavily into the mix.

Rail access allows a port to carve a niche not available to non-rail-served ports. The universe of ports on the East Coast with active rail connections is limited. The Port of New York and New Jersey, Halifax, Norfolk, Savannah, Jacksonville and Miami have developed extensive rail-port infrastructure which has allowed them to develop as significant container ports. Smaller less specialized ports with rail infrastructure have developed as neo-bulk, break bulk or bulk handling ports. The commodities moved through these ports vary. Some examples include Norfolk, which also handles large volumes of coal;

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Philadelphia, which moves significant amounts of steel and ingots; and New London, which handles large volumes of lumber. The lumber moving through the port of New London is almost exclusively brought in by rail, stored at the port for distribution and then distributed to local retailers by truck. Other ports handle and process frozen fish as well as pulp and paper which can be brought into port areas in larger shipments by rail that exceed over the road transportation limits.

Rail Components Required for Efficient Marine/Rail Interface

Having a local serving rail yard of adequate size is critical to a port's freight handling capability. The serving yard needs to have sufficient tracks to switch inbound trains and build outbound trains while holding cars, both loaded and empty, for local customers. The yard tracks and switching leads should be of such length to support the longest train contemplated. The current yard at New Bedford meets this requirement. In addition to the existing infrastructure, New Bedford contains a property adjacent to the rail line (shown in red hash-marks in the figure below) that was retained by CSX and is available for development as a transload (or related) facility.

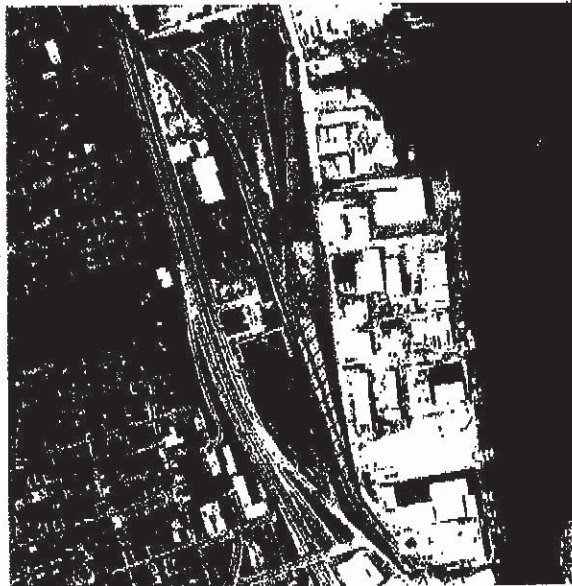


Figure 2 MBTA Safe Exclusion Sites

Rail-served ports also need to have transload capabilities which are critical to the intermodal supply chain. This provides the port with the capability to unload product from, or load product onto railcars. This includes facilities such as the team track facility which was constructed by the City near the corner of Wamsutta and Herman Melville Blvd. This facility, with the paved area between tracks allowing trucks, forklifts and cranes as needed to access rail cars in loading and unloading operations. This transload infrastructure and capability allows the New Bedford to support both the surrounding port area, and the general Southeast Massachusetts region. Additionally, the EPA funded site on Herman Melville Blvd, currently utilized in connection with the New Bedford Harbor clean-up project, provides an additional transload capability, including direct rail to barge, or barge to rail capability. As discussed below, having both near dock and on dock capabilities provide a competitive advantage to New Bedford.

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Another element to consider in assessing rail served capabilities is rail-served warehouse and transfer facilities. The EPA funded site offers a number of future capabilities once the New Bedford Harbor clean-up project is completed. The Maritime Terminals facilities also were historically rail served and served as a transfer point or in-transit facility between rail and ship. To be able to compete in certain markets such as in the handling of food and beverage products, finished goods, seafood or project cargoes, having warehouse and in-transit capacity capability is critical.

New Bedford Connections to the National Rail Network

The Mass Coastal Railroad is a short-line railroad based in Hyannis, Massachusetts that serves the city of New Bedford for freight rail purposes. Mass Coastal took over the New Bedford switching operations in early 2010, replacing CSXT, which had served New Bedford since the purchase of Conrail. Mass Coastal in turn interchanges with CSXT, one of two major (Class One) railroads on the US East Coast. Interchange between Mass Coastal and CSXT occurs at Cotley Junction in East Taunton, Massachusetts near the intersection of Route 140 with Route 24. CSX has a rail network that operates from Florida to the northern border of the US, as shown in Figure 20 below. The company, which is headquartered in Jacksonville, Florida, owns approximately 22,000 route miles in the United States. It is one of the three Class I railroads serving most of the U.S. East Coast, along with Norfolk Southern Railway and Canadian Pacific Railway. From Cotley junction CSXT can also access other Class One railroads (such as Norfolk Southern, Canadian Pacific and Union Pacific) across the U.S. as well as regional/short line rail operations in New England. Several short-line railroads in Massachusetts have existing bulk transload and commodity distribution facilities (or have proposed these facilities) that could potentially be linked to New Bedford for import and export of cargoes. In addition, the Free Trade Zone in New Bedford is an attractive feature for developing partnerships with inland rail and facility operators. Figure 19 below shows the freight rail network in Massachusetts and surrounding states.

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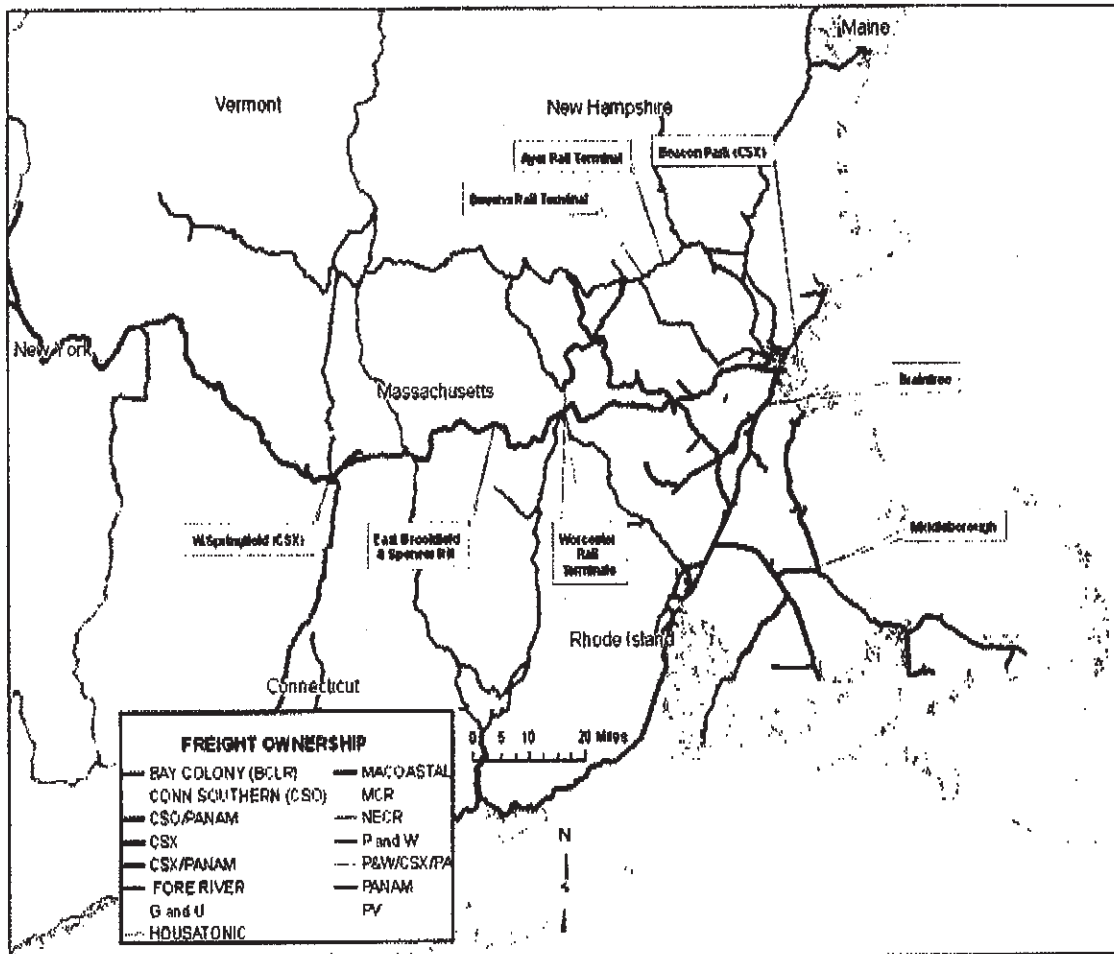


Figure 19 Freight Rail Ownership in Massachusetts

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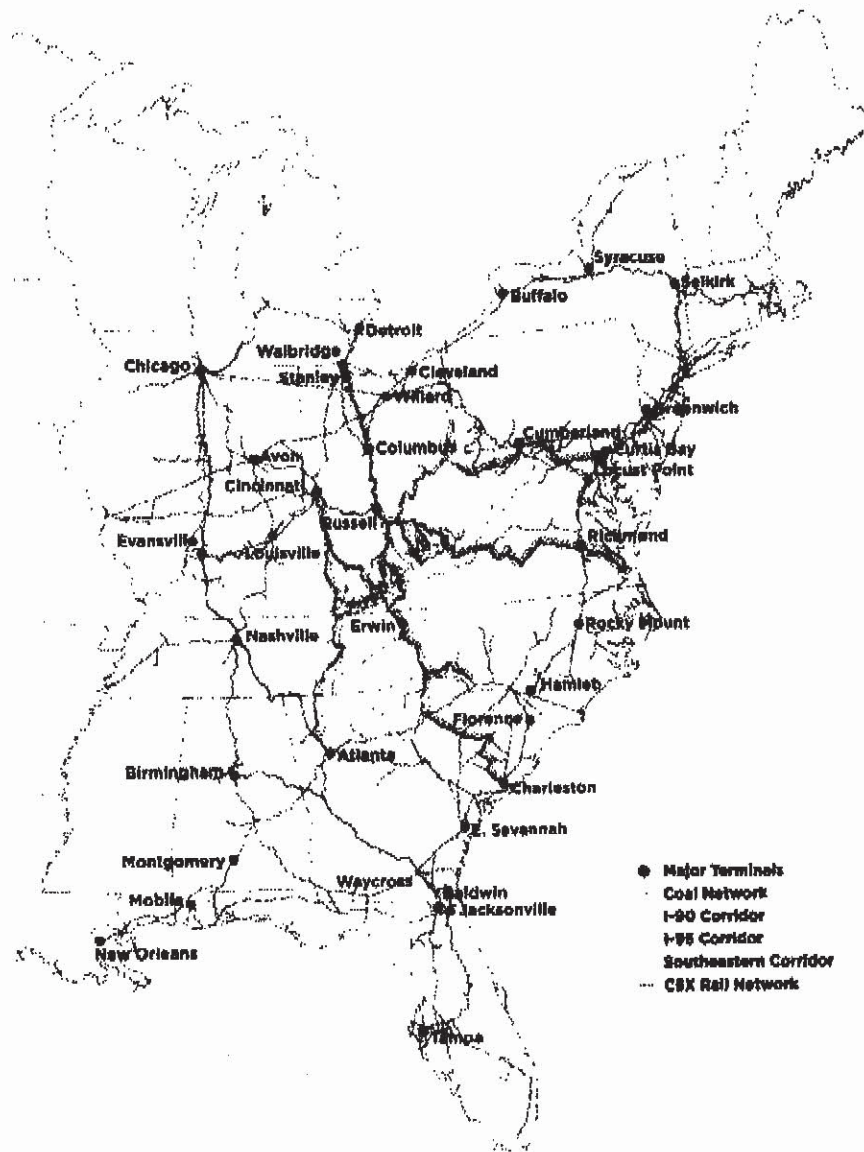


Figure 20 CSX System Map

The actual rail right of way into New Bedford is owned by the Commonwealth of Massachusetts and upon completion of the South Coast Rail passenger project, will be maintained and controlled by the MBTA. Impacts of the MBTA project on potential freight rail in the area are generally positive. While commuter trains will occupy rush hour windows, currently anticipated passenger train operations will

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still allow daylight operations and daylight switching at New Bedford. The South Coast Rail project will also result in improved track conditions allowing for the safe and efficient handling of rail cars into the port.

The Port of New Bedford has the potential to service several inland areas through rail connections that currently handle bulk, neo-bulk, and container cargo. This provides the port with the opportunity to develop an inland port connection. Inland ports are successful when they have a variety of transportation options including connections to seaports. Several smaller ports in New England have developed niche markets which have been enhanced through effective rail connections, such as Portland, ME and Quonset Point- Davisville, RI.

The study identified at least one short line railroad, the Mass Central Railroad that expressed interest in working with the port to develop marine transportation connections and take advantage of a foreign trade zone. The Mass Central Railroad (MCER) is a 26 mile railroad that connects with the CSX Railroad in Palmer and extends rail service as far as South Barre, MA. The railroad handles both domestic and international cargo, including commodities shipped to and from Canada and Mexico as well as overseas shipments originating in South America that pass through the Port of New York.

In 2009 the railroad moved 2,032 railcars handling approximately 200,000 tons, equivalent to 8,000 truck loads outbound. In 2010 as of June 30, the railroad moved 3,000 railcars handling 300,000 tons equivalent to 12,000 truck loads outbound. The railroad has a capacity to handle 10,000 railcars or 1 million tons equivalent to 40,000 truck loads outbound. There is also a large amount of available outdoor and indoor storage located in various facilities including 20 acres of outside storage with an additional 100 acres under option. The railroad has 100,000 square feet of indoor storage.

The primary commodities that are handled by Mass Central includes lumber, laminated veneer wood products, plastic, steel including large unit sizes for bridge construction, structural steel parts, rebar, pipe, paper including large rolls of news print, boxed consumer products, paper products, utility poles, electrical parts including transformers, bagged agricultural products, bagged animal feed products, large consumer products including appliances, railroad ties, fencing materials, construction materials including bagged sand, cement and cement mixes, plumbing and electrical parts, marble, granite, limestone panels, bulk aggregate stone and or sand, auto parts including engines, transaxles and auto body and trim parts, truck parts including stackable truck bodies, engines and transmissions. The railroad also handles rock salt in bulk for use on municipal roadways.

In addition to bulk products, the railroad also handles a variety of packaged food items including canned vegetables, canned specialty products such as ketchup, milk products, spices, herbs, coffee flavorings (Domestic and International), specialty pastas, canned cookies, bulk candies, bulk nuts, canned and bottled olive oil and vegetable oil, beverages including water, beer, formulated drinks, bagged flour, sugar and salt. Commercial and consumer goods include furniture, office equipment, janitorial products including 55 gallon packaged cleaning products, lawn mowers, snow blowers, lawn tractors, recreational equipment including recreational ski vehicles, water craft, consumer products including clothing, shoes, boots and kitchen wares.

Most commodities handled by the railroad move domestically with origin and destination points throughout the United States however they also handle a number of products with O/D points in Canada and Mexico. Overseas bulk, neo-bulk and containerized freight is transshipped through U.S., Canadian and Mexican ports and includes specialty wood products shipped via container and originating in South America.

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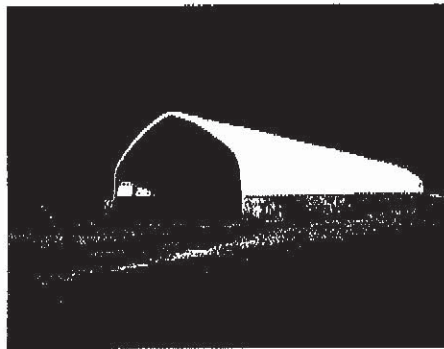


Figure 21 New Mass Central Salt Shed Near Palmer MA.

The railroad has planned a series of new infrastructure improvements over the next several years for the handling of various commodities. This includes additional inside storage which will be planned to be added in 2011 design to provide 40,000 square feet of storage capable of 3 pallet stacking under open span roof structures. Also planned for 2012, is an additional 40,000 square feet also designed for 3 pallet stacking under open span structures. The railroad is promoting the development of an intermodal container facility with the capacity to handle 9,000 inbound and outbound trucks per week planned for construction for servicing several retail firms in 2012.

In relation to the Port of New Bedford, the combined capabilities of CSX, Mass Coastal and the Mass Central, in addition to the other inland rail connections through Palmer, provide the port with a reasonable inland port capability that can provide efficient and cost effective connections for higher volume cargos. This would make the port comparable to other New England ports such as New Haven and New London, CT; Providence or Quonset Point-Davisville, RI. The ability to connect to outlying facilities provides both the railroad and the port a wide variety of price competitive services with potential Marine Highway connections to ports such as Norfolk, New York/New Jersey, and Halifax.

Rail Right of Way Clearances

The route from the general US rail network to New Bedford has certain restrictions both in terms of the dimensions of a railcar that can be moved over the route and the weight of the cars and lading that can be handled. Rail clearances are primarily dictated by geometry and geography, and are further impacted by structures adjacent to or above the railroad. In that regard it should be noted that certain main line tracks will have a larger clearance envelopes than secondary lines. The lines in southeastern Massachusetts connect ultimately to the CSX main line running between Boston MA and Albany NY. Commodities traveling on this main line are varied, and the railcars carrying these commodities cannot exceed 19'6" above the rail and have a maximum weight restriction of 315,000 pounds per railcar.

The railcars that traverse the lines into and out of New Bedford cannot exceed 15'6" above the rail and are restricted to no more than 263,000 pounds per railcar. These clearance restrictions are primarily dictated by physical impediments related to Amtrak and MBTA operations. Amtrak operates over the line between New York City and Boston known as the North East Corridor. This line is electrified and the overhead wires, called catenary wires, restrict the allowed height of rail cars along this corridor. Cars moving between Mansfield, MA and Attleboro, MA are therefore restricted to a height that will fit below the catenary wires. Additionally, over dimensioned railcars cannot clear the

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various station platforms between Mansfield, MA and New Bedford which includes current platforms or proposed platforms. The clearance restrictions may impact the ability to attract extreme over-dimensioned loads to this location, however most typical "high and wide" commodities, such as power production equipment, heavy machinery and wind turbine components will be able to move through this corridor safely and efficiently.

The restriction on these lines to loads not exceeding 263,000 pounds is primarily a restriction dictated by two elements, track condition on CSX owned lines between Framingham, MA and Mansfield, MA and timetable restrictions over MBTA and Amtrak controlled properties. While the lines from Taunton, MA to New Bedford are in poor condition, it is anticipated that the MBTA South Coast Rail project will make these line on par with other MBTA owned and operated properties. When that occurs, the restrictions, other than the portion on CSX owned property between Framingham and Mansfield as noted will be restricted only "by timetable". This means that while the track structure may indeed be capable of handling heavier cars, there is an administrative restriction precluding such movement. This issue, and a path towards addressing it, is discussed in depth in the Massachusetts State Rail Plan.

Beyond capacity constraints, there are operating restrictions that impact freight movements to and from New Bedford. These are primarily related to passenger rail movements over the various lines between Framingham and New Bedford. The net result of these restrictions is that movements into and out of southeast Massachusetts occurs in the overnight timeframe, and that therefore movements into and out of New Bedford would likely occur during daylight hours, after the morning commute time and before the afternoon commuter window. While current freight service patterns result in 2 to 3 day a week service to New Bedford, there are no operating restrictions that would preclude 5 day a week service for this area (the 2-3 days per week is driven by demand) . Such service would be Monday through Friday, as the CSX trains to and from southeast Massachusetts operate on such schedule.

Economic Impacts of Freight Rail Yard Operations in New Bedford

Maintaining and improving the current rail yard, between Route 18 and Herman Melville Boulevard and south of Wamsutta Street in New Bedford, will benefit the City of New Bedford and improve intermodal freight connections throughout the region. The location of the existing rail yard, adjacent to the port of New Bedford will allow for heavy bulk commodity shipments to travel to and from the port via rail, reducing the number of trucks on such arterials as I-195 and Routes 140 and 24.

Strategic investments to the freight rail system connections in New Bedford are underway, as funding has been awarded through the first round of competitive transportation stimulus funds, or Transportation Investment Generating Economic Recovery (TIGER) grants, for the Fast Track New Bedford Project. This \$20 million transportation grant allows the Commonwealth to rehabilitate five rail bridges (along with station improvements) in New Bedford enabling rail freight flows to continue throughout the region, increasing train speeds, and reducing travel time. According to the application, these improvements will enable future freight flows of up to 1,800 carloads per year, including shipments of PCB dredge material to be moved out of the New Bedford harbor superfund site.

The existence of the rail yard is crucial as an economic driver. Access to the rail yard can leverage additional investment at the port and provide economic development opportunities resulting in additional job growth. The rail yard's close proximity to the port can enable operations at the south terminal to utilize rail, expanding operations, and create up to 51 direct new jobs, and up to 76 indirect

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and induced new jobs -- see Figure 22 below. Transload and distribution facilities will also benefit from additional rail infrastructure and freight diversion to rail. For example, a new warehousing and transload facility of 20,000 square feet could have as many as 18 to 22 new direct jobs.

Potential	Rail yard	5	11
	Transload	18	30
	Marine terminal - containers	16	20
	Marine terminal	12	15
	Total	51	76

*Based on IMPLAN model and job multiplier analysis

Figure 22 Potential Job Creation

In addition to these economic benefits, an additional benefit is the reduction of trucks on Massachusetts highways. Fewer trucks will in turn reduce highway maintenance costs, accidents, greenhouse gas emissions, roadway congestion, and shipper costs. According to the TIGER Grant analysis for Fast Track New Bedford the rail improvements will reduce truck traffic significantly saving as much as 292,000 gallons of diesel fuel per year. This could reduce GHG emissions by an average of 110 tons per year. Therefore the benefits of preserving and maintaining freight rail connections will have significant long lasting impacts statewide by driving down costs, reducing congestion, and providing several positive social and economic impacts.

Development Potential

Freight rail service to southeast Massachusetts will improve due to the improvements in track structure resulting from the MBTA South Coast passenger rail project, and from the introduction of a new, local, freight rail provider, Mass Coastal Railroad. Within the restrictions discussed above, there is significant opportunity to develop rail business to the port of New Bedford and to develop distribution type traffic to and from locations throughout southeastern Massachusetts, including at the New Bedford Industrial Park.

Both port rail development and distribution development will have some of the characteristics of what are sometimes referred to as "freight villages" which are areas where freight can move easily and efficiently between transportation modes and out to the end-users. A "freight village" is composed of a broadly defined intermodal facility at its core. In this context "intermodal" means any commodity that transfers from one mode of transportation to another, whether that would be rail to ship, ship (or barge) to rail, or ship to truck, rail to truck or truck to ship or rail. There is also a potential for the transfer of containerized freight if coastal feeder services as part of the Marine Highway can be developed. The intermodal facility is the catalyst for economic development by companies that store, distribute or provide services in the logistics chain moving consumer products. A typical freight village consists of freight production and distribution facilities and related infrastructure, such as manufacturing facilities, warehousing, cross-dock facilities, repair facilities and office space.

A freight village serves two primary goals:

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- It brings together the flow of freight transport managed by transportation and logistics companies to reduce costs and increase productivity; and
- It draws transportation and distribution-related activity to the area because of the consumer-related nature of intermodal freight.

The intermodal terminal within a freight village serves as a magnet, spurring economic development by companies that store, distribute or offer services in the logistics chain movement of consumer products. One such service is the, so-called "stuffing" of containers for the export market. Heavy loads, such as paper and pulp products, could be transloaded into containers in New Bedford and then put on coastal feeder services to larger ports for international export. Performing this service in a designated port area would allow the containers to be loaded to a heavier tare than containers that would have to be transported over State roads. New Bedford is in a position to handle the transload from rail cars to containers much more cost effectively than similar facilities in larger ports where labor and overhead costs are often more expensive. New Bedford is also closer to major export centers such as the Port of New York and New Jersey, Delaware River Ports and the Ports of Norfolk and Baltimore than ports further north such as Portland, Maine which until recently had a successful pulp and paper export feeder service operation. All-water services can also be less expensive to the shipper as they avoid labor assessments for over the road containers in major ports, the terms of which are included in master union labor contracts. Additionally, New Bedford is not subject to the Harbor Maintenance Tax because of its designation as an EPA cleanup site

Freight villages are often Public-Private Partnerships that, when located appropriately, provide significant benefits to the local community, regional economy, transportation providers, shippers and support service providers. New Bedford could develop this type of facility which would provide the port with a full service cargo capability. Companies involved in the transportation and distribution of goods often find many benefits in locating within a freight village, including:

- The presence of existing or shared infrastructure, which minimizes the need for an individual company to expend its capital to develop costly, capital-intensive infrastructure;
- The potential to share resources such as security, maintenance, management and other support services;
- The potential for cost-savings for shipment of goods, due to the opportunity for companies to combine shipments with others in the freight village, and therefore to ship products in highly efficient and lower-cost units;
- Synergistic business opportunities with other companies located within the freight village; and
- The existence of the latest support technologies (software, radio frequency identification systems, real time communication network) and management skills that can be shared among multiple companies.

Freight villages also benefit the public in a variety of ways, including:

- Supporting and enabling trade;
- Environmental benefits (including congestion relief, reduced Vehicle Miles Traveled, and lower energy use);
- Job creation; and
- Restoration of lands to tax roles.

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By sharing or consolidating resources and infrastructure, a freight village also minimizes the potential for redundant and or under-utilized infrastructure to be built by either the public or the private sector.

In addition to the direct benefits to the public and private companies directly involved in the supply chain, freight villages also spur long-term indirect and induced economic development in vehicle service, repair, leasing facilities, hotels, restaurants, training facilities, employment agencies, insurance companies and communications companies located throughout the local community.

Demand for Rail Freight Infrastructure in New Bedford

There are several commodities that are described in this Report that are currently transported to/from the Port via truck; there may be opportunities in the future to transport these commodities via rail. One example of this is the fresh fruit that arrives from North Africa on vessels that require approximately 100 to 150 truckloads to transport the fruit from New Bedford to their final destinations in the US or Canada. There is a potential to transport fresh fruit by rail from the Port of New Bedford to inland destinations. Given that these vessels transport an average of approximately 135 truckloads, or approximately 45 railcar loads, there may be a need in the future for staging approximately 50 railcars in New Bedford in order to have the capability of transporting the fruit, or other commodities, via rail.

In addition to the existing commodities and cargo being transported through the Port, there are future potential opportunities that need to be taken into consideration when contemplating the rail freight needs of the Port. These include:

- **Wind Energy Components:** Given that the Port of New Bedford has been identified as the port that will provide infrastructure to support the construction of the Cape Wind project in Nantucket Sound, consideration must be given to the potential for some of the wind energy components to be transported to the Port via rail. If this were to occur, the Port would benefit from having the capability to receive and stage railcars as well as additional areas for transloading and storage of these wind energy components
- **Containerized Refuse and Related Materials:** There is a potential to receive containerized refuse and related materials from Martha's Vineyard. Currently, the waste generated on Martha's Vineyard is primarily transported via trucks which travel on the Steamship Authority ferries. The waste is then trucked to an Energy-from-Waste facility in Rochester, MA. There may be significant cost savings to Martha's Vineyard if this waste could be transported via container through New Bedford and on to railcars for disposal at landfills or Energy-from-Waste facilities.
- **Short Sea Shipping:** There is a potential for New Bedford to attract Short Sea Shipping opportunities. One such proposed opportunity, Jersey Harborside Railroad, would involve

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transload of containers from barges to railcars and/or trucks at the Port of New Bedford. In discussions with Jersey Harborside Railroad, there is the potential for 1,000 to 3,000 containers per week. Assuming four containers per railcar, this equates to approximately 250 to 750 railcars per week. However, assuming that this service did become operational, the rail haul would have to be competitive against a truck haul of these containers. At current transportation costs, truck transportation is typically more cost effective than rail transportation for hauls under approximately 300-400 miles.

- **Restoration of Waterfront Sidings:** There is the potential to restore the rail sidings that historically had served the waterfront facilities at the Port. There is the potential for rail freight needs from facilities such as the seafood processing facilities, sand and gravel facilities and the Maritime Terminal. If these rail sidings were to be restored, these facilities could generate several railcar loads (inbound and outbound) per week.

As mentioned previously, there is an existing rail-served facility at the Port of New Bedford which is currently dedicated to the staging of railcars for the transport of dredge materials removed from the Harbor. According to the EPA, as of November of 2010, it is expected that this dredging activity will continue for over 40 years. This is based on EPA's current operation of hydraulic dredging, de-sanding, dewatering and off-site disposal and assumes an annual funding amount of \$15 million per year. Additionally, the railroad stores empty cars awaiting dredge material at the city owned railyard on Wamsutta Street. Given that the EPA facility and a significant portion of the city owned railyard will be dedicated to the EPA dredging project for the foreseeable future, we believe that it would be beneficial to the Port to identify an additional area that would be able to accommodate additional staging capacity for to support potential growth in rail activity at the Port.

There are freight rail operations constraints inherent in the current configuration of the main line track and yard leads at New Bedford. The length of the tail track (the track south of the switch into the freight yard) is the controlling length for outbound freight trains. Additionally, the run-around track which is located on the freight lead, acts as a control or limit to train length. Both the tail-track and the run-around track are fully adequate to meet current rail demands in New Bedford, and collectively accommodate a train length of approximately 16 railcars. However, if the city wishes to position itself to encourage growth beyond that which a 16 car train can handle, some accommodation must be made. Potential engineering solutions to the above constraint are discussed below.

Based on our analysis of potential rail freight opportunities and rail/maritime operations in the Port, the Port of New Bedford would be well served in addressing several elements to ensure an ability to grow rail business, as discussed above. The elements are:

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1. Restoring rail connections to former rail served customers (for example Maritime Terminal or American Seafood)
2. Restoring the track south of the currently proposed end of track in order to reach the State Pier with rail, and
3. Reconfigure the main line tracks at and north of the proposed station to accommodate a second track. The reason for this recommendation is two-fold and explained further below.

Extending a second main track from below the station north towards the Wye Track at Nash Road would have three effects, as follows:

- a. This additional track would relieve the train length constraint caused by the short tail track and short run-around track at the Yard in New Bedford (as discussed above),
- b. If designed with a mid-point crossover, could provide an alternative location to store empty cars for the EPA project, freeing up a significant portion of the rail yard for other business opportunities, and
- c. This track would simplify serving the State Pier, obviating the need to move pier traffic into the rail yard and then out again before moving to or from the pier.

If for operating or engineering reasons a second track between the station and Nash Road were deemed not acceptable, adding an additional track(s) at a suitable location north of Nash Road, while creating certain other inefficiencies, could relieve a majority of the concerns raised above. If neither approach described above is feasible, some accommodations at the layover facility could be considered, but at this time we do not think this will be necessary given that it appears likely that at least one, if not both, of the approaches described above should be feasible.

Commodity Handling Potential

A review of common cargoes handled in New England that utilize rail for intermodal moves present a wide range of potential handling opportunities for the Port of New Bedford. The list below summarizes the range of commodities that could be handled on an intermodal basis through the port:

- Manufactured goods
- Minerals, including sand and gravel
- Equipment and machinery
- Chemicals

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- Fuels
- Automobiles
- Pulp and paper
- Agricultural products
- Seafood
- Lumber
- Metals, including copper and steel

In addition, the port has the capability to handle project cargo and specialty cargo such as wind turbine components. Most of the commodities can be handled by rail in large quantities. Commodities are more often handled by truck in smaller quantities or if the origin/destination point is near the port. The higher the volume, and the further the O/D point is from the port, the more rail becomes a viable and cost effective option.

Linking port and rail infrastructure improvements will give New Bedford a differentiating element compared to other regional ports of similar size. Such linked improvements allow the port to offer services and achieve market reach that few small to medium sized ports can offer. Harbor improvements such as continued dredging, proposed and existing terminal improvements, and bridge work will make New Bedford more attractive to shippers and receivers. Such land-side improvements undertaken at the same time will leverage the improvements and give New Bedford an infrastructure based competitive advantage in the region. The analysis summarized previously in this report identified a positive economic impact based on job creation related to rail yard development. It also identified a number of commodities which can be handled by rail allowing the port to access areas outside of its immediate service area. For the port to remain successful and sustainable, it must be able to reach beyond the local service area.

An effective rail connection allows the port to develop higher cargo volumes and optimizes terminal utilization, which will reduce per unit or per ton handling costs. In addition, it provides the port with a diverse cargo base which compensates for market cycles that affect revenue. This provides shippers with multiple service options and cost competitive transportation alternatives.

Town of Canton, Massachusetts
OFFICE OF THE SELECTMEN

BOARD OF SELECTMEN

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TOWN ADMINISTRATOR
WILLIAM T. FRIEL

May 27, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K. Sullivan, Jr.
EOEA, Attn: MEPA Office
Aisling O'Shea, EOEA No. 14346
100 Cambridge Street, Suite 900
Boston MA 02114


RE: South Coast Rail Project
DEIS/DEIR for EOEA # 14346

Dear Messrs. Anacheke-Nasemann and Sullivan:

The Town of Canton respectfully submits the attached comment letter, prepared on our behalf by McMahon Associates, regarding the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) on the South Coast Rail project proposed by MassDOT dated February 2011 for EOEA # 14346.

It is the Town of Canton's opinion that the DEIS/DEIR lacks sufficient detail and requires additional information to be provided in the FEIR to properly assess the impacts of the project on the Town of Canton. The attached comment letter provides a more detailed review of the DEIS/DEIR. Several issues have been identified through our review that merit further response from the Proponent in the FEIS/FEIR. These issues include, but are not limited to traffic volumes; capacity analysis; parking; noise, vibration and other abutter impacts; existing and new grade crossings; freight service; and railroad bridges. L-055.01

We thank you for the opportunity to comment on this project and hope these comments are helpful in your assessment of the impacts of this project.

Sincerely,

William T. Friel
Town Administrator

Attachment

CC: Canton Board of Selectman

**PRINCIPALS**Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE**ASSOCIATES**John J. Mitchell, P.E.
Christopher J. Williams, P.E.
John F. Yacapsin, P.E.

May 27, 2011

Mr. William T. Friel
Town of Canton
801 Washington Street Second Floor
Canton, MA 02021
RE: South Coast Rail Project
DEIS/DEIR for EOE # 14346
Transportation Peer Review

Dear Mr. Friel:

McMahon Associates (McMahon), on behalf of the Town of Canton, has completed a preliminary transportation review of the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) on the South Coast Rail project proposed by MassDOT dated February 2011 for EOE # 14346.

Based on our initial review, the DEIS/DEIR lacks sufficient detail and requires additional information to be provided in the FEIR to properly assess the impacts of the preferred alternative. Below we have provided a detailed review of the transportation study included in the DEIS/DEIR. Several traffic issues have been identified through our review that should merit further response from the Proponent. These issues include, but are not limited to, traffic volumes; capacity analysis; parking; noise, vibration and other abutter impacts; existing and new grade crossings; freight service; and railroad bridges.

Project Description

As stated in the DEIS/DEIR, the MBTA completed a Draft EIR in 2000 that analyzed six alternative routes for providing commuter rail service between downtown Boston and the cities of Fall River and New Bedford. This report focused on the three alternatives including:

- 1) Extending the existing MBTA Stoughton Line
- 2) Extending the existing MBTA Middleborough Line
- 3) Providing new service, branching off from the Providence Line near Attleboro.

In 2002, a Final EIR was prepared by the MBTA and on August 30, 2002, the Secretary of Environmental Affairs issues a Final Certificate (Executive Office of Environmental Affairs - EEA) File #10509.

The DEIS/DEIR documents focus on the extension of the Stoughton Line alternative as the preferred MassDOT alternative. This alternative would use the existing Northeast Corridor

from South Station to Canton Junction. From Canton Junction, the existing active Stoughton line would be used to the Stoughton Station. Commuter rail service would be extended, using an out-of-service railroad bed south to New Bedford.

According to the DEIS/DEIR, existing train frequency from Canton Junction to Stoughton Station, along the existing MBTA Commuter Rail alignment, ranges from 17 roundtrip (34 total trains) passenger trains per day on weekdays to no passenger trains on weekends. There is also freight service several times a week between Canton Junction station and Central Street in Stoughton. Proposed operating plans for the Stoughton Alternative would include three peak period trains to each of the terminal stations in New Bedford and Fall River, with a fourth train operating near the peak rush hour period. This equates to approximately one train every forty minutes from Fall River/New Bedford and one every twenty minutes from Taunton northward. During the off-peak periods six additional trains would operate on a three-hour frequency from each of the terminal stations and every ninety minutes from Taunton northward. The DEIS/DEIR states that this translates to nine round trips per weekday operation from each terminal station with one additional round trip from East Taunton for a total of 38 weekday trains per day.

The Stoughton Alternative will include a total of three public grade crossings within the Town of Canton, including Washington Street, Pine Street, and Will Drive. These at-grade crossings are located along the active commuter rail line.

In an effort to clearly identify potential impacts within the Town of Canton, we have separated the areas shown on attached Figure 4.1.54 (Stoughton Alternatives, Stoughton Line Grade Crossing Locations Sheet 1 of 5) into the following sections and discussed in further detail below.

L-055.02

- 1) Canton Junction to Washington Street
- 2) Pine Street to Will Drive

Traffic Volumes

Typically, as part of any project, the most recent existing traffic volumes available are used in determining traffic operations and levels-of-service (LOS) on impacted roadways and intersections. The traffic volumes information included on Table 4.1-13d on page 4.1-31 as part of the DEIS/DEIR contains Average Annual Daily Traffic (AADT) along the roadways within the Town of Canton for the years 2000 and 2002. These include:

L-055.03

<u>Street</u>	<u>AADT</u>	<u>AADT Year</u>
Washington Street	18,900	2002
Pine Street	4,000	2000
Will Drive	2,000	2002

The traffic information contained in the report is outdated and should be supplemented with current data within Canton including impacted, at-grade intersections as part of the Stoughton

Alternative. We request that additional peak period traffic counts and average daily traffic information be gathered to confirm the volumes presented in the DEIS/DEIR.

L-055.03

At-Grade Crossings/Mitigation Improvements

The three impacted at-grade crossings within Canton (Washington Street, Pine Street, and Will Drive) are currently active rail crossings that would be modified to allow double track operations. Minimal recommended mitigation improvements are being proposed, but the potential impacts on these crossings should be assessed with additional information.

L-055.04

Canton Junction to Washington Street

Canton Junction

Under the Stoughton Alternative, no work is proposed at the Canton Junction Station.

Canton Center

As identified on page 3-83 and shown on Figure 3.2-29, Canton Center Station is an existing station that would be modified to accommodate a second track. Modifications include construction of two new platforms and changes to the parking layout in the existing lots near the station.

Washington Street

As shown in Table 4.1-13d, Washington Street showed AADT of approximately 18,900 vehicles in 2002. Recommended mitigation improvements due to the impacts of the extension of Stoughton line at this location include:

- Install a traffic signal pre-emption system at two intersections in proximity of the crossing.

Pine Street to Will Drive

Pine Street

Mitigation includes relocating an existing driveway to the north.

Will Drive

No mitigation is being proposed at this location.

Further information should be provided by the Proponent clearly showing the proposed mitigation identified above within the limits of Downtown Area to Will Drive, including the Washington Street, Pine Street, and Will Drive at the at-grade crossings.

In addition, traffic signal pre-emption/coordination along the Washington Street corridor from Sherman Street to Neponset Street should be provided to address queue lengths and delays.

L-055.04

We also request the Proponent to investigate the possibility of implementing upgraded crossing treatments to eliminate the need for whistles and horns within the town of Canton.

L-055.05

Capacity Analysis

Independent field observations have been conducted by McMahon during the AM and PM peak periods. We observed queuing and delays at several of the at-grade crossings and adjacent intersections identified in the DEIS/DEIR within the Town of Canton. The following is a summary of our observations:

L-055.06

Canton Junction to Washington Street

Canton Center/Washington Street

Existing queuing and delays were observed at the at-grade crossing at Washington Street during the peak periods. The approximate duration for the start to end of the flashing gate operation at the at-grade crossing was approximately 1 -2 minutes. During the time that the train crosses Washington Street during the PM Peak hour, queuing began and continued on both sides of the at-grade crossing for approximately 10-15 minutes after the trains had passed through Downtown. In addition, there are existing striped crosswalks but no signal control to allow pedestrians to cross Washington Street to the Canton Center Station. Based on our experience with traffic operations at MBTA commuter rail stations, there are distinct peaks in entering and exiting traffic associated with each train that stops at a station. In addition, the location of the Canton Fire Department headquarters and station on Revere Street results in emergency response vehicles utilizing Washington Street to the north and south. **The increase in trains and impacts to ridership, discussed later in this letter, as part of the Stoughton Alternative could potentially increase the delays and emergency response times along Washington Street and should be addressed by the Proponent.**

Revere Street/Washington Street

The impacts of vehicles exiting the Canton Junction and Canton Center Station and the release of vehicles queued during the at-grade crossing at Washington Street results in impacts to the Washington Street/Revere Street signalized intersection as well the intersections within the Downtown Area. **The increase in trains and impacts to ridership as part of the Stoughton Alternative at the at-grade crossing at Washington Street could potentially increase the delays and emergency response times within the Canton Center and Downtown Canton, including Revere Street/Washington Street, during the peak hours and should be addressed by the Proponent.**

Sherman Street/Washington Street

The impacts of vehicles exiting the Canton Junction and Canton Center Station and the release of vehicles queued during the at-grade crossing at Porter Street results in impacts to the Washington Street/Sherman Street signalized intersection as well the intersections within the Downtown Area. **The addition of trains and impacted ridership as part of the Stoughton Alternative at the at-grade crossing at Washington Street could potentially increase the delays and emergency response times at the Sherman Street/Washington Street during the peak hours and should be addressed by the Proponent.**

L-055.06

Washington Street Corridor

The impacts of vehicles exiting the Canton Junction and Canton Center Station and the release of vehicles queued during the at-grade crossing at Washington Street resulted in observed impacts to the Washington Street corridor from Sherman Street to Neponset Street. **The addition of trains and impacted ridership as part of the Stoughton Alternative at the at-grade crossing at Washington Street could potentially increase the delays and emergency response times along this corridor during the peak hours and should be addressed by the Proponent.**

Pine Street to Will Drive

Pine Street

The existing intersection on both approaches to the at-grade crossing at Pine Street experience limited queuing during both the AM and PM peak hours.

Will Drive

The existing intersection on both approaches to the at-grade crossing at Will Drive experience limited queuing during both the AM and PM peak hours.

Ridership

The DEIS/DEIR on page 4.1-10 discusses existing and proposed ridership at the existing stations. It states that "since boardings at existing commuter rail stations located near the ends of the existing Providence and Stoughton Commuter Rail Lines are not expected to increase as a consequence of the alternatives, no traffic analyses, beyond the identification of new grade crossing locations, were completed for existing stations or municipalities with existing stations". **Any potential impacts to parking in the Canton Center/Downtown Area and impacts to ridership need to be fully explained by the Proponent. In addition, we request that the Proponent provide information that discusses increased train frequency and the impacts of existing and future ridership projections at the Canton Junction and Canton Center stations as part of the Stoughton Alternative. Any information, including a possible origin/destination study of existing vehicles utilizing these two stations should be provided.**

L-055.07

Stations

It states on page 3-81 of the DEIS/DEIR that several existing commuter rail stations would be impacted by constructing an additional track along segments of the existing right-of-way. Table 3.2-23 on page 3-82 as shown below provides a summary of new and modified train stations affected as part of the Stoughton Alternative:

<u>Station Name</u>	<u>Municipality</u>	<u>Type</u>	<u>Stoughton Alternative</u>
Barrowsville	Norton	New	
Battleship Cove	Fall River	New	X
Canton Center	Canton	Existing	X
Canton Junction	Canton	Existing	
Taunton Depot	Taunton	New	X
Easton Village	Easton	New	X
Fall River Depot	Fall River	New	X
Freetown	Freetown	New	X
King's Highway	New Bedford	New	X
North Easton	Easton/Stoughton	New	X
Mansfield	Mansfield	Existing	
Raynham Place	Raynham	New	X
Sharon	Sharon	Existing	
Stoughton	Stoughton	Existing	X
Taunton (Dean St)	Taunton	New	X
Downtown Taunton Depot	Taunton	New	
Whale's Tooth	New Bedford	New	X

It is stated in the DEIS/DEIR on page 3-82 that "the intended goal that the existing commuter rail station designs would be updated". In addition, proposed high-level platforms would be constructed at a height that is 4 feet above the track level, allowing for level-boarding onto all the commuter rail coaches for a 9-car train set (approximately 800' long). **Any potential impacts to parking in the Canton Center/Downtown Area and impacts to ridership need to be fully explained by the Proponent. In addition, we request that the Proponent provide information that discusses increased train frequency and the impacts of existing and future ridership projections at the Canton Junction and Canton Center stations as part of the Stoughton Alternative. We request the Proponent address if new ridership projections will lead to the possibility of future station consolidations or modifications.**

L-055.08

L-055.09

Safety/Crash Rates

McMahon conducted an independent study regarding accident data for the study area and at-grade intersections identified in the DEIS/DEIR. Information was obtained from MassDOT for the most recent three-year period available. This data includes complete yearly accident summaries for 2006, 2007, and 2008. The Accident Summary shown below in Table 1 was prepared to identify potential high accident frequencies at the study area intersections. As shown in the table, 24 accidents were reported over the three year period at the Washington Street and Sherman Street signalized intersection, 24 accidents at the Washington Street and Revere Street signalized intersection, and 9 accidents at the Washington Street and at-grade intersection. **Although we have collected the accident data, it is unclear when the safety threshold at the study area and at-grade intersections is met or if they exceed the average accident rates. A thorough assessment should be provided by the Proponent to ensure that these locations include adequate safety measures.**

L-055.10

South Coast Rail Accident Summary - Canton

Year	At-Grade/ Washington Street	Route 138 and Revere	Route 138 and Sherman	At-Grade/ Pine Street	At-Grade/ Will Drive
2006	2	7	8	0	0
2007	5	8	10	0	0
2008	<u>2</u>	<u>5</u>	<u>6</u>	<u>1</u>	<u>0</u>
Total	9	20	24	1	0
Type					
Angle	1	6	8	0	0
Rear-end	5	8	11	0	0
Head-on	0	1	2	0	0
Sideswipe	1	1	1	0	0
Single Vehicle	2	3	0	1	0
Unknown	0	1	2	0	0
Total	9	20	24	1	0
Severity					
Property Damage	5	13	19	1	0
Personal Injury	3	5	3	0	0
Fatality	0	0	0	0	0
Other	1	2	2	0	0
Total	9	20	24	1	0
Weather					
Clear	7	12	15	0	0
Cloudy	1	3	6	1	0
Rain	1	5	2	0	0
Snow	0	0	1	0	0
Ice	0	0	0	0	0
Sleet	0	0	0	0	0
Fog	0	0	0	0	0
Unknown	0	0	0	0	0
Total	9	20	24	1	0
Time					
7:00 AM to 9:00 AM	1	0	3	0	0
9:00 AM to 4:00 PM	5	13	11	0	0
4:00 PM to 6:00 PM	2	2	4	0	0
6:00 PM to 7:00 AM	<u>1</u>	<u>5</u>	<u>6</u>	<u>1</u>	<u>0</u>
Total	9	20	24	1	0

Electrification

Page 3-78 of the DEIS/DEIR discusses the need for a new traction electrification system required to provide electric power to locomotives for the electric commuter rail alternatives. This new system would include traction power systems, overhead catenary, wayside power, signaling, a Supervisory Control and Data Acquisition (SCADA) system & communications and the return circuits. Specifically, “the new traction electrification system would tie into the NEC electrification system with some modifications to that system. The traction electrification system would provide power to the trains from wayside traction power facilities through an overhead contact system (OCS), which distributes the power to the trains’ pantographs. The pantographs, mounted on the roof of the rolling stock, would collect the electrical power from the OCS through mechanical contact by sliding under the OCS contact wire. The electrical circuit would be completed back to the source substation via multiple return paths, including running rails and static wires”. **The Proponent should provide additional details on the physical improvements, including structures, visual impacts to abutters, and right-of-way impacts associated with the implementation of the new electrification system.**

L-055.11

Abutter Impacts

The three impacted at-grade crossings within Canton (Washington Street, Pine Street, and Will Drive) are currently active rail crossings that would be modified to allow double track operations. The Stoughton Alternative requires the reconstruction of existing tracks of the Stoughton Line from Canton Junction to Stoughton, a double track for a distance of 3.8 miles, through existing residential and commercial areas. **We request the Proponent provide information regarding the proposed limits of the track layout and proximity to abutters within Canton. In addition, please identify and address any associated vibration and noise impacts to these abutters.**

L-055.12

Parking

Figure 3.2-29 shows the proposed reconstruction of Canton Center Station due the impacts of the Stoughton Alternative. **We request the Proponent provide additional information related to the revised parking layouts at Canton Center Station, including parking utilization projections, and existing data and any other relevant data associated with operation of these parking lots and abutting roadways. In addition, any direct or indirect impacts to the reconstructed Canton Center Station due to potential changes to parking should be investigated by the Proponent.**

L-055.13

Peak and Off-Peak Trips

According to the DEIS/DEIR, existing train frequency from Canton Junction Station to Stoughton Station, along the existing MBTA Commuter Rail alignment, ranges from 17

L-055.14

roundtrip (34 total trains) passenger trains per day on weekdays to no passenger trains on weekends. There is also freight service several times a week between Canton Junction station and Central Street in Stoughton. Proposed operating plans for the Stoughton Alternative would include three peak periods trains to each of the terminal station of New Bedford and Fall River with a fourth train operating near the peak rush hour period. This equates to approximately one train every forty minutes from Fall River/New Bedford and one every twenty minutes from Taunton northward. During the off-peak periods six additional trains would operate on a three-hour frequency from each of the terminal stations and every ninety minutes from Taunton northward. The DEIS/DEIR states that this translates to nine round trips per weekday operation from each terminal station with one additional round trip from East Taunton for a total of 38 weekday trains per day. However, if each terminal station is served by four peak/shoulder trains and six off-peak trains, along with one round trip to East Taunton, the total would be 42 trains passing through Canton. **We request the Proponent provide a concise comparison of the number of peak and off-peak trips per each terminal station from Fall River and New Bedford.**

L-055.14

Freight Service

There is existing freight service several times a week between Canton Junction Station and Central Street in Stoughton. As part of the Stoughton alternative, freight service will operate via Canton Junction through Stoughton, proceeding directly via Taunton to New Bedford or Fall River. As stated in the DEIS/DEIR, the only access to the remaining active freight rail customers on the existing Stoughton Branch is via the Northeast Corridor through Canton Junction. The need to access the high-speed corridor will definitely be impacted by the coming of the high-speed train service. The MBTA may or may not grant a freight carrier access to the Canton area through the proposed reconstructed line between Winter Street, Taunton, and the present location of end-of-track in Stoughton. It is stated that daytime freight service on the line segment between Winter Street and Stoughton is possible but not practical. **We suggest that any impacts of the freight service along the Stoughton line be clarified and safety impacts addressed. In addition, due to the recent accident of a freight train and MBTA Commuter Rail train in the vicinity of the Canton Junction station, any potential safety concerns between freight and passenger trains needs to be addressed.**

L-055.15

Railroad Bridges

Table 3.2-19 in the DEIS/DEIR provides a list of bridge crossings (both undergrade and overhead) that would require rehabilitation or reconstruction as part of the Stoughton Alternative for the South Coast Rail Project. **Additional specific details regarding the rehabilitation or reconstruction at the existing railroad bridges within the Town of Canton, including Revere Street, Forge Pond, Bolivar Street, Beaver Pond and the historic Canton Viaduct should be provided by the Proponent.**

L-055.16

Canton Center Train Station during construction

Figure 3.2-29 shows the proposed reconstruction of Canton Center Station with the implementation of the Stoughton Alternative. **Any impacts to the Canton Station Train Station during construction, including hours of construction, dust and noise, temporary busing, and parking impacts should be addressed by the Proponent as well as potential parking and traffic operations impacts along the abutting local roadways during construction.**

L-055.17

Conclusion

Based on our initial review and the comments above, the DEIS/DEIR lacks sufficient detail and requires additional information to be provided by the Proponent in the FEIR to properly assess the impacts. Several issues have been identified through our review that merit further response from the Proponent. These issues include, but are not limited to traffic volumes; capacity analysis; parking; noise, vibration and other abutter impacts; existing and new grade crossings; freight service; and railroad bridges.

If you should have any questions or require further information, please feel free to contact us.

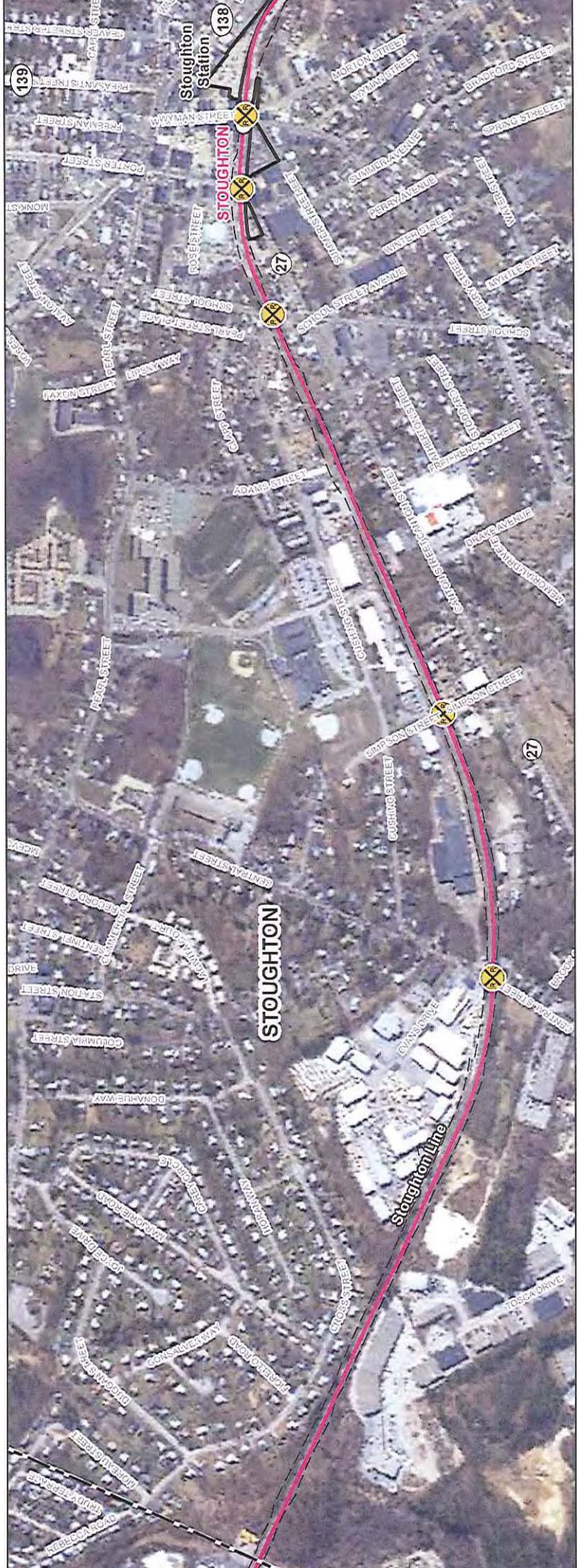
Very truly yours,



Steven C. Findlen
Senior Project Manager



Gary McNaughton, P.E., PTOE
Vice President & General Manager



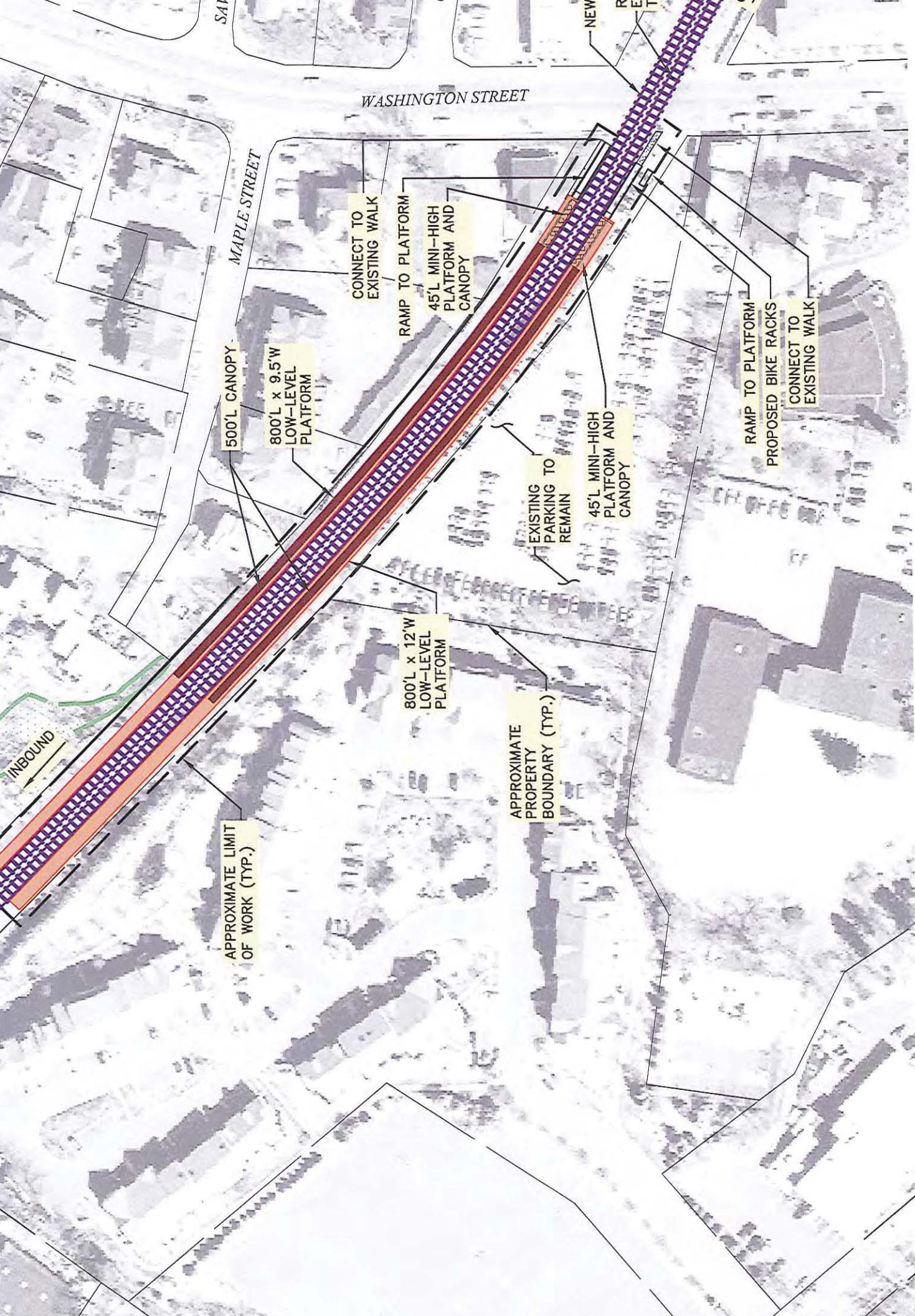
Proposed Alternative Alignment

- Limit of Work for Proposed Station/layover Facility
- Limit of Permanent Impact for Proposed Rail
- Limit of Work for Proposed Traction

Grade Crossings

- Proposed Grade Crossing
- Existing Grade Crossing to Remain

Index Map



Legend

- Platform
- Canopy
- Transitional Plaza
- Proposed Track
- Property
- Proposed Roadway
- Limit of Work

Parking Summary Chart

EXISTING SPACES LOST	-
PROPOSED SPACES ADDED	-

From: Colton, David [DColton@easton.ma.us]
Sent: Monday, April 04, 2011 2:52 PM
To: SCREIS, NAE
Cc: Colleen Corona; Washburn, Brad
Subject: NAE-2007-00698 (South Coast Rail)

Alan Anacheke-Naseman,

After reading the Public Notice I discovered that I may have sent the following request to the wrong email address. I apologize if you got two requests from me.

Given that the DEIS on the South Coast rail is over 2,500 pages, we respectfully request more time to review it and submit comments. In addition, we are coordinating the comments of over a dozen town boards, committees, and departments so that we may focus the comments of the town and avoid duplication. A total of 63 days (including weekends and holidays) is not sufficient time to digest this document and provide meaningful comments.

E-001.01

Therefore, we ask for an additional 60 days. Thank you for your consideration.

David A Colton
Town Administrator
Easton Massachusetts

Help make the earth a greener place. If at all possible resist printing this e-mail and join us in saving paper.



TOWN OF EASTON
MASSACHUSETTS
Office of the Town Administrator

DAVID A. COLTON
Town Administrator

May 27, 2011

Alan Anachecka-Nasemann
Senior Project Manager
Regulatory Division, Permits and Enforcement Branch
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K. Sullivan
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
Attn: Aisling O'Shea, MEPA Office

Re: EEA # 14346, South Coast Rail Draft Environmental Impact Statement/Report

Dear Mr. Anachecka-Nasemann and Secretary Sullivan:

The Town of Easton is writing to provide comments on the Draft Environmental Impact Statement/Report (DEIS/DEIR) for the South Coast Rail project. While the information provided in the DEIS/DEIR does not seem to clearly demonstrate that project alternatives within the Stoughton corridor are the Least Environmentally Damaging Practicable Alternative (LEDPA), in the DEIS/DEIR, the Massachusetts Department of Transportation (MassDOT) identifies the Stoughton family of alternatives as the preferred corridor for the project. The selection of an alternative within this corridor as the LEDPA would have significant impacts on the Town of Easton. As the DEIS/DEIR only provides summarized information for each project alternative, we request that the Final EIS/EIR be required to provide additional, detailed information on project impacts and mitigation measures. Please see below for our comments to specific concerns we have at this point.

L-056.01

Public Safety

Project alternatives within the Stoughton corridor will result in ten new at-grade crossings, many with limited visibility, or line-of-site. These proposed crossings are safety hazards for motorists and pedestrians. During operation, these crossings may

L-056.02

result in emergency response delays. The Town of Easton requests that the proponent provide the following:

L-056.02

- Safety education program - Provide safety information to children within the school system and a general public awareness campaign.
- Pedestrian crossings – Install signage indicating the rail line is active and direct individuals to safe crossing locations.
- Deterrents – Provide creative means of deterring people from dangerous crossings. Recent transit studies demonstrate that people quickly become inured to typical warning signs.
- Safety training for first responders on how to respond to and operate in and around the rail system. This should include not just anticipating a moving train blocking a crossing, but the potential for a train to be stuck at a crossing or the crossing gate to be malfunctioning.

Transportation

The DEIS/DEIR proposes two station locations in the Town of Easton, one in North Easton Village and one in North Easton adjacent to the Roche Bros Plaza. Rail service along the Stoughton corridor would also require new grade crossings at Elm Street, Oliver Street, Short Street, Depot Street (Route 123), Purchase Street, Prospect Street, and Foundry Street (Route 106). Additional traffic generated by the new stations and additional vehicle queuing at the new grade crossings would significantly impact the Town's roadway network. In order to help offset these project impacts, the Town of Easton is requesting the following transportation mitigation measures be included in the FEIR/FEIS:

L-056.03

- Upgrade Route 138 (Stoughton town line to Elm Street) – Route 138 is the only way to access the proposed North Easton station. Roadway improvements along this segment of Route 138, which is largely un-signalized and under current traffic conditions has failing Levels of Service, should include signalized intersections at Union Street and Elm Street. Improvements should also include sidewalks and bicycle lanes to enhance pedestrian safety and environmentally responsible transportation options to access the station.
- Upgrade Union Street (Brockton town line to Route 138) - The existing condition of the roadway is adequate for the current amount of daily traffic. However, this roadway will likely serve as a feeder for vehicles coming from the east accessing the North Easton station and will require improvements to accommodate higher amounts of traffic.
- Traffic improvements at the intersection of Route 138 and Route 123 – This gateway intersection is included in the South Coast Rail Corridor Plan as a Priority Development Area. These improvements will enhance the functionality of a critical intersection that will see an increase in traffic due to the proposed station locations.

- Traffic calming measures in North Easton Village - Although the DEIS/DEIR assumes that most riders will either walk or bike to this station, there will be a significant increase in traffic, vehicle queuing, and related parking issues during peak travel times. The DEIS/DEIR does indicate that traffic calming measures will be provided for this location. We request that the FEIR/FEIS provide more detail on these measures.
- Expand public transportation connections – In coordination with regional transit providers (e.g., BAT), MassDOT should work to expand existing routes or create new routes to new rail stations.

L-056.03

Visual

The Stoughton corridor bisects both local and national historic districts that are home to many of the Town's most significant historic and architectural landmarks such as the Ames Shovel Works complex, historic railway station, Oakes Ames Memorial Hall and the Ames Free Library. The DEIS/DEIR states on page 4.5-39 that, "adverse impacts to the visual environment in the vicinity of the new Easton Village station would be substantial". The FEIR/FEIS should include plans that show a full-grade separation at Main Street with no visual impact resulting from any vertical or horizontal realignment of the tracks and details on how the new station will be sensitively incorporated into the historic fabric of this area. The DEIS/DEIR also acknowledges there will be visual impacts to residential neighborhoods and open spaces along the corridor. While the DEIS/DEIR provides information on how visual impacts may generally be addressed with fencing or grade separation, we request the FEIR/FEIS provide specific measures to address these visual impacts.

L-056.04

Noise and Vibration

Portions of the Stoughton corridor run through dense residential neighborhoods in the North Easton Village area. Many homes, commercial and historical properties are immediately adjacent to the ROW or in very close proximity. Further, since the deactivation of the old rail line, new homes have been constructed in close proximity to the abandoned ROW. In order to fully understand and mitigate for noise and vibration impacts, we request the FEIR/FEIS include the following:

L-056.05

- Identify all properties that will be impacted by the noise and vibration generated by the train. The list of impacted areas in the DEIR/DEIS is missing several streets and individual properties.
- Create a baseline assessment of existing historic structures; follow-up with a 5-year assessment to determine if there are vibration impacts
- No whistles at grade crossings
- Provide more detail on the likelihood of freight service, including the hours of operation and potential cargo
- Sound barriers and fences in accordance with Federal guidelines

Open Space and Land Acquisition

Table 4.10-16 summarizes the Potential Direct Effects to Protected Open Spaces and ACECs. This table shows no impact in Easton. However, tables 4.10-9, and figures 4.10-7 (a-e) indicate acquisition of Easton public conservation land. We request that the FEIR/FEIS include the following:

L-056.06

- Clarify whether Easton conservation land is intended to be acquired and if so the amount to be acquired.
- Land in an equal amount and of equal ecological value should be provided in exchange for the acquisition.

Natural Resources

The DEIR/DEIS states that the Department of Conservation and Recreation describes the Hockomock Swamp ACEC as one of the most extensive inland wildlife habitats in southeastern Massachusetts and includes outstanding Atlantic white cedar swamp and acidic fen wetland communities. The Hockomock Swamp also provides habitat for at least 13 species listed with the NHESP and is listed in the South Coast Rail Corridor Plan as a Priority Protection Area. The DEIS/DEIR identifies a number of direct and indirect impacts that expected from construction activities, restoration of the rail bed and increasing the canopy bed over the rail bed. The impacts would include hydrological changes; habitat and population fragmentation; edge effects; noise and vibration; and restrictions to wildlife movement. Since detailed plans have not been completed, the full impact on habitat and natural resources cannot be fully known. In order to fully understand the impact of the project on habitat and protected species, the FEIR/FEIS needs to include:

L-056.07

- A baseline assessment of habitat value and rare species populations, using the information gathered during the analysis process; follow-up with a five-year study to assess impacts from the rail on those habitat values and species
- Plans that include implementation for appropriate mitigation to restore affected values and populations to baseline conditions

Wetlands

The DEIS/DEIR indicates wetlands were evaluated using GIS data layers, orthophotos, and visual inspections of critical areas and indicates more detailed analysis of resource areas will be done prior to the design process. The DEIS/DEIR acknowledges the method used provides a best guess estimate as to wetlands impacts and that full impacts will be assessed during the design process once the LEDPA has been selected.

L-056.08

- A superseding ORAD, issued by DEP in 2000, confirmed some wetland resources areas within the Easton portion of the ROW. The ORAD stated wetlands not directly adjacent to the ROW would need to be addressed during the Notice of Intent process. Therefore, it is expected that the wetland boundaries will be finalized when the Notice of Intent is filed with the Easton Conservation Commission.
- Wetland alteration or loss within the Easton portion of the rail line will be replicated in Easton at a ratio of 2:1.

Water Resources

The rail line is located immediately adjacent to the Zone I wellhead protection area and is within the Interim Wellhead Protection area and Zone II wellhead protection area of three of the six wells that supply Easton's drinking water. Any adverse impact to these wells could have a devastating effect on the Town's ability to provide an adequate water supply to its residents. Several water bodies within Easton would also be receptors of aerial deposition of diesel exhaust. The FEIR/FEIS should:

L-056.09

- Demonstrate, in detail, how the project will fully comply with Massachusetts Stormwater Management regulations.
- Prohibit the use of herbicides within the Town's Aquifer Protection District.
- Establish a Performance Guarantee against potential releases of Oils or Hazardous Materials that result in the contamination and subsequent disuse of any or all of Easton's drinking water wells. The amount of the guarantee should be equal to the cost of obtaining drinking water from another source (e.g. advancement of new wells; purchase of water from another supplier) and should be increased by an amount annually that reasonably anticipates increases to said cost.
- Provide for a 2-year pre-construction period of water quality testing and analysis to establish baseline conditions of the water bodies that would be receptors of aerial deposition of diesel exhaust. This baseline analysis should be followed by a five-year assessment to determine any impacts.

Conclusion

The Town of Easton is extremely concerned about the potential impacts of the project alternatives within the preferred Stoughton corridor. As noted above, the preferred alternatives will have significant impacts in regards to public safety and to the Town's natural and built environment. The DEIS/DEIR does not provide sufficient information about the potential impacts of the project, nor does it offer specific mitigation measures to help offset these impacts. We believe these issues should be fully addressed and vetted during the public FEIR/FEIS process.

Please feel free to contact me if you have any questions.

Sincerely,

David Colton
Town Administrator

Cc: Ken Kimmell, Commissioner DEP
Karen Adams, U.S. Army Corps of Engineers
Kristina Egan, MassDOT

Senator Brian Joyce
Senator Thomas Kennedy
State Representative Angelo D'Emilia
State Representative Geraldine Creedon
State Representative Christine Canavan
Easton Board of Selectmen
Raynham Selectmen
Stoughton Selectmen

From: leonardflynn@verizon.net
Sent: Monday, May 09, 2011 1:18 PM
To: SCREIS, NAE
Subject: FW: NRT Newsletter SCR Project 4
Attachments: NRT Newsletter SCR Project 4.doc

From: leonardflynn@verizon.net [mailto:leonardflynn@verizon.net]
Sent: Monday, May 09, 2011 1:04 PM
To: 'marydeeflynn@yahoo.com'
Subject: NRT Newsletter SCR Project 4

Alan Anacheke-Nasemann,

The attached document is a press release I wrote [for](#) the Natural Resources Trust newsletter and the Mansfield Selectmen and Planning Board. I wrote it in my position as the Mansfield Commissioner of SRPEDD and as [a](#) member of the Southeastern Massachusetts Commuter Rail Task Force. It represents the town's position and the Natural Resources Trust's position on the Project. E-028.01

Leonard Flynn

Press Release on South Coast Rail Project and its Impact on Mansfield

For decades the citizens of Fall River and New Bedford have been promised commuter rail service. A design was developed and approved in 2002 by the Executive Office of Transportation but never built due to lack of funding. This was one of many attempts over the years to provide the service to Fall River and New Bedford. The justification for the project is not only to provide commuter rail service but also to provide economic stimulus for one of the most economically depressed areas of the state.

The current effort of the South Coast Rail Project (SCR) was started in 2005 and has progressed to the point where three of the sixty-four originally proposed routes have been selected; the Stoughton route, the Attleboro bypass route and a bus service to Boston via Route 24. The project is to be federally funded and because of this the Army Corps of Engineers will make the final selection of the route. This decision has been delayed twice by the Corps and is now tentatively scheduled for June, 2010.

There were definitive criteria established by the Executive Office of Transportation and Army Corps of Engineers for the selection of the route. The following spread sheets depict the results of extensive research and study by the EOT to evaluate the criteria. This information along with an Environmental Impact Study done by the Corps will be used to determine the route.

E-028.02

After reviewing this data it seems obvious to me the Stoughton route is the preferred route but the decision will be made by the Army Corps of Engineers and on their schedule.

If the Attleboro Route is selected it will have significant impact on Mansfield. It will require the construction of the Attleboro bypass, a strictly commuter track to connect the Attleboro Secondary Line to the NY/NH Main line corridor in Mansfield. The bypass is three miles long and will run through Norton, Attleboro and Mansfield, connecting to the Main Line just west of Gilbert Street in Mansfield. This third set of tracks will then be added to the existing two sets of tracks on the Main Line to Boston. This will require the taking of land and buildings along the main line from Gilbert Street to the Foxboro town line.

E-028.03

	Attleboro		Stoughton		Whittenton		Rapid Bus
	Electric	Diesel	Electric	Diesel	Electric	Diesel	
Travel Time to New Bedford (minutes)	75	84	76	85	87	96	103
Travel Time to Fall River (minutes)	72	82	73	83	85	94	91
Total Daily Trips	38	38	38	38	38	38	218
Total Daily New Trips	38	38	2	2	2	2	218
Total Peak Period Departures/Arrivals (each terminal)	3	3	3	3	3	3	8
Peak Period Frequency (minutes)	40	40	40	40	40	40	15
New Daily Boardings	9,360	8,040	9,580	8,140	9,640	8,040	4,200
New Daily Transit Passengers	5,300	4,500	5,900	5,000	5,500	4,600	850
On-Time Performance¹	50%	44%	98%	96%	98%	96%	88% ²

¹ These are the On-Time Performance measures for all trains arriving at South Station.

² The On-Time Performance measure for the Rapid Bus Alternatives were obtained for the non-holiday weekday peak periods.



It will require the widening of all the bridges and underpasses along the route, the relocation of the train station, land taking in the Great Woods Conservation Area and in a Priority Protection Area between Gilbert Street and the Attleboro and Norton town lines. The bridges that will be widened are at North Main Street, Route 106, Route 140, School Street, Elm Street and Gilbert Street. This construction will take years to complete, cause unimaginable traffic problems for years throughout Mansfield and will not provide any benefit to the town.

The South Coast Rail Project is an investment in future transportation infrastructure that could be funded with stimulus money and provide future economic and environmental benefits for all of South East Massachusetts.

For a comprehensive description of the project go to the South Coast Rail web page.

Leonard Flynn

Mansfield Commissioner SRPEDD

Commuter Rail Task Force

E-028.03



TOWN OF NORTON

BOARD OF SELECTMEN

70 EAST MAIN STREET

MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (508) 285-0210

May 19, 2011

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston, MA 02114

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, NE District
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project –
Comment for the
Draft EIS/EIR of February 2011

Dear Secretary Sullivan and Mr. Anacheka-Nasemann:

The Town of Norton has been at the forefront of the campaign opposing the Attleboro Alternative for South Coast Rail since 1995. We have worked with the other communities who would be impacted by this ill-advised route, including Attleboro, Mansfield, and Taunton. The Norton Board of Selectmen, Mansfield Board of Selectmen, as well as the Mayors and City Councilors of Attleboro and Taunton, and elected representatives in the State House have gone on record repeatedly voicing solidarity in our position that the Attleboro Alternative should be eliminated as a route for South Coast Rail. L-031.01

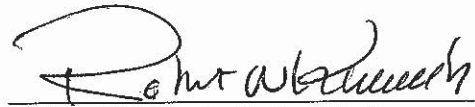
The Norton Board of Selectmen has also been consistent in supporting the restoration of commuter rail service to New Bedford, Fall River, and our sister city of Taunton via the Original (Straight) Stoughton Route. We are encouraged by the findings of the Draft EIS/EIR and optimistic that the final reports will eliminate the Attleboro Alternative from any further consideration. L-031.02

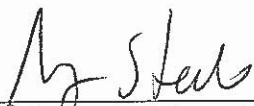
MAY24'11 REG DIV

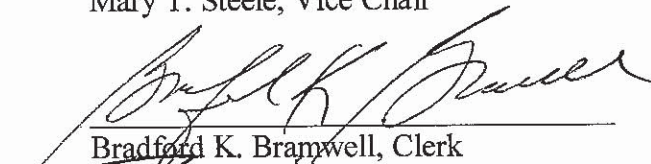
Secretary Richard K. Sullivan, Jr., and Mr. Alan Anacheke-Nasemann
Page 2
May 19, 2011


The Norton Board of Selectmen appreciates this opportunity for input. We expect Heather Graf, our appointed representative to the Southeastern Massachusetts Commuter Rail Task Force, will review the DEIS/DEIR and comment further.

TOWN OF NORTON
BOARD OF SELECTMEN, BY:


Robert W. Kimball, Jr., Chairman


Mary T. Steele, Vice Chair

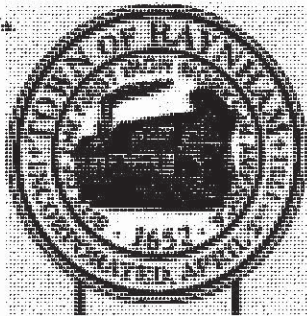

Bradford K. Bramwell, Clerk


Robert S. Salvo, Sr.


Timothy R. Giblin

mtb

pc: Ms. Kristina Eagan
Massachusetts Department of Transportation
Ten Park Plaza, Room 4150
Boston, MA 02116



www.town.raynham.ma.
us

TOWN OF RAYNHAM
SELECTMEN AND BOARD OF HEALTH
558 SOUTH MAIN STREET
RAYNHAM, MASSACHUSETTS 02767
TEL#: (508) 824-2707
Board of Health: (508) 824-2766
FAX#: (508) 823-1812

May 24, 2011

Alan Anacheka –Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

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


Re: Comments on the DEIS/DEIR – South Coast Rail Project
Department of the Army Permit # NAE-2007-00698
EOEEA # 14346

Dear Mr. Anacheka-Nasemann and Secretary Sullivan:

Enclosed please find a list of mitigation measures which the town of Raynham believes would be necessary should the so-called Stoughton Alternative be chosen as the preferred route. L-042.01

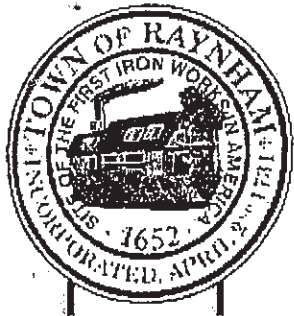
Thank you.

Very truly yours,


Randall A. Buckner
Town Administrator

encl: (1)

MAY26'11 REG DIV



TOWN OF RAYNHAM
SELECTMEN AND BOARD OF HEALTH
558 SOUTH MAIN STREET
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PROPOSED COMMUTER RAIL MITIGATION MEASURES

For Town of Raynham South Coast Rail Project

1. Commuter rail stop that is compatible with the Town and accessible to residents. | L-042.02
2. No whistles at grade crossings. | L-042.03
3. Road improvements to Rt. 138 to be engineered, permitted and constructed by the State. | L-042.04
4. Sound barriers in accordance with Federal guidelines to protect residences along the route. | L-042.05
5. Any wetland restoration, mitigation and replication required must be within the Town of Raynham. | L-042.06
6. Mitigation for homeowners whose property values are negatively affected by proximity of the rail line in the form of full market value. | L-042.07
7. Public safety facility in North Raynham. | L-042.08
8. Safety education program for school children in public schools. | L-042.09
9. Mitigation for North Raynham Water District for any negative effects on wells. | L-042.10
10. If chosen route crosses Route 138, preference is for the train to pass underneath Route 138 rather than at-grade. | L-042.11

Adopted by unanimous vote of the Board of Selectmen on September 16, 2008.



KOPELMAN AND PAIGE, P.C.
The Leader in Municipal Law

101 Arch Street
Boston, MA 02110
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F: 617.654.1735
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April 12, 2011

George X. Pucci
gpucci@k-plaw.com
(617) 654-1718

**BY FACSIMILE, ELECTRONIC
AND FIRST CLASS MAIL**

Mr. Alan Anacheke-Nasemann
U.S. Army Corps of Engineers
New England District, Regulatory
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project
Draft Environmental Impact Statement/Draft Environmental Impact Report
EEA File #14346; U.S. Army Corps of Engineers Regulatory File No. NAE-2007-00698
(Town of Stoughton)

Dear Mr. Anacheke-Nasemann:

This firm serves as Town Counsel to the Town of Stoughton (the "Town") and represents the Town with respect to the preparation and submission of comments on the Draft Environmental Impact Statement/Draft Environmental Impact Report ("DEIS/DEIR") for the South Coast Rail Project proposed by MassDOT.

As you know, the DEIS/DEIR consists of 2,500 pages and includes voluminous data and highly complex technical analysis on a myriad of very important issues. This complex information, published for the first time at the end of March, 2011, has been several years in the making. We respectfully suggest that a public comment period of only two months on such a highly complex document is inadequate and not in the public interest. L-004.01

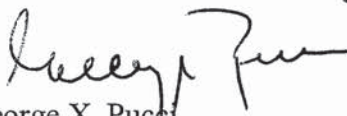
Moreover, the selection of the "Stoughton Alternative" as the preferred alternative for the project raises enormous concerns for the Town with respect to a number of issues within the USACE's jurisdiction, including public safety, land use planning, environmental, historic properties, property ownership, aesthetics and economic concerns, and the needs and welfare of its residents. The Town respectfully requests a 120-day extension of the May 27, 2011 public comment deadline so that it has sufficient time to evaluate the report with appropriate consultants and submit meaningful comments.

KOPELMAN AND PAIGE, P.C.

Mr. Alan Anacheke-Nasemann
U.S. Army Corps of Engineers
April 12, 2011
Page 2

Thank you very much for your consideration of the Town's request.

Very truly yours,



George X. Pucci

GXP/man

cc: Town Manager
Secretary Richard Sullivan,
Executive Office of Energy and Environmental Affairs (by electronic and first class mail)
Ms. Kristina Egan, Director, South Coast Rail, MassDOT

423270/28514/0001



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May 9, 2011

George X. Pucci
gpucci@k-plaw.com
(617) 654-1718

BY ELECTRONIC AND FIRST CLASS MAIL

Secretary Richard Sullivan
Executive Office of Energy and
Environmental Affairs Division
Attn: MEPA Office
Aisling O'Shea, EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Mr. Alan Anacheke-Nasemann
U.S. Army Corps of Engineers
New England District, Regulatory
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project
Draft Environmental Impact Statement/Draft Environmental Impact Report
EEA File #14346; U.S. Army Corps of Engineers Regulatory File No. NAE-2007-00698
(Town of Stoughton)

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

As previously advised, this firm represents the Town of Stoughton with respect to the preparation and submission of comments on the 2500-page Draft Environmental Impact Statement/Draft Environmental Impact Report ("DEIS/DEIR") for the South Coast Rail Project proposed by MassDOT.

As you know, the DEIS/DEIR identifies the "Stoughton Alternative" as the preferred alternative for the project.

I previously requested an extension of the public comment period on the DEIS/DEIR, currently set to expire on May 27, 2011. An extension has also been requested by State Senator Brian A. Joyce, and State Representatives, William C. Galvin and Louis L. Kafka, by correspondence dated April 5, 2011.

On May 5, 2011, State Senator Joyce hosted a meeting to discuss the project with representatives of all interested parties in the "Stoughton Alternative," including State legislators for, and local officials from, the Towns of Stoughton, Easton, Canton, and Raynham, the project proponent, the Governor's office, and the EOEEA. My client again requested an extension of public comment deadline on the DEIS/DEIR by 90 days, up to and including August 27, 2011, which request was supported by the other potentially affected communities present.

I would appreciate if you would be kind enough to reconsider our request for an extension of the public comment period on the grounds set forth in my prior letter and in consideration of the issues discussed on May 5, 2011 and have someone from your staff contact me to confirm whether

L-020.01

KOPELMAN AND PAIGE, P.C.

Mr. Alan Anacheke-Nasemann
U.S. Army Corps of Engineers
May 9, 2011
Page 2

the extension will be granted. I can be reached either by return mail, or by e-mail at gpucci@k-plaw.com or by telephone at (617) 654-1718.

Thank you very much for your courtesy and cooperation in this matter.

Very truly yours,


George X. Pucci

GXP/man

cc: Town Manager
Ms. Kristina Egan, Director, South Coast Rail, MassDOT

423270/28514/0001



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May 27, 2011

George X. Pucci
gpucci@k-plaw.com
(617) 654-1718

BY ELECTRONIC MAIL and
BY HAND DELIVERY

Secretary Richard Sullivan
Executive Office of Energy and
Environmental Affairs Division
Attn: MEPA Office
Aisling O'Shea, EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Mr. Alan Anacheke-Nasemann
U.S. Army Corps of Engineers
New England District, Regulatory
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project
Draft Environmental Impact Statement/Draft Environmental Impact Report
EEA File #14346; U.S. Army Corps of Engineers Regulatory File No. NAE-2007-00698
(Town of Stoughton)

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

As previously advised, this firm serves as Town Counsel to the Town of Stoughton and represents the Town with regard to the proposed South Coast Rail Project. This shall serve as the Town's written comments on the Draft Environmental Impact Statement/Draft Environmental Impact Report ("DEIS/DEIR") issued on March 18, 2011.

I. DENIAL OF REASONABLE EXTENSION OF PUBLIC COMMENT REVIEW PERIOD

At the outset, the Town respectfully contends that it was unreasonable that the project proponent and the state and federal permitting authorities, Executive Office of Energy and Environmental Affairs ("EOEEA") and the U.S. Army Corps of Engineers ("USACE"), were unwilling to even entertain a reasonable extension of the public comment deadline of May 27, 2011.

L-079.01

It is simply not reasonable to expect meaningful public comment on the complex issues described in the 2500-page DEIS/DEIR within such a short timeframe. The denial of a reasonable extension precludes effective expert analysis and/or peer review of the voluminous data and underlying methodology upon which the project proponent claims a compelling need for this staggeringly expensive public project and hinders responsible and objective scrutiny of the project.

The Town reserves the right to challenge the arbitrary and capricious nature of the decision denying a reasonable extension of the public comment period and the substantial rights affected

Secretary Richard Sullivan
Mr. Alan Anacheke-Nasemann
May 27, 2011
Page 2

thereby, including but not limited to a reasonable opportunity to obtain expert analysis and/or peer review of the methodology upon which the project proponent claims that this project serves some compelling public need, that such need outweighs the adverse effects of the project, and that such adverse effects can be adequately mitigated.

L-079.01

Notwithstanding the foregoing reservation of rights, the Town submits these written comments to urge the USACE to deny approval of the "Stoughton Alternative" as contrary to the public interest, and for the EOEEA to determine that the DEIS/DEIR is inadequate and require a supplemental draft, pursuant to 301 CMR §11.08(8)(b), addressing the issues noted below.

L-079.02

II. PROJECT PURPOSE – NO COMPELLING NEED

The stated purpose of the South Coast Rail project is unsound. The alleged purpose of the project is "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility." However, there is no relevant or sound demographic or statistical analysis to conclude that there is a substantial Boston commuting market located in the Fall River/New Bedford area, and no basis to conclude that there is any compelling need for commuter rail service between these two widely disparate regions.

L-079.03

Furthermore, there is no basis to conclude that "regional mobility" will be substantially improved by the extension of the commuter rail through the Town of Stoughton and points south to Fall River/New Bedford, as the extension is unlikely to do anything other than draw riders from other means of public transportation without any appreciable reduction in vehicle miles traveled.

L-079.04

Means of Transportation to Work data for towns along the Old Colony Middleborough/Lakeville extension and along the Greenbush line demonstrate the actual impact of the commuter rail on commuting patterns for residents. The Middleborough/Lakeville line opened in 1997. As of the 1990 Census, almost no residents of Middleborough or Lakeville used the commuter rail as a way to get to work. By the 2000 Census, 2.0% of Lakeville residents and 2.6% of Middleborough residents used the commuter rail to get to work. From 2000 until the 2005-2009 American Community Survey, which is the most recent data available, the use of the rail as a means of transportation to work has declined on a percentage basis in some areas.

In Lakeville, the increase was nominal up 0.2%, to 2.2%. In Middleborough, usage declined based on those surveyed to 1.9%. These statistics are very similar to those for towns located along the newly constructed Greenbush line, which saw a ridership of the commuter rail increase of only 1.9% to 2.2% of those surveyed between the opening of the Greenbush line and the most recent Census data from the 2005-2009 American Community Surveys.

Moreover, approximately 25% of these riders switched to the commuter rail from another means of public transportation. Thus, these statistics indicate that the extension or re-opening of a

Secretary Richard Sullivan
Mr. Alan Anacheke-Nasemann
May 27, 2011
Page 3

L-079.04

rail line not only does not drive significant increases in rail ridership, but it also merely results in more competition to other modes of public transportation, with no appreciable reduction in the amount of vehicle miles traveled on the roadways of the Commonwealth.

Further, Journey to Work data from the 2000 Census, which is the most recent available at a detailed level, as well as Wage and Employment data from the Massachusetts Department of Labor and Workforce Development for Fall River and New Bedford indicate that less than 2.0% (695 New Bedford residents and 646 Fall River residents) of residents of either city work in Boston and, therefore, would benefit from the rail extension and the opportunity to use the commuter rail to travel to work. The majority of residents of these two cities work in Fall River, New Bedford, Rhode Island, and other car commuting locations which would not be served by the South Coast Rail extension.

L-079.05

The 2000 Journey to Work data correlates reasonably well with the Journey to Work data from the American Community Survey of 2005-2009 which indicates that 74.9% of Fall River residents and 80.7% of New Bedford residents surveyed work within the same county in which they live. In New Bedford, the primary industries of employment are Health Care and Social Assistance (8,462), Manufacturing (6,664), Educational Services (2,811), Retail Trade (2,596), and Accommodation and Food Services (2,307). These primary employers are also some of the lowest paying industries based on the Labor Department data.

Fall River's primary employment industries are the same as those of New Bedford. The industries that employed the most residents of Fall River as of end of year 2009 are Health Care and Social Assistance (10,193), Manufacturing (4,644), Retail Trade (3,187), Educational Services (2,390), and Accommodation and Food Services (2,333). As with New Bedford, these primary employers are also some of the lowest paying industries based on the Labor Department data.

While the project proponent argues that the lack of public transit to Boston "may" impact the economic development of the New Bedford/Fall River area, the primary industries that residents of Fall River and New Bedford work in, more logically lead to the conclusion that the addition of public transportation by extending the South Coast rail will make a marginal difference in the number of people commuting to Boston for work. Based on the Journey to Work data that shows that a limited number of people from the region travel to Boston for work, the state of the Boston commercial market, and the limited success other new rail lines have had in attracting ridership, there is no evidence that the extension of the South Coast line will spur significant ridership from Bristol County nor will it drive any significant employment opportunities.

The proponents of South Coast Rail argue that ridership along the Stoughton line will increase by extending the line and will provide a means of access to work for New Bedford and Fall River residents. As noted above, however, there is no evidence to support this argument based on Transportation to Work data for residents of other towns where a rail line has recently been opened.

L-079.06

Secretary Richard Sullivan
Mr. Alan Anacheke-Nasemann
May 27, 2011
Page 4

L-079.06

Means of Transportation to Work data for towns along the Old Colony Middleborough/Lakeville extension and along the Greenbush line estimate the impact of the commuter rail on commuting patterns for residents. These data show at most a 2.2% increase in commuter rail use as a means of transportation to work since the rail opened for both the Old Colony and Greenbush lines. On the Old Colony line, the use of the rail as a means of transportation to work has declined on a percentage basis in some areas as of the 2005-2009 American Community Survey.

Again, these statistics plainly indicate that the extension or re-opening of a rail line does not drive significant increases in rail ridership.

III. ADVERSE IMPACTS ON STOUGHTON

A. Economic Impact

The South Coast Rail Plan inaccurately suggests that the rail expansion will increase property values in the affected communities in addition to other economic benefits such as new development. The project proponent also makes misplaced claims of fulfilling “smart growth” concepts such as “transit-oriented” development. These claims are entirely illusory as there is not a single concrete instance of a vibrant economic community arising around the vicinity of a newly constructed rail line or train station in the Commonwealth of Massachusetts. Commuter rail locations are exactly that, locations for commuters to park their cars and travel somewhere else. The noise and vibration of commuter trains, and the splitting up of roadways and sidewalks along the rail crossings, lessens the economic value of businesses and residences located in close proximity to rail lines and train stations.

L-079.07

The blighted condition of the areas around the location of the train station in downtown Stoughton is instructive. The location of the rail line into downtown Stoughton has never been conducive to economic development of the downtown. In fact, the MBTA has allowed the historic train station to fall into an abandoned state of disrepair. The parking areas follow no logical or conducive patterns toward aesthetics or reasonably considered traffic flow or development design standards. The limited residential and commercial uses which exist in downtown Stoughton exist despite the existence of the commuter rail station, and only because of the dogged determination of the local residents and business owners in trying to maintain a viable downtown district.

For Stoughton, the Corridor Plan projects 1,510 new dwelling units and 425,000 square feet of commercial development within one mile of the station in the next 20 years resulting from the rail line extension. However, this projection is plainly refuted by the damage the rail line into downtown Stoughton has already caused and is also refuted by the experience of the new constructed Greenbush line through Hingham, where there has been no development anywhere near the scale of the Corridor Plan’s projections.

Secretary Richard Sullivan
Mr. Alan Anacheke-Nasemann
May 27, 2011
Page 5

The reality of Stoughton's current development patterns with the commuter rail already in existence shows that development continues to occur predominantly in highway-accessible locations. Again, the existing rail line into Stoughton only detracts from viable thriving residential or commercial uses in the downtown. There is no basis to conclude that extending the rail line through Stoughton would significantly shift current development patterns unless financial incentives are provided to encourage development in the downtown.

L-079.07

B. Stoughton Ridership and Environmental Impacts

MassDOT predicts that the South Coast extension will induce people to give up their cars to ride the train. Current ridership numbers refute that claim. Approximately 5.0% (600+/- people) of Stoughton residents surveyed in the American Community Surveys of 2005 to 2009 reported use of public transportation as their means of transportation to work, approximately 75% of which use the commuter rail. The majority – 83% (10,600 +/- people) – drove to work.

L-079.08

Data from the US Census indicate that public transportation ridership in Stoughton has decreased between 2000 and 2010 despite increases in population. A review of primary workplace locations for Stoughton residents underscores that while almost 2,700 Stoughton residents worked in Boston as of 2000, the balance – more than 11,000 people - work in car commuting locations such as Canton, Brockton, Quincy, and Norwood.

Evidence from the Greenbush line shows that the MBTA has failed to meet its ridership projections on that line and that a number of the Greenbush line riders have switched from using the commuter ferry, not from driving their cars. A survey of Greenbush line riders in 2009 found that 46.6% had switched to the commuter rail from the boat while 44.5% previously drove to Boston. David Luberoff, executive director of the Rappaport Institute at Harvard's Kennedy School of Government, whose institute has studied the effect of commuter rail on Greater Boston, said that many people who choose to ride trains had been in carpools before, not driving alone into Boston. "Given that we're talking about a couple of thousand people, the impact on congestion will be completely minimal," he said.

L-079.09

According to studies of the Central Transportation Planning Staff report in March, 2010, Greenbush commuter rail ridership is approximately 40% less than that projected.

The likely impact of the South Coast rail extension on decreasing highway traffic around Stoughton appears limited, especially given that ridership in Stoughton has been declining in recent years. Further, new stations south of Stoughton will attract people from Easton and Raynham and other surrounding towns who may currently commute from Stoughton away. The declining ridership of existing Stoughton residents coupled with existing riders being drawn away by more southerly station stops means that the extension of the South Coast rail will result in fewer people in downtown Stoughton but more intense train traffic through town, only now much more frequent and

L-079.10

Secretary Richard Sullivan
Mr. Alan Anacheke-Nasemann
May 27, 2011
Page 6

L-079.10

intense, in both directions.

C. Stoughton Location within the Region

Stoughton is located in Norfolk County, on the border with Plymouth County. It is bordered by the town of Sharon to the west, Canton to the north, Randolph to the northeast, Avon to the east, and Brockton and Easton to the south. Stoughton is 5 miles north of Brockton, 16 miles north of Taunton, 17 miles south of Boston, and approximately 37 miles from Providence. Stoughton is strategically located south of Boston between State Route 128 and Interstate 495, the inner and outer loops around Boston. State Routes 3, 24 and 28 provide east access to the airport, port and intermodal facilities of Boston and Providence. Other major highways serving the Town include State Routes 27, 138 and 139. Commuter rail service is available in downtown Stoughton to Back Bay Station and South Station in Boston. Stoughton is also a member of the Brockton Area Transit Authority ("BAT") which provides fixed route bus service between Brockton and Stoughton.

Stoughton was incorporated as a town in 1726. Today the community is primarily residential, but there remain a number of former mills and industrial sites around town, especially along the rail lines, as well as significant retail development along the Route 24 corridor. Downtown Stoughton has a number of small commercial uses. There are also a variety of public services within the immediate surrounding area, including Stoughton Town Hall and the Stoughton Public Library, Shaw's Supermarket, the U.S. post office, police station, fire station, and a senior citizens' center. There are also a large number of churches and other religious and cultural institutions in the downtown and immediately surrounding areas.

There is a large, recently developed retail shopping center located in North Stoughton called the Shoppes at Page Point which is anchored by Target. Commercial development in Stoughton has concentrated in the eastern portion of the Town near Route 24 where there are large commercial uses, such as an IKEA, Boston Interiors, Bob's Discount Furniture, Kohl's, BJ's, Olive Garden, and Marriott Courtyard, among others. Stoughton has experienced significant multi-family rental property development as well in recent years, especially in North Stoughton, West Stoughton, and on the Easton town line.

The Town of Stoughton's population increased by about 4,050 people between the 2000 and 2010 Census, with an estimated increase of 1,564 households over the period. This correlates with the amount of new development that has been occurring in Stoughton, primarily in rental housing but also some single-family and condominium homes. Much of the new development has been occurring in North Stoughton, West Stoughton, and on the Easton town line, not in Stoughton's downtown.

L-079.11

The local effect of the recent state and national housing recession can be seen in the number of units sold and their median price in the last few years. Sales prices for single-family and

Secretary Richard Sullivan
 Mr. Alan Anacheke-Nasemann
 May 27, 2011
 Page 7

L-079.11

condominium sales in Stoughton increased for single-family homes between 1999 and 2005, but then declined steadily through 2009. Condominium prices increased between 1999 and 2006 and then declined through 2010. Single-family sale prices in Stoughton rebounded in 2010 but whether that trend will continue or if condominium prices will rebound is unclear from year to date data.

The number of sales has also fluctuated over the past 10 years, although after peaking in 2004 for single-family homes and in 2005 for condominiums the number of sales declined through 2007 for single-families and 2008 for condominiums. The number of single-family sales rebounded in 2008 and 2009 but fell again in 2010, while the number of condominium sales has held relatively steady since 2008.

D. Stoughton Rail Usage Trends

According to the MBTA, there is capacity for 333 cars at the Stoughton parking lot and it is approximately 70% full on any given day. This means 235 to 250+/- people park and ride. The MBTA reported 1,000+/- inbound passengers from Stoughton on a one day audit that occurred in February 2009. These 1,000 passengers represent about 45% of the peak inbound travelers alighting at Ruggles, Back Bay, and South Station according to MBTA 2010 audit data, as follows:

Fall 2010 Peak Morning Alightings – Stoughton Line

<u>Train #</u>	<u>South Station</u>	<u>Back Bay</u>	<u>Ruggles</u>	<u>Total</u>
902	209	199	NA	408
904	381	292	NA	673
906	391	257	128	776
910	186	180	NA	366

Fall 2010 Peak Period Evening Boardings – Stoughton Line

<u>Train #</u>	<u>South Station</u>	<u>Back Bay</u>	<u>Ruggles</u>	<u>Total</u>
917	204	154	54	412
919	294	197	58	549
921	588	220	56	864
923	363	172	49	584
925	154	101	30	285

Approximately 5.0% (600+/- people) of Stoughton residents surveyed in the American Community Surveys of 2005 to 2009, which is the most recent data of this type available, reported use of public transportation as a means of transportation to work. Of these people, 74% to 77% reported using the commuter rail. This amounts to an average of 470+/- Stoughton riders per day in 2010. Data from the 2000 Census show some 950+/- Stoughton riders, indicating that ridership

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decreased between 2000 and 2010 despite increases in population. The majority of the residents surveyed – 83% (10,600 +/- people) – drove to work.

Journey to Work data from the 2000 Census, which is the most recent available, show that Stoughton residents work primarily in car-oriented destinations, apart from those that travel to Boston. As shown in the table to follow, while almost 2,700 Stoughton residents worked in Boston, the balance – more than 11,000 people - work in car commuting locations such as Canton, Brockton, Quincy, and Norwood. This correlates with the Means of Transportation to Work data, which shows 83% of Stoughton residents driving to work.

<u>Workplace Location</u>	<u>Employees</u>
Stoughton	2,661
Boston	2,680
Canton	1,220
Brockton	822
Quincy	627
Norwood	450
Randolph	362
Braintree	305
Avon	299
Easton	278
Dedham	275
Cambridge	253
Newton	239
Waltham	185
Westwood	167
Mansfield	161
Foxborough	145
Needham	140
Walpole	140
Weymouth	124
Sharon	114
Wellesley	107
Rhode Island	95

While Stoughton's population increased from 2000 to 2010, the majority of residential development in Stoughton occurred in more suburban settings and highway accessible locations, from North Stoughton to West Stoughton to the Easton line, as shown in the table to follow. Little residential development has occurred downtown and the fact that there is walkable access to public transportation is not a driving force in development patterns in Stoughton. As a result, extending the commuter rail through Stoughton is unlikely to cause any significant increase in housing

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development in Stoughton's downtown or in commuter rail usage. Even with reasonable population growth in Stoughton, public transit usage declined, another indication that extending the line will not benefit Stoughton.

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<u>Development Name</u>	<u>Address</u>	<u># of Units</u>	<u>Unit Type</u>
Quail Run	12 Buckley Road	132	Apt
Alta at India Woods	30 Stage Coach Road	154	Apt
Villages at Ames Pond	1400 West St	40	Condo
Pond View Village	473 Turnpike St	72	SF
The Lodge	400 Technology Dr	240	Apt
Woodbridge	Mill & Central St	176	Apt
Goddard Highlands	39 Kelsey Dr	104	SF
Downtown Stoughton		<u>14</u>	Condo
Total		932	

There is no evidence to support an increase in Stoughton based ridership, or substantially increased ridership as the result of additional stations being constructed south of Stoughton. Greenbush line Journey to Work data indicates that since the Greenbush line began running the number of commuter rail riders has increased while the number of ferry boat riders has decreased. The MBTA has failed to meet its ridership projections on the Greenbush line. As of October 2010, the MBTA reported an average of 2,133 weekday customers rode the Greenbush line toward Boston, which is about half the 4,200 riders that had been projected within three to five years of opening Greenbush. In addition, a number of Greenbush line riders are former commuter ferry riders, which has seen ridership drop 25% since the Greenbush line opened.

E. Crossings/Depression of Rail Line

There are five existing street crossings in use along the rail line in Stoughton, with already unacceptably problematic safety and traffic issues which will become insurmountable by the increased intensity of use proposed by the South Coast Rail Project. There are three additional long-inactive crossings which the project proponent seeks to add to the line to create a total of eight at-grade street crossings, posing yet more problems once the new line is constructed and up and running.

L-079.13

The grade crossings at issue are at Central Street, Simpson Street, School Street, Porter Street, Wyman Street, Brock Street, Plain Street, and Morton Street. Approximately 2,000 children are going in and out of the schools located in close proximity to the grade crossing at Simpson Street during rush hour times of the morning and afternoon. Traffic ties up in the area and children also cross the rail line on foot. The proposed increased intensity of use, with trains traveling much more frequently in both directions and at greater speeds, poses unacceptable safety issues which the project proponent wholly fails to address in the DEIS/DEIR.

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Further, the School Street, Porter Street, and Wyman Street intersections are already at a failing level in terms of safety and traffic congestion.

L-079.13

The DEIS/DEIR is entirely lacking in sufficient information to properly assess and mitigate the impacts caused by the proposed dramatic increase in the intensity of use. For instance, the traffic information contained in the report is outdated and must be supplemented with meaningful existing data. The existing and proposed new at-grade crossings will require additional traffic operational analysis, including delays and queue lengths in order to assess their impacts.

Additional information related to the revised parking layouts in the downtown area, including parking utilization projections, and existing data should also be provided. Further details regarding the proposed closing of Morton Street and the private driveways to the south as well as the bypass roadway to be constructed to the private grade separated crossing on Topham Farm Road must also be provided.

L-079.14

Further, the report is wholly lacking in any reasonable assessment of the impact of freight service along the Stoughton line. These issues must be clarified and safety impacts addressed.

L-079.15

Traffic engineering issues are more fully addressed in the report of the Town's traffic engineering consultant, McMahon Associates, Inc., which is submitted herewith and incorporated by reference.

Considering the traffic safety and congestion issues involved in this project proposal and sound municipal land use planning principles, the only viable option to reasonably mitigate the increased intensity of use contemplated by this project proposal is to depress the rail line from the Simpson Street crossing in the vicinity of the schools into the area of the existing station in the downtown area at Wyman Street. The topography in this area is favorable to a reasonably inexpensive depression of the line in this area. If the project proponent is permitted to proceed with this project, it must be ordered to provide a viable plan for construction of a depressed rail line in order to adequately mitigate the adverse effects that the increased intensity of use will have upon the Town of Stoughton.

L-079.16

F. Electric

The proposal to consider using an electrified rail line through the Town of Stoughton is wholly unacceptable. As acknowledged by the project proponent, the overhead electrical contact system would consist of a network of catenary wires that distribute power from the traction power system to the electric locomotives. The system would have a contact wire and a messenger wire strung above every electrified track in the system with negative feeder wires and static wires and supporting structures to hold the catenary wire in place.

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The massive support system for the catenary would consist of pole structures with foundations, poles, guys, insulators, brackets, cantilevers, and other assemblies and components. The catenary supports would consist of single track cantilever poles, twin track structures, and multiple track portals.

L-079.17

As the project proponent well knows, this massive, ugly, and dangerous infrastructure would split the entire Town of Stoughton in two, both through its already congested downtown area and through open space and residential areas. No city or town in the Commonwealth of Massachusetts has ever been victimized by any similar proposal. The project proponent must therefore voluntarily dismiss this alternative or be ordered to do so.

G. Other Adverse Effects

On the issue of adverse effects, it is also important to note that the Stoughton Alternative, both electric and diesel, received a grade of "C" on the category of permanent loss of interior wetlands and received grades of "F" and "D" respectively on the adverse impact upon protected open space. The Stoughton Alternative also received grades of "F" on the category of required property acquisition and received grades of "D" on the category of municipal tax loss.

L-079.18

The project proponent must be required to provide adequate mitigation of such further adverse effects, and must also be ordered to provide adequate analysis of proposed mitigation of the adverse effects the project shall have on historic, cultural and religious uses in the vicinity of the rail line, and must be ordered to more fully assess hazardous materials issues related to this project, including two hazardous waste facilities located within steps of the rail line.

The potential financial costs of the South Coast Rail Extension to the Town will be extraordinary, requiring that the project proponent reserve funds to ensure adequate mitigation during construction, including, but not limited to:

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- the reimbursement for the cost of experts such as engineers and other professionals in planning for the future infrastructure requirements that will go under the rail line in order to insure that the underground sleeves that will hold the sewer, water, and other infrastructure are of sufficient size, as well as ensuring that there is adequate provision for future surface crossings such as sidewalks;
- the reimbursement for the cost of a full time engineer and other specific consultants during the initial planning, design, construction, and post-construction phases of the project to:
 - review the 25%, 50% 75% and final design drawings;
 - review the proposed plans for the impact of drainage on abutting properties;
 - monitor the construction progress and review any changes;

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- act as liaison with the MBTA and contractor and attend meetings with the MBTA, contractor, and community groups;
- review the adequacy and proper protection standards for historic districts and conservation areas;
- review the adequacy and standards for sound mitigation, security fencing and visual screening for residential, commercial, and other properties abutting the rail line; and
- review the adequacy and design standards for the MBTA improvements to the downtown area and reuse of the existing MBTA parking areas.

L-079.19

Assuming a four-year design to completion timeframe, a reasonably estimated out of pocket cost to the Town of Stoughton would be in the range of \$750,000 for the Project Coordinator/Engineer and third party consulting engineers and other experts.

In addition the Town should be reimbursed for all other costs associated with the project including, but not limited to:

- legal costs;
- land acquisition;
- infrastructure relocation and replacement;
- drainage improvements;
- required streetscape improvements;
- historic structure related costs;
- conservation/open space related costs;
- downtown improvement costs;
- special security fencing in areas proximate to Public Schools;
- sound and visual screening in residential and commercial areas abutting the rail line;
- endangered species protection funds;
- and other costs which would be identifiable only when the proposed rail right of way plans are available.

IV. NO BUILD (ENHANCED BUS) ALTERNATIVE

As acknowledged by the project proponent, there is existing adequate public and private bus transportation between Boston, Fall River, and New Bedford, with multiple park and ride locations, and there are substantial means of enhancing this existing service with efficient and inexpensive upgrades which will more than fully meet the purported purpose of the project which is to enhance transportation options between Boston and the Fall River/New Bedford area.

L-079.20

The scant and inadequate data it has presented to support the claim that there is a compelling need for enhancement of public transportation between Boston and the Fall River/New Bedford area, is reflected in the project proponent's claim that "poor connectivity" to metropolitan Boston from the urban areas of New Bedford and Fall River "may constrain" economic activity in the New

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Bedford/Fall River area. In using the word “may,” even the project proponent is unsure of the purported benefits to be gained by the enhancement of transportation options between Boston and the Fall River/New Bedford area, further compelling the conclusion that the foregoing adverse effects of the project proposed by the Stoughton Alternative far outweigh any potential benefit, and that the only reasonable option is the no-build, enhanced bus alternative.

V. FURTHER MITIGATION

Should this project survive further scrutiny, at a minimum, the project proponent must prepare a supplemental DEIS/DEIR which adequately mitigates the adverse effects of its project proposal.

L-079.21

In addition to the mitigation analysis set forth above, there is also aging utility infrastructure crossing the railroad tracks at 15 locations along the rail line in Stoughton. If the railroad line is to be reconstructed as proposed, sound engineering practices dictate that this aging infrastructure be replaced, as follows:

L-079.22

1) Central Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Sewer	15" reinforced concrete pipe	11'	1965	Replace 150' with ductile iron pipe
Water	8"	6'		Replace 150' with 10" ductile iron pipe in sleeve
Drain	18"	6'	1965	Check pipe for condition
Gas				Contact gas company

2) Simpson Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Water	6"	6'	1965	Replace 100' with 10" ductile iron pipe in sleeve
Gas				Contact gas company

3) Easement 850' South of Simpson Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Sewer	12" vitrified clay	Deep	1952	Replace with 150' of 20" ductile iron
Drain	60" reinforced concrete pipe	15'		No replacement necessary

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4) School Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Water	6"	6'	1952	Replace with 100' 12" ductile iron pipe in sleeve
Drain	36" reinforced concrete pipe			Needs inspection

L-079.22

5) Rose Street Drainage

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Culvert	2.5' by 2'			Replace with 24" reinforced concrete pipe

6) Porter Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Sewer	12" cast iron	15'	1936	Replace 115' with 18" ductile iron pipe
Water	12" cast iron	6'	1936	Replace 100' with 18" ductile iron pipe in sleeve

7) Railroad Station Drainage

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Drainage	3' by 3'			Replace with 4' ductile iron pipe

8) Wyman Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Sewer	10" vitrified clay	Unknown	1936	Replace with 150' 12" ductile iron pipe
Water	10" cast iron	6'		Replace with 100' 16" ductile iron pipe in sleeve
Drain	15"	4'		Replace with 60' of 18" ductile iron pipe

9) Sewer-393' North of Brock Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Sewer	12" vitrified clay		1961	Replace 160' 12" ductile iron pipe
Drain	36" reinforced concrete pipe			No replacement necessary

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10) Brock Street

L-079.22

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Water	6"	6'		Replace 100' 10" ductile iron pipe in sleeve

11) Drain – 900' South of Brock Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Drain	3' by 3.5'	16'	L-079.22	Granite block culvert, old but good condition

12) Plain Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Sewer	21"		1960	21" sewer is in 48" steel casing filed with grout
Water	6"	6'		Replace with 150' 8" ductile iron pipe in sleeve
Water	8"	6'		Replace with 100' 10" ductile iron pipe in sleeve

13) Morton Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Water	6"	6'		Replace with 100' 10" ductile iron pipe in sleeve

14) Easement 900' South of Morton Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Water	16"	6'	1971	Replace with 100' 24" ductile iron pipe in sleeve

15) 240' South of Access Opening to No. 1801 Washington Street

<u>Utility</u>	<u>Size</u>	<u>Depth</u>	<u>Age</u>	<u>Comment</u>
Culvert	2' by 2'			Replace with minimum 4' by 4' box culvert

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VI. CONCLUSION

For the foregoing reasons, the Town respectfully requests that the USACE find that the Stoughton Alternative as proposed in the DEIS/DEIR is contrary to the public interest, and that the EOEEA rule that the draft report is inadequate and that a supplemental draft be prepared which either 1) focuses on the no-build (enhanced bus) alternative as the preferred alternative; or 2) which more adequately addresses the adverse impacts of the Stoughton Alternative, along with a fully developed proposed mitigation plan, as outlined herein.

L-079.23

Very truly yours,



George X. Pucci

GXP/eon

Enc.

cc: Town Manager (by Electronic Mail and First Class Mail)

Ms. Kristina Egan, Director, South Coast Rail, MassDOT (By Hand Delivery)

426032/28514/0001



PRINCIPALS

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May 27, 2011

Mr. George X. Pucci
Kopelman and Paige, P.C.
101 Arch Street
Boston, MA 02110

RE: South Coast Rail Project
DEIS/DEIR for EOE # 14346
Transportation Peer Review

Dear Mr. Pucci:

McMahon Associates (McMahon), on behalf of Kopelman and Paige, P.C. and the Town of Stoughton, has completed a preliminary transportation review of the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) on the South Coast Rail project proposed by MassDOT dated February 2011 for EOE # 14346.

Based on our initial review, the DEIS/DEIR lacks sufficient detail and requires additional information to be provided in a subsequent EIS/EIR filing to properly assess the impacts of the preferred alternative. Below we have provided a detailed review of the transportation study included in the DEIS/DEIR. Several traffic issues have been identified through our review that merit further response from the Proponent. These issues include, but are not limited to, traffic volumes, capacity analysis, parking, existing and new grade crossings, ridership, freight service and railroad bridges.

L-079.24

Project Description

As stated in the DEIS/DEIR, the MBTA completed a Draft EIR in 2000 that analyzed six alternative routes for providing commuter rail service between downtown Boston and the cities of Fall River and New Bedford. This report focused on the three alternatives including:

- 1) Extending the existing MBTA Stoughton Line
- 2) Extending the existing MBTA Middleborough Line
- 3) Providing new service, branching off from the Providence Line near Attleboro.

In 2002, a Final EIR was prepared by the MBTA and on August 30, 2002, the Secretary of Environmental Affairs issues a Final Certificate (Executive Office of Environmental Affairs-EEA) File #10509.

The DEIS/DEIR documents focus on the extension of the Stoughton Line alternative as the preferred MassDOT alternative. This alternative would use the existing Northeast Corridor from South Station to Canton Junction. From Canton Junction, the existing active Stoughton line would be used to the Stoughton Station. Commuter rail service would be extended, using an out-of-service railroad bed south to New Bedford.

According to the DEIS/DEIR, existing train frequency from Canton Junction to Stoughton Station, along the existing MBTA Commuter Rail alignment, ranges from 17 roundtrip (34 total trains) passenger trains per day on weekdays to no passenger trains on weekends. There is also freight service several times a week between Canton Junction station and Central Street in Stoughton. Proposed operating plans for the Stoughton Alternative would include three peak period trains to each of the terminal stations in New Bedford and Fall River, with a fourth train operating near the peak rush hour period. This equates to approximately one train every forty minutes from Fall River/New Bedford and one every twenty minutes from Taunton northward. During the off-peak periods six additional trains would operate on a three-hour frequency from each of the terminal stations and every ninety minutes from Taunton northward. The DEIS/DEIR states that this translates to nine round trips per weekday operation from each terminal station with one additional round trip from East Taunton for a total of 38 weekday trains per day.

The Stoughton Alternative will include a total of eight public grade crossings within the Town of Stoughton. Five of these grade crossings (Central Street, Simpson Street, School Street, Porter Street, and Wyman Street) are currently in operation and a sixth crossing, at Brock Street, has working signals but is not used today due as Stoughton service terminates just to the north of Brock Street. Two additional at-grade crossings would be added at Plain Street and Morton Street as part of the Stoughton Alternative.

In an effort to clearly identify potential impacts within the Town of Stoughton, we have separated the areas shown on attached Figure 4.1.54 (Stoughton Alternatives, Stoughton Line Grade Crossing Locations Sheet 1 of 5) and Figure 4.1.55 (Stoughton Alternatives, Stoughton Line Grade Crossing Locations Sheet 2 of 5) into the following sections and discussed in further detail below.

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- 1) Central Street to Simpson Street.
- 2) School Street to Wyman Street (Downtown Stoughton)
- 3) Brock Street to Easton town line (new crossings)

Traffic Volumes

Typically, as part of any project, the most recent existing traffic volumes available are used in determining traffic operations and levels-of-service (LOS) on impacted roadways and intersections. The traffic volumes information included on Table 4.1-13d on page 4.1-31 as part

L-079.26

of the DEIS/DEIR contains Average Annual Daily Traffic (AADT) along the roadways within the Town of Stoughton for the years 1998, 2000, 2001, and 2004. These include: L-079.26

<u>Street</u>	<u>AADT</u>	<u>AADT Year</u>
Central Street	15,400	2000
Simpson Street	2,000	2000
School Street	6,500	2004
Porter Street	10,800	2000
Wyman Street	3,500	2000
Brock Street	3,050	2001
Plain Street	6,700	1998

The traffic information contained in the report is outdated and should be supplemented with current data within Stoughton including impacted, at-grade intersections as part of the Stoughton Alternative. **We request that additional peak period traffic counts and average daily traffic information be gathered to confirm the volumes presented in the DEIS/DEIR.**

At-Grade Crossings/Mitigation Improvements

Five of the eight impacted at-grade crossings within Stoughton (Central, Simpson, School, Porter and Wyman) are currently active rail crossings that would be modified to allow double track operations. Brock Street is considered active and has working signals, but is rarely used today and would become a reactivated crossing.

As proposed, Morton Street and the private driveways to the south would be closed and a bypass roadway would be constructed to the private grade-separated crossing on Totham Farm Road. Recommended mitigation improvements at several of these at-grade crossings are being proposed, but the potential impacts on these crossings should be assessed with additional information.

Central Street to Simpson Street

Central Street

As shown in Table 4.1-13d, Central Street showed AADT of approximately 15,400 vehicles in 2000. Recommended mitigation improvements due to the impacts of the extension of Stoughton line at this location include:

- Relocate existing driveway to the west
- Coordinate crossing operation with fire station located 400 feet west
- Extend sidewalk through the crossing
- Install crosswalk across Central Street eastbound approach to the crossing

Simpson Street

Given the low volume of vehicles, no mitigation is being proposed as part of the DEIS/DEIR.

School Street to Wyman Street (Downtown Stoughton)

School Street

Mitigation includes modifying the alignment of Cushing Street.

Porter Street (Route 27)

Porter Street is a continuation of Canton Street after the rail crossing that carries approximately 10,800 vehicles. No mitigation is being proposed at this location.

Wyman Street

Recommended mitigation at the Wyman Street/Morton Street/Summer Street intersection includes reconfiguration of parking lot and driveway. There is also a proposed right-turn in, right-out at the Route 138 and northernmost parking lot driveway to the south of Wyman Street, as well as a left-turn in, left turn out configuration at the Route 138 and southernmost parking lot drive.

Further information should be provided by the Proponent clearly showing the proposed mitigation identified above within the limits of Central Street to the Downtown Area, including the School Street, Porter Street and Wyman Street at the grade crossings. As a more detailed assessment of the existing and future crossing operations is completed, additional mitigation measures, such as upgraded crossing treatments or grade separation, should be investigated by the proponent.

L-079.27

New Grade Crossings

- Plain Street
- Morton Street

Brock Street to Easton town line

Brock Street

As stated earlier, the DEIS/DEIR states that Brock Street is considered active and has working signals but is rarely used today. The Proponent states that recommended improvements to mitigate impacts include investigating installation of a traffic signal with pre-emption at Route 138 and Brock Street and geometric reconfiguration of driveways to the east and west to address the delays and queues on Brock Street. **We request further information regarding the proposed warrants and schematic layout of the implementation of a traffic signal at this location.**

L-079.28

Plain Street

Similar to Brock Street above, the Proponent is proposing further study regarding the installation of a traffic signal at Route 138 and Plain Street intersection to address queues and delays along Plain Street due to the addition of the at-grade crossing. The at-grade crossing at Plain Street is labeled on Figure 4.1-54 as an Existing Grade Crossing to remain although there is no existing crossing at this location. In addition, the existing driveway for the Town Spa Restaurant is located on Plain Street adjacent to Route 138. Any proposed improvements along Plain Street would impact the operations of this business. **Therefore, we request the Proponent clarify how this qualifies as an "existing grade crossing" as opposed to a "new grade crossing" at Plain Street. In addition, the Proponent should provide further information regarding the proposed warrants and schematic layout of the traffic signal and show how operations of the adjacent Town Spa driveway would operate in the future.**

L-079.29

Morton Street

Operations at the Morton Street/Route 138 intersections would be impacted due to the close proximity of the at-grade crossing (see attached picture route138-morton existing.jpg). There is insufficient storage distance for vehicles turning onto Morton Street from Route 138. Private driveways immediately south of Morton Street would also be affected by this situation. Therefore, the Proponent is proposing the closure of Morton Street and the private driveways to the south and proposes constructing a bypass roadway to the private grade-separated crossing on Totham Farm Road.

L-079.30

Further details regarding the proposed physical closing of Morton Street and the private driveways to the south will be accomplished and how traffic will traffic will operate using this proposed reconfiguration. In addition, the Proponent should provide details of the bypass roadway proposed to be constructed to the private grade separated crossing on Totham Farm Road.

Capacity Analysis

Independent field observations were conducted by McMahon during the AM and PM peak periods on Thursday, May 19, 2011 and Friday, May 20, 2011. We observed queuing and delays at several of the at-grade crossings and adjacent intersections identified in the DEIS/DEIR within the Town of Stoughton. The following is a summary of our observations:

L-079.31

School Street to Wyman Street (Downtown Stoughton)

School Street

The existing at-grade crossing on School Street is located approximately 200 feet from the Canton Street/School Street unsignalized intersection. During the PM peak hour, queuing was observed on School Street on the approach to Canton Street within this short block to the at-grade crossing. In addition, queuing occurred on the east side of the at-grade crossing during the approximate 1 minute 45 second duration for the train crossing School Street. **Any**

additional trains added as part of the Stoughton Alternative would increase queuing and delays along School Street and may introduce safety concerns at the at-grade crossing that should be addressed by the Proponent.

L-079.31

School Street/Canton Street

A heavy volume of vehicles along School Street stacked due to the at-grade crossing and the egress of vehicles along Canton Street from the Stoughton Station to the south were observed during the PM Peak hour at the School Street/Canton Street intersection. Based on our experience with traffic operations at MBTA commuter rail stations, there are distinct peaks in entering and exiting traffic associated with each train that stops at a station. **The addition of trains and impacted ridership, discussed later in this letter, as part of the Stoughton Alternative could potentially increase the delays at this unsignalized intersection at School Street/Canton Street during the PM peak hour and should be addressed.**

L-079.32

Porter Street (Route 27)

Existing queuing and delays were observed at the at-grade crossing at Porter Street (Route 27) during the PM Peak hour. The approximate duration for the start to end of the flashing at the at-grade crossing was approximately 1 minute 35 seconds. During the time that the train crosses Porter Street during the PM Peak hour, queuing began and continued on both sides of the at-grade crossing for approximately 10-15 minutes after the trains had passed through Downtown. In addition, there are existing striped crosswalks but no signal control to get pedestrians across Porter Street to the Stoughton Station. **The increase in train frequency at the at-grade crossing at Porter Street would add to the heavily traveled block on the west side of the at-grade crossing that current approach School Street as well as between the at-grade crossing and Route 138 signalized intersection and these impacts should be addressed.**

L-079.33

Porter Street and Route 138

The impacts of vehicles exiting the Stoughton Station and the release of vehicles queued during the at-grade crossing at Porter Street resulted in observed impacts to the Porter Street/Route 138 signalized intersection as well the intersections within the Downtown Area. **The addition of trains and impacted ridership as part of the Stoughton Alternative at the at-grade crossing at Porter Street could potentially increase the delays within the Downtown Area during the PM peak hour and should be addressed by the Proponent.**

L-079.34

Wyman Street

The existing intersections on both approaches to the at-grade crossing at Wyman Street/Morton Street experience minimal queuing during both the AM and PM peak hours.

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As identified above, a majority of the queuing and delays occur in the Downtown Stoughton area adjacent to the existing station during the peak periods. The increase of the number of trains and train frequency as part of the Stoughton Alternative will reduce the number of gaps between trains and add to the heavily traveled roadways thereby increasing delays for vehicles

within the Town of Stoughton. **The existing and proposed at-grade crossings require additional traffic operational analysis, including delays and queue lengths, to incorporate current traffic volume information and the increase of service to assess their impacts at the study area intersections should be provided by the Proponent.**

L-079.35

Ridership

The DEIS/DEIR on page 4.1-10 discusses existing and proposed ridership at the existing stations. It states that "since boardings at existing commuter rail stations located near the ends of the existing Providence and Stoughton Commuter Rail Lines are not expected to increase as a consequence of the alternatives, no traffic analyses, beyond the identification of new grade crossing locations, were completed for existing stations or municipalities with existing stations". **The logic of the reduction of spaces in the Downtown Area parking and impacts to ridership needs to be fully explained by the Proponent. In addition, we request that the Proponent provide information that discusses increased train frequency and the impacts of existing and future ridership projections at the Stoughton Station as part of the Stoughton Alternative. Any information, including a possible origin/destination study of existing vehicles utilizing Stoughton Station should be provided.**

L-079.36

Stations

It states on page 3-81 of the DEIS/DEIR that several existing commuter rail stations would be impacted by constructing an additional track along segments of the existing right-of-way. Table 3.2-23 on page 3-82 as shown below provides a summary of new and modified train stations affected as part of the Stoughton Alternative:

<u>Station Name</u>	<u>Municipality</u>	<u>Type</u>	<u>Stoughton Alternative</u>
Barrowsville	Norton	New	
Battleship Cove	Fall River	New	X
Canton Center	Canton	Existing	X
Canton Junction	Canton	Existing	
Taunton Depot	Taunton	New	X
Easton Village	Easton	New	X
Fall River Depot	Fall River	New	X
Freetown	Freetown	New	X
King's Highway	New Bedford	New	X
North Easton	Easton/Stoughton	New	X
Mansfield	Mansfield	Existing	
Raynham Place	Raynham	New	X
Sharon	Sharon	Existing	
Stoughton	Stoughton	Existing	X
Taunton (Dean St)	Taunton	New	X
Downtown Taunton Depot	Taunton	New	
Whale's Tooth	New Bedford	New	X

It is stated in the DEIS/DEIR on page 3-82 that “the intended goal that the existing commuter rail station designs would be updated”. In addition, proposed high-level platforms would be constructed at a height that is 4 feet above the track level, allowing for level-boarding onto all the commuter rail coaches for a 9-car train set (approximately 800’ long). **The logic of the reduction of spaces in the Downtown Area parking and impacts to ridership needs to be fully explained by the Proponent. In addition, we request that the Proponent provide information that discusses increased train frequency and the impacts of existing and future ridership projections at the Stoughton Station as part of the Stoughton Alternative. We request the Proponent address if new ridership projections will lead to the possibility of future station consolidations or modifications.**

L-079.37

L-079.38

Safety/Crash Rates

McMahon conducted an independent study regarding accident data for the study area and at-grade intersections identified in the DEIS/DEIR. Information was obtained from MassDOT for the most recent three-year period available. This data includes complete yearly accident summaries for 2006, 2007, and 2008. The Accident Summary shown below in Table 1 was prepared to identify potential high accident frequencies at the study area intersections. As shown in the table, 36 accidents were reported over the three year period at the grade crossing and Canton Street, 22 accidents at the Route 138 and Brock Street unsignalized intersection, 15 accidents at the Porter Street and Rose Street unsignalized intersection, 12 accidents at the Route 138 and Plain Street, and 10 accidents reported at the Morton Street and Route 138 unsignalized intersection. **Although we have collected the accident data, it is unclear when the safety threshold at the study area and at-grade intersections is met or if they exceed the average accident rates. A thorough assessment should be provided by the Proponent to ensure that these locations include adequate safety measures.**

L-079.39

Table 1: South Coast Rail Accident Summary

Year	Central Street	Simpson Street	School Street	Canton Street	Porter Street	Rose Street	Wyman Street	Brock Street	Route 138 and Brook	Plain Street	Route 138 and Plain	Morton Street
2006	0	0	1	13	1	1	0	1	5	1	5	3
2007	2	0	0	8	4	5	2	0	9	0	3	5
2008	4	0	0	15	4	2	1	0	8	0	4	2
Total	6	0	1	36	9	15	3	1	22	1	12	10
Type												
Angle	0	0	1	24	1	6	2	1	16	0	8	2
Rear-end	2	0	0	2	2	3	0	0	3	0	2	5
Head-on	1	0	0	2	0	0	0	0	0	1	0	1
Sideswipe	1	0	0	3	1	2	0	0	1	0	0	0
Single Vehicle	2	0	0	0	0	4	1	0	2	0	2	0
Unknown	0	0	0	5	5	0	0	0	0	0	0	2
Total	6	0	1	36	9	15	3	1	22	1	12	10
Severity												
Property Damage	5	0	1	23	6	11	3	1	13	1	7	7
Personal Injury	1	0	0	13	3	2	0	0	8	0	2	3
Fatality	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	2	0	0	1	0	3	0
Total	6	0	1	36	9	15	3	1	22	1	12	10
Weather												
Clear	3	0	0	19	7	11	2	1	15	0	8	8
Cloudy	2	0	1	7	1	3	0	0	2	0	2	0
Rain	0	0	0	3	0	0	0	0	2	1	2	1
Snow	0	0	0	2	1	0	1	0	3	0	0	1
Ice	0	0	0	0	0	0	0	0	0	0	0	0
Sleet	1	0	0	3	0	1	0	0	0	0	0	0
Fog	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	2	0	0	0	0	0	0	0	0
Total	6	0	1	36	9	15	3	1	22	1	12	10
Time												
7:00 AM to 9:00 AM	0	0	0	3	2	1	0	1	1	0	3	0
9:00 AM to 4:00 PM	3	0	1	15	3	8	2	0	12	1	3	4
4:00 PM to 6:00 PM	2	0	0	11	3	2	0	0	5	0	3	3
6:00 PM to 7:00 AM	1	0	0	7	1	4	1	0	4	0	3	3
Total	6	0	1	36	9	15	3	1	22	1	12	10

Parking

Figure 3.2-40 shows the proposed reconstruction of Stoughton Station due the impacts of the Stoughton Alternative. Recommended mitigation at the Wyman Street/Morton Street/Summer Street intersection includes reconfiguration of the parking lot and driveway. There are also a proposed right turn-in, right-out at the Route 138 and northernmost parking lot access to the south of Wyman Street and a left turn in, left turn out configuration at the Route 138 and southernmost parking lot access. **We request the Proponent provide additional information related to the revised parking layouts in the Downtown Area, including parking utilization projections, and existing data and any other relevant data associated with operation of these parking lots and abutting roadways. In addition, any direct and indirect impacts to the reconstructed Stoughton Station due to the reductions of parking should be provided by the Proponent.**

L-079.40

Peak and Off-Peak Trips

According to the DEIS/DEIR, existing train frequency from Canton Junction Station to Stoughton Station, along the existing MBTA Commuter Rail alignment, ranges from 17 roundtrip (34 total trains) passenger trains per day on weekdays to no passenger trains on weekends. There is also freight service several times a week between Canton Junction station and Central Street in Stoughton. Proposed operating plans for the Stoughton Alternative would include three peak periods trains to each of the terminal station of New Bedford and Fall River with a fourth train operating near the peak rush hour period. This equates to approximately one train every forty minutes from Fall River/New Bedford and one every twenty minutes from Taunton northward. During the off-peak periods six additional trains would operate on a three-hour frequency from each of the terminal stations and every ninety minutes from Taunton northward. The DEIS/DEIR states that this translates to nine round trips per weekday operation from each terminal station with one additional round trip from East Taunton for a total of 38 weekday trains per day. However, if each terminal station is served by four peak/shoulder trains and six off-peak trains, along with one round trip to East Taunton, the total would be 42 trains passing through Stoughton. **We request the Proponent provide a concise comparison of the number of peak and off-peak trips per each terminal station from Fall River and New Bedford.**

L-079.41

Freight Service

There is existing freight service several times a week between Canton Junction Station and Central Street in Stoughton. As part of the Stoughton alternative, freight service will operate via Canton Junction through Stoughton, proceeding directly via Taunton to New Bedford or Fall River. As stated in the DEIS/DEIR, the only access to the remaining active freight rail customers on the existing Stoughton Branch is via the Northeast Corridor through Canton

L-079.42

Junction. The need to access the high-speed corridor will definitely be impacted by the coming of the high-speed train service. The MBTA may or may not grant a freight carrier access to the Canton area through the proposed reconstructed line between Winter Street, Taunton, and the present location of end-of-track in Stoughton. It is stated that daytime freight service on the line segment between Winter Street and Stoughton is possible but not practical. **We suggest that any impacts of the freight service along the Stoughton line be clarified and safety impacts addressed. In addition, due to the recent accident of a freight train and MBTA Commuter Rail train in the vicinity of the Canton Junction station, any potential safety concerns between freight and passenger trains needs to be addressed.**

L-079.42

Railroad Bridges

Table 3.2-19 in the DEIS/DEIR provides a list of bridge crossings (both undergrade and overhead) that would require rehabilitation or reconstruction as part of the Stoughton Alternative for the South Coast Rail Project. **Additional specific details regarding the rehabilitation or reconstruction at the existing railroad bridges within the Town of Stoughton, including Coal Yard Road and Totman Farm Road, should be provided by the Proponent.**

L-079.43

Stoughton Train Station

Figure 3.2-40 shows the proposed reconstruction of Stoughton Station with the implementation of the Stoughton Alternative. **Any impacts to the Stoughton Train Station during construction, including hours of construction, dust and noise, temporary busing, and parking impacts should be addressed by the Proponent as well as parking and traffic operation impacts along the abutting local roadways during construction.**

L-079.44

Conclusion

Based on our initial review and the comments above, the DEIS/DEIR lacks sufficient detail and requires additional information to be provided by the Proponent in a subsequent EIS/EIR filing to properly assess the impacts. Several issues have been identified through our review that merit further response from the Proponent. These issues include, but are not limited to, traffic volumes, capacity analysis, parking, existing and new grade crossings, ridership, freight service and railroad bridges.

May 27, 2011

If you should have any questions or require further information, please feel free to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "SC Findlen".

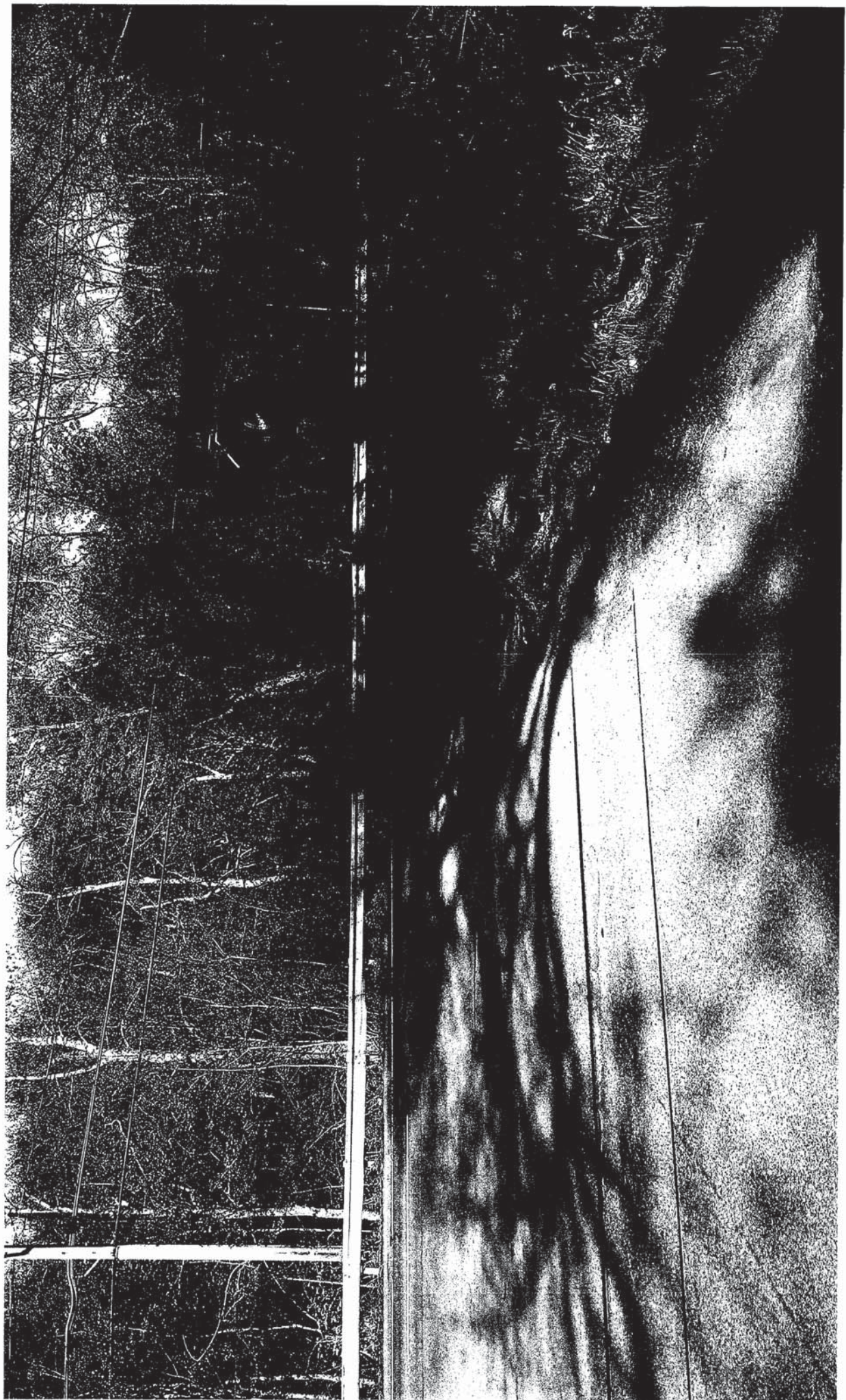
Steven C. Findlen
Senior Project Manager

A handwritten signature in black ink, appearing to read "Gary McNaughton".

Gary McNaughton, P.E., PTOE
Vice President & General Manager



Figure 4.1-55
Slough Alternatives,
Slough Line
Grade Crossing Locations
Sheet 2 of 5



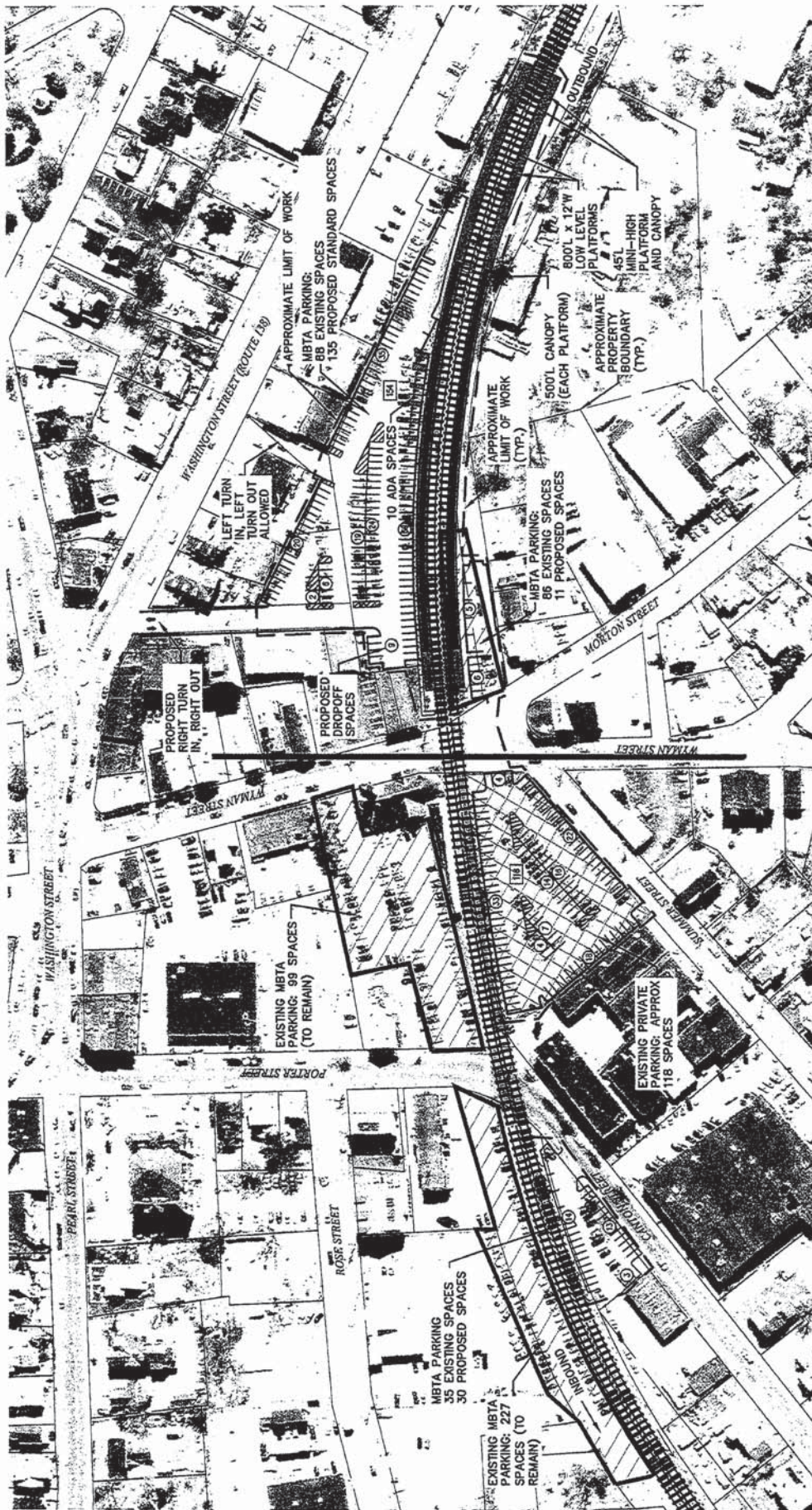


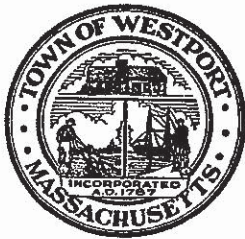
Figure 3.2-40
Sloughton Station
Proposed Reconstruction



MBTA Owned Parking Summary Chart

	EXISTING	PROPOSED
STANDARD SPACES	535	488
ACCESSIBLE SPACES	-	10
DROPOFF SPACES	0	9
TOTAL SPACES	535	507





WESTPORT COMMUNITY SCHOOLS

Office of the Superintendent

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Superintendent &
Business Manager

DR. MARJORIE CONDON
Assistant Superintendent for
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Human Resources
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MS. KIM OUELLETTE
District Custodians &
Facilities Usage
508-636-1101 x1300

May 2, 2011

Mr. Alan Anacheke-Nasemann
696 Virginia Road
Concord, MA 01742 - 2751

Dear Mr. Anacheke-Nasemann:

L-010.01

I am writing in support of the extension of the rail services into New Bedford and Fall River by way of the electric rail option. As a superintendent of schools in the South Coast (Westport Community Schools is between both Fall River and New Bedford) I have firsthand experience of the impact that the economy has had on our families and communities. The possibility that the rail could extend into the south coast region promises to allow our families and communities easier access to other centers of economic development, such as Boston. The reverse is also true as the rail would make the south coast more accessible to expansion by companies into this region of the commonwealth; thereby increasing the opportunities for economic development.

Sincerely,

Dr. Carlos M. Colley

Superintendent of the Westport Community Schools

CMC/kla

MAY 3 '11 REC DIV

Private Organizations and Businesses

Page	Name
1	Cedar Shopping Centers, Inc
2	Citizens Concerned About Tracks
11	Conservation Law Foundation
13	Easton Historical Society
16	Fairmount/Indigo Line Coalition
17	Fall River Area Chamber of Commerce and Industry, Inc.
19	Fall River Office of Economic Development
22	Mass Audubon
41	Massachusetts Association of Conservation Commissioners
47	Massachusetts Rivers Alliance
49	Massachusetts Sierra Club
53	New Bedford Area Chamber of Commerce
56	New Bedford Economic Development Council
59	Precix Inc.
60	Public Employees for Environmental Responsibility
86	Taunton River Watershed Alliance, Inc.
92	The Nature Conservancy
94	Truventis
95	United Regional Chamber of Commerce
98	Walk Boston
100	Weaver's Cove Energy

From: Ron Becker [rbecker@cedarshoppingcenters.com]
Sent: Tuesday, May 24, 2011 12:45 PM
To: SCREIS, NAE
Subject: King's Highway Location

Good afternoon,

My company is the fee owner of both the Kings Plaza Shopping Center and the Fieldstone Marketplace immediately adjacent thereto. I have read through the EIS plan but failed to find the listed documents showing the superimposed view of the newly proposed rail stations as described therein. Specifically there is no attachment detailing what is referenced as 4.5-62A and/or 4.5-62B

E-046.01

Is there a way that those could be forwarded to me via email for our review.

Thank you.

Ronald J. Becker

Ronald J. Becker, SCSM
Assistant Vice President &
Regional Director - Property Management
Cedar Shopping Centers, Inc.
415 Egg Harbor Road - Suite 21A
Sewell, NJ 08080
(856) 218-8677 Ext. 109 - Main
(856) 218-8678 - Fax
www.cedarshoppingcenters.com

Comment I – DEIS/DEIR, February 2011
South Coast Rail Project (Six Pages)

Heather Graf, Coordinator
'Citizens Concerned About Tracks' (CCATS)

Town of Norton's Rep.- S.E. Mass Commuter Rail Task Force
May 25, 2011

We are encouraged by the findings of the Draft EIS/EIR which demonstrates that the Attleboro Route is not only 'Infeasible', but also would result in significantly greater environmental impacts than the other rail options.

L-090.01

Highlights of the 2011 DEIS/DEIR:
[Information Copied from the Executive Summary]

Project Purpose: 'To more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston Massachusetts, and to enhance regional mobility.' Used to evaluate whether there are less environmentally damaging practicable alternatives available. Army Corps Guidelines state that an alternative is 'Practicable' if it is – 'Available and capable of being done after taking into consideration: Cost, Existing Technology, and Logistics in light of the overall project purpose.'

The Attleboro Alternatives:

Diesel or Electric Trains along the Attleboro Route

38 NEW TRAINS ADDED to: The Northeast Corridor, The new double track Attleboro By-Pass, & The Attleboro Secondary (CSX freight track between the By-Pass Attleboro/Norton and through the City of Taunton).
With 15 AT-GRADE CROSSINGS within 1 ¼ miles of Taunton Center.

Project Purpose Measure Section 1.4.6.1

Attleboro Alternatives FAIL the project purpose measure as they do not meet the basic service delivery requirements, mostly due to poor on-time performance.

To avoid displacement of a large number of business owners and residents, the fourth track would be constructed within the ROW of the Orange Line. The ORANGE LINE would be relocated to a new 1.4 mile TUNNEL extension.

Several Orange Line stations would need to be reconstructed.

Some rail service would be suspended and replaced by bus service.

Length of time to complete the new fourth track – 10 to 12 YEARS.

Cost of the new fourth track estimated at 2.4 BILLION Dollars.

Implementation of this infrastructure requirement is INFEASIBLE.

Environmental Impacts Measure Section 1.4.6.3

The Attleboro Alternatives would result in the GREATEST combined environmental impact.

Impacts and Operational Performance Section 1.5.1.3

Attleboro Alternatives are operationally INFEASIBLE, not meeting MBTA on-time standards, would contribute to a cascading negative impacts on the Northeast Corridor. Construction of fourth track needed to address infeasibility is IMPRACTICABLE due to construction cost, schedule and environmental impacts.

Municipal Tax Revenue Loss

Attleboro Alternatives would have the GREATEST Impact (\$26,126) estimated loss for the Mansfield Station.

NOISE Section 1.5.6

Attleboro Alternatives would result in the LARGEST number of noise impacts, with the addition of 38 NEW TRAINS added to: The NEC system, the Attleboro By-Pass, and Attleboro Secondary (CSX Freight Track).

Open Space Section 1.5.10

Attleboro Alternatives would result in the LARGEST number of open space acres impacted due to the Attleboro By-Pass.

Biodiversity Section 1.5.14

Losses of wetland habitat are LARGEST for the Attleboro Alternatives (21.5 acres) with GREATEST impacts to vernal pool wetland habitat (5.4 acres).

Biodiversity

The Rapid Bus Alternative would impact the largest quantity of upland habitat (317 Acres).

Losses of wetland habitat are second largest (20.3 acres) after Attleboro.

Impacts to vernal pools are second greatest (2.3 acres) after Attleboro.

Stoughton Alternatives:

Diesel or Electric Trains along the Original Stoughton Route/Corridor

FOUR NEW TRAINS added to the existing system

Trains already running on the Stoughton Line would have their trips extended to New Bedford and Fall River.

Chosen by MassDOT (Project Proponent) as the 'Preferred Alternative'.

In MassDOT's View:

'The Stoughton Corridor Alternatives would provide the greatest transportation benefits.'

Project Purpose Measure

'The Stoughton Corridor Alternatives (unlike the other corridors) DO Fully MEET the project purpose measure.'

Practicability Measure

'The Stoughton Corridor Alternatives ARE practicable because they can be built taking into consideration: cost, existing technology and logistics in light of the overall project purpose.'

'In MassDOT's view, The Stoughton Alternatives can be permitted and adequate mitigation can be provided particularly for impacts to: wetlands, wildlife habitat, rare species and water quality.'

Conclusion:

'Citizens Concerned About Tracks' continues to support the restoration of commuter rail service from Boston to the cities of Taunton, New Bedford and Fall River which will benefit the South Coast Region.

We are encouraged by the findings of the Draft EIS/EIR which demonstrate that the Attleboro Alternatives are not only INFEASIBLE, but also would result in significantly greater environmental impacts than the other rail options.

L-090.02

Comment I – DEIS/DEIR, February 2011
South Coast Rail Project (Six Pages)

Heather Graf, Coordinator
'Citizens Concerned About Tracks' (CCATS)

Town of Norton's Rep.- S.E. Mass Commuter Rail Task Force
May 25, 2011

We are encouraged by the findings of the Draft EIS/EIR which demonstrates that the Attleboro Route is not only 'Infeasible', but also would result in significantly greater environmental impacts than the other rail options.

L-048.01

Highlights of the 2011 DEIS/DEIR:

[Information Copied from the Executive Summary]

Project Purpose: 'To more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston Massachusetts, and to enhance regional mobility.' Used to evaluate whether there are less environmentally damaging practicable alternatives available. Army Corps Guidelines state that an alternative is 'Practicable' if it is – 'Available and capable of being done after taking into consideration: Cost, Existing Technology, and Logistics in light of the overall project purpose.'

The Attleboro Alternatives:

Diesel or Electric Trains along the Attleboro Route

38 NEW TRAINS ADDED to: The Northeast Corridor, The new double track Attleboro By-Pass, & The Attleboro Secondary (CSX freight track between the By-Pass Attleboro/Norton and through the City of Taunton). With 15 AT-GRADE CROSSINGS within 1 ¼ miles of Taunton Center.

Project Purpose Measure Section 1.4.6.1

Attleboro Alternatives FAIL the project purpose measure as they do not meet the basic service delivery requirements, mostly due to poor on-time performance.

Track Infrastructure Improvements Section 1.4.2.3

Due to lack of capacity on the Northeast Corridor -

The Attleboro Alternatives would require:

Construction of a new 18.7 MILE THIRD TRACK from the Attleboro By-Pass to Readville - Impacting all of the towns along the NE Corridor from Mansfield north to Boston (Mansfield, Foxboro, Sharon & Canton).

Construction of the NEW 2.8 MILE BY-PASS, a new two-track rail in a new right-of-way to connect the CSX freight line and the NE Corridor.

Reconstruction of 9.7 miles of existing freight track.

Constructing, reconstructing or widening 44 BRIDGES.

Major reconstruction at three existing commuter rail STATIONS (MANSFIELD, SHARON, CANTON JUNCTION).

Reconstruction of RTE.106 in Mansfield (Just completed in 2010).

Construction of a new bridge running parallel to (and blocking view of) The Historic CANTON VIADUCT.

Some work on the existing Route 128 Station.

Rail Alternatives Operations Section 1.4.3.2

Attleboro Alternatives would be a NEW commuter rail service, adding 38 new trains which would stop at major stations on the existing Northeast Corridor so as not to further congest a track which is at capacity.

For New Bedford trains there would be 9 stops on the Attleboro Alternatives compared to the 15 established stops with extension of the Stoughton Route.

Practicability Measure Section 1.4.6.2

Attleboro Alternatives perform the POOREST overall on the practicability measure.

They are operationally INFEASIBLE, do not meet the MBTA on-time standard in morning peak, and experience an even worse on-time performance during evening peak commute.

Attleboro Alternatives also would contribute to a cascading NEGATIVE IMPACT on the on-time performance of the entire southerly commuter rail system, including: Worcester, Franklin, Needham & Providence Lines.

To address the operational infeasibility, capacity on the Northeast Corridor would have to be increased through construction of a new FOURTH TRACK between Forest Hills Station and Back Bay.

To avoid displacement of a large number of business owners and residents, the fourth track would be constructed within the ROW of the Orange Line. The ORANGE LINE would be relocated to a new 1.4 mile TUNNEL extension.

Several Orange Line stations would need to be reconstructed.
Some rail service would be suspended and replaced by bus service.

Length of time to complete the new fourth track – 10 to 12 YEARS.

Cost of the new fourth track estimated at 2.4 BILLION Dollars.

Implementation of this infrastructure requirement is INFEASIBLE.

Environmental Impacts Measure Section 1.4.6.3

The Attleboro Alternatives would result in the GREATEST combined environmental impact.

Impacts and Operational Performance Section 1.5.1.3

Attleboro Alternatives are operationally INFEASIBLE, not meeting MBTA on-time standards, would contribute to a cascading negative impacts on the Northeast Corridor. Construction of fourth track needed to address infeasibility is IMPRACTICABLE due to construction cost, schedule and environmental impacts.

Municipal Tax Revenue Loss

Attleboro Alternatives would have the GREATEST Impact (\$26,126) estimated loss for the Mansfield Station.

NOISE Section 1.5.6

Attleboro Alternatives would result in the LARGEST number of noise impacts, with the addition of 38 NEW TRAINS added to: The NEC system, the Attleboro By-Pass, and Attleboro Secondary (CSX Freight Track).

Open Space Section 1.5.10

Attleboro Alternatives would result in the LARGEST number of open space acres impacted due to the Attleboro By-Pass.

Biodiversity Section 1.5.14

Losses of wetland habitat are LARGEST for the Attleboro Alternatives (21.5 acres) with GREATEST impacts to vernal pool wetland habitat (5.4 acres).

Wetland Resources Section 1.5.16

Attleboro Alternatives would impact the MOST acreage of wetlands of all the rail options.

Although the Stoughton Alternatives cross the Hockomock Swamp ACEC, of the 1.8 acres in the ACEC – only 0.5 acres are actually wetlands.

The remaining 1.3 acres are where an existing stream has flowed over its banks onto the existing railbed. Restoration of the stream to its original intact channel would result in improvement of the ecology of the stream.

The Rapid Bus Alternative:

The Rapid Bus Alternative would provide commuter bus service from New Bedford, Fall River and Taunton to South Station via I-93, Rte. 24, and Rte. 140.

North of Route 495: Buses would use a combination of new zipper bus lanes, new reversible bus lanes, two-way bus lanes, existing HOV lanes, and a short section of mixed traffic.

South of the Route 495 Interchange in Raynham: Buses would travel in the general purpose lanes with mixed traffic.

The New Bedford Route would be 56.4 miles long.

The Fall River Route would be 51.5 miles long.

Project Purpose Measure

The Rapid Bus Alternative FAILS the project purpose measure.

Performs most poorly of all the build alternatives failing on two measures: Regional Mobility and Vehicle Miles Traveled (VMT).

Operations

The Rapid Bus Alternative would be affected by highway congestion levels, creating the longest travel time (103 minutes) and the lowest ridership.

Practicability Measure

The Rapid Bus Alternative does NOT perform well on the practicability measure, particularly cost per rider (\$100) and On-Time Performance (Most Unreliable Travel Time).

Environmental Impacts Measure

The Rapid Bus Alternative would result in the second greatest combined environmental impacts (after the Attleboro Rail Alternatives).

Biodiversity

The Rapid Bus Alternative would impact the largest quantity of upland habitat (317 Acres).

Losses of wetland habitat are second largest (20.3 acres) after Attleboro. Impacts to vernal pools are second greatest (2.3 acres) after Attleboro.

Stoughton Alternatives:

Diesel or Electric Trains along the Original Stoughton Route/Corridor
FOUR NEW TRAINS added to the existing system

Trains already running on the Stoughton Line would have their trips extended to New Bedford and Fall River.

Chosen by MassDOT (Project Proponent) as the ‘Preferred Alternative’.

In MassDOT’s View:

‘The Stoughton Corridor Alternatives would provide the greatest transportation benefits.’

Project Purpose Measure

‘The Stoughton Corridor Alternatives (unlike the other corridors) DO Fully MEET the project purpose measure.’

Practicability Measure

‘The Stoughton Corridor Alternatives ARE practicable because they can be built taking into consideration: cost, existing technology and logistics in light of the overall project purpose.’

‘In MassDOT’s view, The Stoughton Alternatives can be permitted and adequate mitigation can be provided particularly for impacts to: wetlands, wildlife habitat, rare species and water quality.’

Conclusion:

‘Citizens Concerned About Tracks’ continues to support the restoration of commuter rail service from Boston to the cities of Taunton, New Bedford and Fall River which will benefit the South Coast Region.

We are encouraged by the findings of the Draft EIS/EIR which demonstrate that the Attleboro Alternatives are not only INFEASIBLE, but also would result in significantly greater environmental impacts than the other rail options.

L-048.02

CCATS concurs with the project proponent (MassDOT) that the Original Stoughton Alternatives (Extension of The Straight Stoughton Route or Corridor) will best meet the Project Purpose. And we remain optimistic the Army Corps will issue a permit (under Section 404 of the Clean Water Act) based on evaluation of the overriding public interest.

L-048.03

We remain adamantly opposed to the Attleboro Alternatives, and are confident that the Final EIS/EIR will eliminate the Attleboro Route from any further consideration for South Coast Rail.

L-048.04

Thank you for the opportunity to comment.
Please See Also: Comment II

Heather Graf

May 23, 2011

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

RE: South Coast Rail Project DEIS/DEIR, File Number: NAE-2007-00698

Dear Mr. Anacheke-Nasemann:

The Conservation Law Foundation ("CLF") welcomes the opportunity to comment on the Draft Environmental Impact Statement/Draft Environmental Impact Report ("DEIS/DEIR") for the South Coast Rail Project ("South Coast Rail"). CLF is a nonprofit, member-supported organization working to conserve natural resources, protect public health and promote thriving communities for all in the New England region. CLF has been a long-time supporter of public transportation, including many commuter rail projects and has long advocated, with our community partners, for construction of improvements along the Massachusetts Bay Transportation Authority's Fairmount Line. Our limited comments will focus on the positive implications the selection of electric over diesel alternatives for South Coast Rail would have on the broader Massachusetts commuter rail system and on the Fairmount Line in particular.

CLF is pleased that each rail alternative currently under consideration for South Coast Rail includes an electric option. Not surprisingly, the DEIS/DEIR demonstrates that there are very substantial air quality and climate protection benefits associated with electrification of South Coast Rail. The electric alternatives, for example, would provide between four to nine times more nitrogen (NOx) reductions over their respective diesel counterparts. See DEIS/DEIR, p. 3-142, Table 3.3-16. They would also provide 1.25 to 1.4 times more carbon dioxide (CO₂) reductions. See DEIS/DEIR, p. 3-143, Table 3.3-17.

L-037.01

The ultimate benefits of selecting an electric alternative for South Coast Rail, however, would be vastly greater than those identified in the DEIS/DEIR, since such a choice would open up the opportunity for electrification of other commuter rail lines in Massachusetts, particularly those coming into Boston's South Station, including the Fairmount Line. Electrification of the whole commuter rail system serving South Station is possible because its infrastructure has been constructed so that it can be retrofitted for electric trains. The Northeast Corridor ("NEC") is already electrified, and as a result the Providence Line could immediately use electric trains—all that would be needed is additional locomotives. See, e.g., Amtrak's Northeast Corridor Facts and Background Information for FY 2009, p. 4. If one of the electric alternatives is chosen for South Coast Rail it would decrease the costs of investing in electrification on the other lines since some of the upfront costs, such as retraining staff, securing maintenance contracts, and even purchasing vehicles would be reduced. Electrification of South Coast Rail would also make it possible to continue the Massachusetts Bay Commuter Rail Company's current practice of rotating locomotives between commuter rail lines. As a result, the already positive benefits of electrification of South Coast Rail would be magnified substantially.

L-037.02

NAV25'11 REG DIV

Electrification of trains comes with great advantages, particularly here in the Northeast, where the fuel mix powering our regional transmission system is made up, among others, of forty-one percent natural gas, twenty-two percent oil, and less than ten percent coal, and there is an existing policy framework (e.g., the Regional Greenhouse Gas Initiative, state renewable portfolio standards) that provides market incentives for increased renewable power generation. Electric trains achieve faster top speeds and accelerate much more quickly than their diesel counterparts, and they do not require refueling. See, e.g., West Toronto Chapter, Professional Engineers Ontario, *Toward a Clean Train Policy: Diesel versus Electric*, The Journal of Policy Engagement (Volume 2, No. 3, June 2010), p. 20. Electric trains are also more energy efficient because they do not have to carry the weight of the diesel fuel around, which can add thousands of pounds. Id. Regenerative braking also makes electric traction technology much more efficient. When an electric train is accelerating, it uses the motors to drive the train. When it brakes, it uses the motors as a generator to slow the train. The generated power can be pushed back into the system to be used by other trains. Id. Electric engines are also easier and less expensive to maintain, because they have fewer moving parts, while the upkeep of large diesel engines is difficult and requires highly skilled mechanics. Id. at 21. The electric commuter trains are a lot quieter, producing less vibration and have zero mobile source air pollution. Id. at 19.

L-037.03

As a result of these technological advantages, electric trains do not contribute to regional and local air pollution, which would help the region reach the National Ambient Air Quality Standards for ground level ozone and decrease exposure to harmful particulate matter. This has special significance for environmental justice communities, such as those living along the Fairmount Line. Electrification would also reduce greenhouse gas emissions, with the potential, over time, for zero greenhouse gas emissions, with expansion of renewable energy resources in New England. All these environmental benefits would be accompanied by faster, more comfortable, quieter and more reliable service, which attracts greater ridership. More riders in turn translates to a reduction in vehicles miles traveled ("VMT"), yielding additional decreases in air pollution and greenhouse gas emissions, while helping to address congestion on the roads in the region. Electrification of commuter rail at the same time lowers operating costs. Commuter rail systems in Chicago, New Jersey, New York, Philadelphia, and Washington already use electric trains and San Francisco and Denver have active plans for electrification.

L-037.04

For all the above reasons, CLF strongly urges the U.S. Army Corps of Engineers to select one of the three electric alternatives proposed in the DEIS/DEIR. If you have any questions, please feel free to contact me. I can be reached by phone at (617) 850-1739 or by email at rmare@clf.org.

L-037.05

Sincerely,



Rafael Mares
Staff Attorney

cc Kristina Egan, MassDOT



Mr. Alan Anacheke-Nasemann
Army Corps. Of Engineers
May 27, 2011

Dear Mr. Anacheke-Nasemann,

The Easton Historical Society, located at 80 Mechanic Street, North Easton, is an immediate abutter to the proposed South Coast Rail Project. We are hereby providing comments on the recent Draft EIR/EIS report issued by the Army Corp. of Engineers in conjunction with the Massachusetts MEPA Office.

L-077.01

The Society is absolutely against the Stoughton Alternative which has been identified by the Commonwealth as the “preferred route” for the South Coast Rail Project. We feel there are inaccuracies in the report, and do not think that the report reflects the true impact on the Society, our building, and the Town of Easton.

The Society is housed in the historic 1882 Old Colony Railroad Station. This building, which was designed by H. H. Richardson and landscaped by F. L. Olmsted, sits less than twenty feet from the railroad right of way. We are one of the cornerstones of the North Easton National Register Historic District, the Ames Local Historic District, and we are designated as a National Historic Landmark on the National Register of Historic Places. The Society is an integral part in the history and culture of Easton, and acts as the repository for items related to the Town of Easton. These collections include artifacts and papers relating to all areas of the town. Of special note is the collection on the Ames family of Easton and their associated business interests. The Society is a well known resource for historical research on these topics. Researchers, architects and students from across the world come to North Easton to view the five Richardson buildings and Olmsted landscapes. These buildings can be easily seen in the context in which they were originally built, as North Easton is a rare example of an intact industrial village. Here one can see the magnificent Shovel Works, the Ames family homes, period worker housing, public buildings and historic gardens. Our visitors include the University of Virginia, Harvard University, Yale University, M.I.T., the American Institute of Architects, and researchers from as far away as Germany and Japan. The Victorian Society, which runs a summer school on architecture in Newport, R.I., has been visiting

L-077.02

the Richardson buildings for more than thirty years. The international fame associated with our historic treasures cannot be underestimated.

The Society has concerns in several areas. Let us begin by stating that we are being placed in a position to comment without having some significant information available. To date, we have not seen any station design plans for the North Easton Village Station, so it is not possible to comment fully on what may be the most concerning and intrusive part of this project. Asking for comment on an incomplete plan is unrealistic, and we reserve the right to comment when those plans are made public. We do not see how any final comment from us can be issued when critical information like this has not been forthcoming. That being stated, here are our concerns.

L-077.03

During the construction phase we have concerns about damage to our building from heavy equipment usage in close proximity to the building. We are concerned about the potential weakening of the soil around our foundation as the rail bed is being removed and rebuilt. There is significant concern about vibration from any pile driving that might be done in the immediate vicinity such as the Main Street Bridge reconstruction. After construction we have concerns about the vibration and noise that will arise from the train traffic. This includes the noise of the engines themselves as well as whistle blasts as the train approaches any of several nearby grade crossings. Third, we are also concerned about measures to be taken to safeguard the building in the event of an accident. At this time, it appears that this issue has not been identified or discussed as part of the potential negative effects on this unique cultural resource.

L-077.04

The most significant concern we have is that this project will affect our viability to operate as a history museum. We feel that the proposed stop in the North Easton Village will have a strong negative impact on us and our patrons and visitors. Our property will suffer a decline in its value because of its close proximity to the noise, vibration and fumes from a diesel engine. If an electric train is used, we will suffer a loss of the historic skyline due to the catenaries used to support the overhead electric lines. Historic site lines will be obscured by the train in any case. Also of concern is the proposed use of our parking lot as a “drop and go” area. The Society is not in favor of allowing this use. If we were to give up a major portion of our parking we will lose the ability to have events and meetings here. This will of course negatively impact our ability to be a community resource, and will have a negative impact on our sustaining revenue stream. The Society holds regularly scheduled meetings, and this location has been used as a meeting place by other civic groups as well. Society activities, such as the tours we offer of the surrounding area as well as educational programs we offer for a variety of groups, will be impossible to run without available parking at our facility. Safety is also a major concern as the many walking tours we offer will need to cross tracks. This is especially difficult with groups of children. We will be the only cultural asset that will be so impacted as a result of this project. Once again, it is unfair to expect us to comment fully on this since we have not seen the design or proposals for this stop.

L-077.05

Furthermore, we feel that the project is wrong for Easton. There are a host of concerns, ranging from the environmental issues, concerns for the close proximity to town water

L-077.06

supplies, the large number of grade crossings, bisecting the town and cutting off or increasing emergency vehicle response times, potential unwanted development in historic neighborhoods, the loss of post-Civil War era stonework along the route, the negative impact on several other historic structures, and alterations to historic streetscapes if the electric option is chosen. We believe the ridership data used in this study is already becoming obsolete based on population and job loss. We also believe that the ridership figures and environmental impacts do not take into consideration the increased impact of hybrid and alternative fueled vehicles and the increase in the use of technology to work from home. The report also does not mention the Little Cedar Swamp, which could be affected by the close proximity of the rail bed, the historic Poole Instrument site on Foundry Street adjacent to the railroad crossing. Among the items manufactured there were mercury thermometers, and the site contains the remains of many such broken mercury vials.

L-077.06

L-077.07

L-077.08

In closing, we hope we have effectively communicated our significant concerns about the Stoughton Alternative, its negative impact on the operation of our nationally recognized museum, and the historic nature of the town itself. In a time when many of our cultural treasures have been lost to so-called “progress”, it is important to recognize that Easton is one of the still relevant sites that recalls the classic American industrial village story in its entirety. With our famous Richardson architecture and Olmsted landscapes, works by LaFarge, Tiffany, and St. Gaudens, we can honestly say that there is no other place like North Easton anywhere in the United States. Anything less than choosing another alternative for the South Coast Rail Project will bring a great loss to the culture and history of Easton, the Commonwealth of Massachusetts and the United States. Once lost, this history cannot be replaced.

Sincerely,

Kenneth J. Michel
President, Easton Historical Society

Frank T. Meninno
Curator, Easton Historical Society

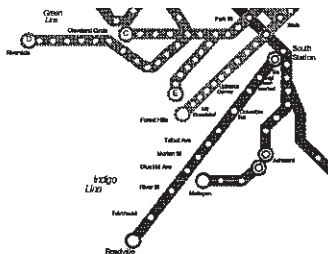
THE FAIRMOUNT/INDIGO LINE COALITION

A Collaborative Effort of:

Codman Square NDC, Conservation Law Foundation, Dorchester Bay EDC, Dudley Street Neighborhood Initiative, Greater Four Corners Action Coalition, Mattapan CDC, Project RIGHT, Quincy Geneva Housing Corporation, Southwest Boston CDC

May 24, 2011

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



RE: South Coast Rail Project DEIS/DEIR, File Number: NAE-2007-00698

Dear Mr. Anacheke-Nasemann:

The Fairmount / Indigo Line Coalition is a consortium of Boston neighborhood-based and regional organizations that has been working for much of the last decade to convert the MBTA Fairmount commuter rail line to a transportation corridor that provides access to jobs, education, retail and world class health services to residents of Hyde Park, Mattapan, Dorchester and Roxbury. We have had tremendous success in realizing our vision of equitable transit for some of Boston's most economically challenged communities. Two existing stations have been fully renovated and four new stations are to be added to the Fairmount Line. Three of the new stations are now in construction and the fourth is nearing design completion.

L-045.01

We support the South Cost Rail Project DEIS/DEIR comments submitted by the Conservation Law Foundation on May 27, 2011, advocating in favor of selecting one of the three electric alternatives proposed. Electrification of the South Coast Rail would open up the opportunity for electrification of other commuter rail lines in Massachusetts, including the Fairmount Line. The service area of the Fairmount Line includes some of the most densely populated parts of Boston where residents have the highest poverty levels and greatest dependence on transit. Roxbury, Dorchester and Mattapan have primarily Latino, Caribbean and African-American neighborhoods, all of which have poverty rates between twenty and twenty five percent, well above the city average of seventeen percent. Those neighborhoods also have among the highest rates of asthma-related hospitalizations for children under five years of age in Boston. These environmental justice communities, as defined by the Massachusetts Executive Office of Energy and Environmental Affairs, have historically been exposed to high levels of air pollution and would greatly benefit from electrification of the commuter rail line and the associated decreases in air pollution. The Fairmount Line does not currently offer full peak service or night and weekend service and therefore would also greatly benefit from the increased service that could be offered on an electrified line due to an increase in ridership.

If you have any questions, please feel free to contact Joan Tighe by phone at 617-287-8758 or by email at jtconres@aol.com. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Joan Tighe".

Joan Tighe, Coordinator
Fairmount/Indigo Line Coalition

MAY25'11 REG DIV

From: Robert Mellion [RMellion@fallriverchamber.com]
Sent: Monday, May 23, 2011 2:56 PM
To: SCREIS, NAE; aisling.o'shea@state.ma.us
Cc: Steve Smith; Egan, Kristina (DOT); Jason Rua EXT; mayor@fallriverma.org
Subject: Support for the Stoughton Route
Importance: High
 May 23, 2011

Alan Anacheka-Nasemann
 Army Corps of Engineers
 696 Virginia Road
 Concord, MA 01742-2751
 email: SCREIS@USACE.army.mil
 fax: 978-318-8303

Secretary Richard K. Sullivan, Jr., EOEEA
 attn.: MEPA Office (Aisling O'Shea)
 100 Cambridge Street, Suite 900
 Boston MA 02114
 email: aisling.o'shea@state.ma.us
 fax: 617-626-1181 or via hand delivery.

Dear Mr. Anacheka-Nasemann and Secretary Sullivan:

I am writing on behalf of the Fall River Area Chamber of Commerce and Industry (Chamber) to urge that the U.S. Army Corps of Engineers endorse MassDOT's preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative of LEDPA without further delay. The Chamber also asks that the Corps consult with the Massachusetts Environmental Policy Act (MEPA) Office. It is the opinion of the Chamber that the Stoughton route offers the best balance of transportation, economic development and environmental impact of the options under consideration. As the document shows,

E-043.01

- The Stoughton route meets the project purpose with the least environmental damage.
- The Stoughton alternatives have less impact on wetlands than the Rapid Bus and Attleboro options.
- The Attleboro route fails operationally, so it is not practicable. It also has a high cost per rider.
- The Whittenton alternative, while superior to the Rapid Bus and the Attleboro rail alternatives, does not serve the people of New Bedford and Fall River well.
- The Stoughton route includes smart growth measures that would encourage the creation of compact development zones and protect undeveloped land. The plan could result in saving farmland and other resources, protecting the character of the South Coast.
- The Stoughton route would provide the greatest overall benefits environmental justice populations.

By selecting the Stoughton route, the South Coast Rail project will restore passenger rail transportation from South Station in Boston to the South Coast of Massachusetts. In doing so, it

E-043.02

will catalyze nearly half a billion dollars in economic development every year. The cities of Taunton, Fall River and New Bedford are the only cities within 50 miles of Boston that are not served by commuter rail service. Furthermore, South Coast Rail directly improves the economy in Southeastern Massachusetts, while addressing the long-standing transportation inequity that negatively impacts the future of our region. That is why the time is now to select the Stoughton route. Thank you for your time and indulgence on this very important matter.

E-043.02

Respectfully submitted,



Robert A. Mellion, Esq.
President & CEO



Fall River Area Chamber of Commerce and Industry, Inc.
"The Voice of Business Since 1911"

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Fall River, Massachusetts 02721
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May 24, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
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email: SCREIS@USACE.army.mil
fax: 978-318-8303

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us
fax: 617-626-1181 or via hand delivery.

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

The Fall River Office of Economic Development (FROED) has reviewed the project Draft Environmental Impact Statement/Report. Upon thorough review, FROED unwaveringly recommends that U.S. Army Corps of Engineers endorse MassDOT's preference of the Stoughton direct route as the Least Environmentally Damaging Practicable Alternative or LEDPA without further delay. FROED also requests that the Corps coordinate with the Massachusetts Environmental Policy Act (MEPA) Office to facilitate efficient use of government resources and to expedite the environmental review process, so that the Corps and MEPA may establish a scope of work for the Final Environmental Impact Statement/Report (FEIS/FEIR) that identifies one route – the Stoughton alternative – for further study. This document should address reasonable outstanding issues raised by the public and/or reviewing agencies.

L-040.01

L-040.02

The Stoughton direct route offers the best balance of transportation, economic development and environmental impact of the options under consideration as demonstrated in the Draft Environmental Impact Statement/Report:

L-040.03

- The Stoughton route meets the project purpose with the least environmental damage. The Stoughton direct route is *the fastest option* with rail trip time substantially shorter than the Rapid Bus alternative - attracting more riders, taking more vehicles off the roads, improving regional mobility and reducing vehicle

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www.froed.org

miles travelled. Trip time is a **critical** consideration in determining the best alternative.

- The Stoughton alternatives have the **least impact on wetlands** compared with the Rapid Bus and Attleboro options. Of the impacted wetland, the 1.8 acre area in the Hockomock Swamp Area of Critical Environmental Concern is primarily wetlands that have formed on the former rail bed. The project includes relocating a stream currently on the rail bed back to its natural channel, which will **create ecological benefits**. The Commonwealth has committed to constructing an elevated trestle through the swamp, which will facilitate the movement of animals across the rail alignment.
- The Corps lists measures to be developed in coordination with regulatory agencies to avoid, minimize and mitigate any rare, threatened and endangered species impacts within the project Study Area. Mitigation for biodiversity impacts can be further developed in the FEIS/FEIR.
- The **Attleboro route fails operationally** making it not practicable, and also has a high cost per rider. To address this failure, both a third and a fourth track would need to be added to parts of the heavily-travelled Northeast Corridor. Adding these tracks would **more than double the cost** of the Stoughton straight alternative.
- The Whittenton alternative, while an improvement in some ways to the Rapid Bus and the Attleboro rail alternatives, **does not adequately or equitably serve the people of New Bedford and Fall River**. These residents would experience a longer trip (by over 10 minutes each way). This longer commute time might be justified if the Whittenton alternative provided a substantial reduction to environmental impacts, however the projected difference is minimal. Moreover, **Stoughton provides greater air quality and environmental benefits**.
- The project includes smart growth measures that would encourage the creation of compact development zones and would protect undeveloped land. Implementation of the plan may **provide for farmland and other resource preservation and protect the character of the South Coast**.
- Environmental Justice populations should be afforded enhanced access to jobs, education and other opportunities that are anticipated to result from this project. The rail options, and more specifically the Stoughton direct route, provides the **greatest potential benefits to the environmental justice populations** of the South Coast.
- The Draft Environmental Impact Statement/Report outlines mitigation for environmental resources, visual, noise, and vibration impacts. The FEIS/FEIR should further develop and present details for the Stoughton alternative. FROED encourages agency coordination to develop a resource mitigation approach that addresses the Commonwealth's and United States' needs while evaluating specific regional enhancement important ecological functions.

In summary, **FROED endorses the Stoughton direct route at the LEDPA** as it most clearly meets the project purpose with the least environmental damage. The Stoughton direct route is the fastest option, provides greater air quality and environmental benefits

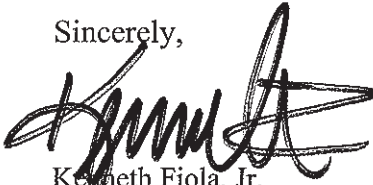
L-040.04

while creating ecological benefits, and provides the greatest potential benefits to the environmental justice populations. FROED anxiously awaits this *long overdue connection between regional resources and improved access to economic opportunities*. *SouthCoast Rail's unimpeded progress is a crucial component to the economic redevelopment of the SouthCoast.*

L-040.04

L-040.05

Sincerely,



Kenneth Fiola, Jr.
Executive Vice President
Fall River Office of Economic Development

Cc: Kristina Egan
Director, South Coast Rail
Massachusetts Department of Transportation
Ten Park Plaza, Suite 4150
Boston, MA 02116-3973

From: Priscilla Chapman [pchapman@massaudubon.org]
Sent: Tuesday, April 05, 2011 4:00 PM
To: Anacheka-nasemann, Alan R NAE; SCREIS, NAE
Cc: timmermann.timothy@epa.gov; Heidi Ricci
Subject: SCR DEIS -- request for extension

Dear Alan,

On behalf of Mass Audubon, I respectfully request a 60 day extension of the public comment period for the Draft Environmental Impact Statement (DEIS) for the South Coast Rail Project. As you know, this is a major public infrastructure project with a large financial cost and potentially serious impacts to fragile ecosystems. The DEIS is a complex and lengthy document and we wish to conduct a thorough review and provide constructive comment to the Army Corps. The May 27 deadline does not allow enough time to evaluate and comment on such an extensive amount of information.

E-010.01

As you know, Mass Audubon has participated in the regulatory review of the proposed extension of commuter rail from Boston to Fall River and New Bedford for well over a decade, and I have represented Mass Audubon on the Commuter Rail Task Force since 2007. Thank you for considering this request for an extension.

Sincerely,

Priscilla Chapman

Priscilla Chapman
 Taunton Watershed Advocate
 Mass Audubon
 The River Center at Boyden Refuge
 1298 Cohannet Street
 Taunton MA 02780
 508-828-1104
 Call phone first to send fax.
 pchapman@massaudubon.org



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 Force since 2007.

R-001.01

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

Recognizing that the Massachusetts Department of Transportation has identified the Stoughton Route as its "preferred alternative," we focus our comments on the resource areas and projected impacts associated with that route, including resources and impacts associated with the Southern Triangle of existing freight lines from Taunton to New Bedford and Fall River that are proposed to be upgraded, and the extent to which the DEIS/R demonstrates compliance with the requirements of the Massachusetts Wetlands Protection Act (MWSA), the Massachusetts Endangered Species Act (MESA) and the state and federal Clean Water Acts (CWA).

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

R-001.02

Baseline information. The DEIS/R fails to provide adequate baseline information regarding important resources and impacts to those resources by the project, especially in the Southern Triangle portion of the rail corridor. In addition to Mass Audubon's land, the Southern Triangle lines also run through other sensitive areas including public conservation lands owned by the Mass Department of Conservation and Recreation in the Acushnet Cedar Swamp (an Area of Critical Environmental Concern and a National Natural Landmark). The Scope for the DEIS/R requires information on the number and location of stream crossings associated with each alternative (p. 27). During a site visit to the portion of the rail line that crosses the Assonet Cedar Swamp on November 16, 2011 conducted by three Mass Audubon staff members, Project Director Kristina Egan and other project staff, several culverts and streams that flowed along the right-of-way (ROW) were observed that are not identified in the DEIS/R. Although the Southern Triangle involves refurbishment and improvement of existing freight lines rather than entirely new construction as in the other portions of the project, it is nonetheless important to document resources and impacts along this portion of the route. In particular, it is important that the boundary between existing rail berms and wetlands be defined in relation to actual plans for the rail upgrading work so that impacts can be properly estimated, and that the condition of culverts and bridges where water flows under the berm be documented to identify where these structures would need to be replaced. In this section of our comments on the Environmental Notification Form (ENF), we requested that the proponent complete a survey of all streams and culverts along the ROW. We reiterate that request. The DEIS/R should also provide construction details of all stream crossings where work is proposed to allow full evaluation of potential impacts.

R-001.03

R-001.04

R-001.05

Rare species and vernal pool surveys. The MEPA Scope required that "the DEIR should include an endangered species impact analysis based on adequate species survey and habitat assessment for each alternative based on consultations with NHESP..." It also called for consultations with NHESP, Mass Audubon, and other impacted conservation landowners in determining which areas should be field surveyed for wetlands and rare species (p. 24). To the best of our knowledge, no rare species surveys were conducted in sensitive areas along the existing New Bedford and Fall River ROWs, including the Assonet and Acushnet Cedar Swamps; nor can we find any record of consultation with NHESP or conservation landowners in the DEIR. The MEPA Scope also required that the DEIR "identify potential vernal pools, initially using maps and aerial photography and then verify in the field..." It stated that "Potential vernal pool identification and certification should be conducted for areas within the right-of-way of the rail alignment and within a reasonable distance of the ROW... The DEIR should include the result of vernal pool investigations, including a description and mapping of those meeting the criteria for certification" (p. 26). It appears that no new vernal pool investigation was conducted for the Southern Triangle. Table 4.14-5, "Vernal Pools Within 100 Feet of South Coast Rail Alternatives" lists no vernal pools on the New Bedford line in the Assonet or Acushnet Cedar Swamps. At least one and possibly two potential vernal pools were observed on the portion of the line that crosses the Assonet Cedar Swamp during the above-referenced site visit.

R-001.06

R-001.07

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

Impacts associated with the Stoughton alternative. The DEIS/R indicates that impacts associated with construction of the Stoughton alternative will include:

- 11.9 acres of permanent wetlands alteration;
- filling of 1.7 acres of vernal pool and loss of 55 acres of supporting vernal pool buffer habitat;
- 3,480 feet of permanent alteration of bank;
- diversion of an intermittent stream that runs along the existing berm;
- loss of 32.5 acres of rare species habitat, including loss of Atlantic White Cedar Swamp that provides habitat for Hessel's Hairstreak butterfly, a state-listed species;
- barrier impacts to blue-spotted salamander and Blanding's turtle, both state-listed species.

The SDEIS/R utilizes the University of Massachusetts “Conservation Assessment and Prioritization System” (CAPS) model to measure the loss of ecological integrity and biodiversity that would result from each alternative. Ecological integrity is defined as the ability of an area to support plants and animals and the natural processes necessary to sustain them over the long term. The CAPS model creates a grid over the Commonwealth of Massachusetts and calculates the “index of ecological integrity” for each cell of the grid based on eight different ecological factors. The analysis indicates that the Stoughton alternative would result in a major loss of ecological integrity. This loss would be 456.9 units, compared to 324.8 units for the Attleboro alternative and zero for Rapid Bus. The CAPS analysis attributes a large portion of this loss to “indirect impacts.” Habitat within the Hockomock Swamp has regenerated along the alignment of a rail line abandoned many decades ago – with the rails and ties removed and vegetation regrowing to close the canopy in many locations. As the DEIS/R so clearly demonstrates, the proposed project is much more than reactivation of a former rail corridor. Reconstruction of the rail bed in the Hockomock Swamp would cut through “the largest unfragmented and pristine area of wetland habitat in eastern Massachusetts” (p. 4.14-6). Impacts are likely to include introduction of invasive plants, opportunistic predators and changes in temperature of vernal pools and wetlands adjacent to the track from the creation of an opening in the canopy through the Hockomock Swamp. Regarding impacts to the Pine Swamp, the DEIS/R states, “Reconstructing the rail could create a barrier to the movement of vernal pool organisms between pools or between breeding and non-breeding habitat;” also that “Reconstructing the track would require vegetation removal which could alter the microclimate of vernal pools close to the track” (p. 4.14-87).

Induced growth. The DEIS/R also identifies projected impacts of induced growth and development from the project, compared to the “no build” scenario. Examples of the projected impacts are: increased vehicle miles traveled (VMTs); increases in greenhouse gas emissions related to new dispersed development and loss of forest and farmland. The Stoughton Alternative would add 75,422 VMTs per day and 20,750 tons per year of greenhouse gas emissions, and would increase loss of forestland by 575 acres and loss of farmland by 313 acres over the “no-build” alternative. The DEIS/R acknowledges the likelihood that loss of forest land would also result in loss of carbon sequestration, but does not quantify additional greenhouse gas emissions increases that would result as it should.

R-001.08

The DEIS/R states that these impacts would be reduced by implementation of the Corridor Plan and evaluates the degree of mitigation provided by “high” and “low” implementation scenarios. Mass Audubon supports vigorous implementation of the Corridor Plan. We are concerned that the DEIS/R fails to provide a detailed blueprint for that implementation to document that impacts of induced growth will in fact be offset, and other projected benefits will be provided. We request that a detailed implementation plan be developed and included in an SDEIS/R which includes a demonstrated financial commitment to the needed state, regional and local planning and land use regulatory reforms that will be needed to fully implement the Corridor Plan.

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

R-001.09

In some cases, projected impacts may be difficult to mitigate. For example, attempts to replicate or restore Atlantic White Cedar Swamp have yielded mixed results in the past. Vernal pool species that encounter barriers to migration may not relocate to other pools. Rare species such as Blanding’s turtle may decline if habitat is fragmented. Invasive plants, once introduced, may be difficult to remove without continuous monitoring. The NEPA/MEPA review should acknowledge the difficulties of these challenges, and provide detailed mitigation plans with an evaluation of the likelihood of success in an SDEIS/R.

R-001.10

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

R-001.11

Thank you for considering these comments.

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May 27, 2011

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**Re: Draft Environmental Impact Statement/Report for South Coast Rail NAE-2007-00698
and EOEEA #14346**

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

On behalf of Mass Audubon I submit the following comments on the Draft Environmental Impact Statement and Environmental Impact Report (DEIS/R) for the South Coast Rail Project. 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 (MEPA) Office and the U.S. Army Corps of Engineers (USACE). We have participated in the Commuter Rail Task Force since 2007 and in meetings of the project's "Box Turtle Conservation" and "Wetlands Mitigation" working groups in 2009 and 2010 respectively.

Request for a Supplemental DEIS/R

The DEIS/R does not provide adequate baseline information regarding potentially impacted natural resources, detailed mitigation plans for unavoidable impacts, and a detailed blueprint for implementation of the Corridor Plan to demonstrate that projected benefits of the Plan will materialize.

The Scope for the MEPA review required that the DEIR include this information, as the following comments will demonstrate. For this reason we request the USACE and Massachusetts Executive Office of Energy and Environmental Affairs (EEA) require a Supplemental Draft Environmental Impact Statement/ Report (SDEIS/R).

Sec. 1502.9(c)(2) of the *National Environmental Policy Act* (NEPA) regulations of the Council on Environmental Quality (draft, final, and supplemental statements) states that agencies may "prepare supplements when the agency determines that the purposes of the Act will be furthered by doing so."

L-064.01

Page 1-3 of the Executive Summary of the DEIS/R states that the USACE determined that an EIS is required for this project “because of the project’s potential to significantly affect the quality of the human and natural environment,” and that “The purpose of the EIS is to assess the environmental impacts associated with the construction and operation of transit enhancements between Fall River/New Bedford and Boston proposed by MassDOT.” As the following comments will demonstrate, the DEIS/R **does not** provide adequate baseline information regarding potentially impacted natural resources to fully determine the environmental impacts of the proposed project. For this reason, we request EEA and USACE to require preparation a Supplemental DEIS/R. In the event the Secretary of EEA determines that a Supplemental DEIR is not required, we nevertheless request that the USACE prepare a Supplemental DEIS.

Summary Comments

Mass Audubon generally supports commuter rail improvements as an alternative to highway expansion and as a means to reduce emissions of greenhouse gases. We support the South Coast Rail Corridor Plan that identifies Priority Protection and Priority Development Areas as a means to achieve concentrated development on appropriate land in close proximity to transit and other infrastructure, preserve habitat and reduce vehicle-miles traveled. At the same time, this project bears careful review as it involves potentially significant adverse environmental impacts to wetlands of high ecological significance, habitat for several state-listed species, and protected conservation lands. This review needs to include sufficient information to ensure that impacts to those resources are avoided and minimized as much as possible and that unavoidable impacts are adequately mitigated as required by federal and state environmental law.

Impacts of the Stoughton corridors “preferred alternative” for the project as described in the DEIS/R are based on preliminary information and may need to be adjusted following further analysis as described below. The following comments reference the impacts of the “Stoughton electric” alternative unless otherwise specified. The “Stoughton diesel” alternative impacts the same resources, either to the same degree or to a slightly lesser degree. Based on the DEIS/R, impacts include: permanent alteration of nearly 12 acres of wetlands; 66 stream crossings; loss of over 32 acres of habitat for 9 state-listed rare species; alterations within 100 feet of 40 vernal pools; significant habitat fragmentation effects including impacts on the ecological integrity of the largest freshwater wetland in the Commonwealth; loss of 182 acres of upland habitat; and work in or immediately adjacent to several public and privately protected conservation areas including properties owned by state and local agencies and nonprofit organizations. Affected areas include an Area of Critical Environmental Concern, several BioMap Core Habitats, Priority Natural Communities, and an Important Bird Area. Wetlands impacted include Atlantic White Cedar Swamps, a rare community type that is sensitive to changes in hydrology and difficult to replicate.

Given the magnitude of impacts of the proposed project, it is vital that the NEPA/MEPA review process thoroughly and adequately describe all impacts, evaluate alternatives and design details to avoid and minimize impacts, and provide a detailed mitigation plan to compensate for unavoidable impacts. The mitigation plan should be specific, identifying particular locations where environmental restoration or replication will be conducted, the preliminary plans for that work, and follow-up monitoring to ensure success. The costs of mitigation are essential elements of the project design and should be provided as part of the project analysis, not merely estimated as part of overall “contingency.” The MEPA Scope

L-064.02

required these analyses, but the DEIS/R falls short in several important respects, hence our request for a Supplemental DEIS/R. L-064.02

Significant Impacts of the “Preferred Alternative”

Recognizing that the Massachusetts Department of Transportation (MassDOT) has identified the Stoughton Route as its “preferred alternative,” we focus our comments on the resource areas and projected impacts associated with that route, including resources and impacts associated with the Southern Triangle of existing freight lines from Taunton to New Bedford and Fall River that are proposed to be upgraded. These significant impacts include:

Alteration of wetlands resource areas: The Stoughton alternative would result in permanent alteration of at least 11.86 acres of bordering vegetated wetlands and 3,560 linear feet of bank with additional amounts of temporary alteration. The Massachusetts Department of Conservation and Recreation (DCR) describes the Hockomock Swamp as the largest freshwater wetland in Massachusetts.

Streams and stream crossings: The DEIS/R identifies 66 stream crossings along the Stoughton route. It identifies 12 perennial streams and rivers and states that all of the perennial streams are considered important fisheries habitat. The DEIS/R does not provide information regarding the current condition of existing stream crossings along the Southern Triangle lines although it mentions that some of these cross culverts may need to be replaced. The DEIS/R states in some places that culverts will be upgraded to the extent feasible to meet the stream crossing standards, while in others (e.g. existing freight lines on Southern Triangle) culverts will be replaced in-kind. It is desirable to upgrade culverts to improve passage for fish and wildlife. However, alterations of existing culvert dimensions or replacement of blocked culverts may also alter water flow and hydrology, potentially impacting adjoining wetlands or uplands. This is of particular concern where Atlantic White Cedar Swamps are involved due to sensitivity of this natural community to alterations in hydrology. It is important that all alterations to stream crossings or flows be analyzed and designs submitted that fully document direct and indirect (hydrologic) impacts and proposed mitigation. This information is also needed in order to properly evaluate all potential impacts to conservation lands where the project abuts such properties, since stream crossing work may need a wider corridor than the typical width of the berm or the right-of-way. L-064.03

The Stoughton route would result in the diversion of a perennial stream that currently runs along the abandoned railroad berm for a distance of ½ mile in the area north of the Raynham Dog Track. Although the DEIS/R claims that relocation of this stream will improve its condition, few details are provided on existing or proposed conditions of the stream. Furthermore, since the location is within the Hockomock Swamp, relocation of the stream may require additional wetlands alteration and/or impacts to abutting Article 97 lands owned by the Massachusetts Department of Fish and Game (DFG). L-064.04

Rare species impacts: The Stoughton alternatives would adversely impact habitat of nine state-listed species, including Blue-spotted Salamander (*Ambystoma laterale*), Wood Turtle (*Glyptemys insculpta*), Blanding’s Turtle (*Emydoidea blandingii*), Eastern Box Turtle (*Terrapene Carolina*), Hessel’s Hairstreak butterfly (*Callophrys hesseli*), Mocha Emerald dragonfly (*Somatochlora linearis*), Pale Green Pinion Moth (*Lithophane viridipallens*), Coastal Swamp Amphipod (*Synurella chamberlaini*), and Ringed Boghaunter dragonfly (*Williamsonia lintneri*). The DEIS/R states on page 4-15-57 that the route would “result in a loss of approximately 32.6 acres within natural areas of five Priority and Estimated L-064.05

Habitat polygons,” while Table 4.15-30 on page 4-15-62 identifies the potential habitat loss as 9.9 acres (see comment below under **Impacts to Rare Species**). The loss includes areas of Atlantic White Cedar Swamp, identified by NHESP as a “Priority Natural Community.” Clarification is needed regarding the full extent of impacts to rare species habitats.

L-064.05

Vernal pool impacts: The DEIS/R states that forty certified or potential vernal pools were identified within 100 feet of the right-of-way of the Stoughton alternative. This route would result in loss of 1.77 acres of vernal pool and 55.04 acres of supporting upland adjacent to vernal pools. Additional vernal pools may exist along the Southern Triangle freight lines but are not identified in the DEIS/R.

L-064.06

Biodiversity impacts: The Stoughton alternative would result in loss of at least 182 acres of upland habitat in addition to 11.86 acres of wetlands and fragmentation of habitat in the Hockomock and Pine Swamps. All of the project alternatives were evaluated under the Conservation Assessment and Prioritization System (CAPS) analysis developed by the University of Massachusetts at Amherst to determine loss of ecological integrity. The analysis predicted a high degree of loss of ecological integrity (EI) for the Stoughton Route compared to none for the Rapid Bus. As an example of EI loss, the Stoughton route would disrupt 19,200 feet of migratory route habitat through the “barrier effect,” impacting movement of the Blue-spotted Salamander, Eastern Box Turtle and Blanding’s Turtle.

Protected open space: The Stoughton route crosses several public- or privately-owned conservation areas that are permanently protected, including the 5,000-acre Hockomock Swamp Wildlife Management Area (DFG), the 275-acre Pine Swamp (Town of Raynham), Mass Audubon’s Assonet Cedar Swamp Wildlife Sanctuary and the 1,000 Acushnet Cedar Swamp State Reservation (DCR), also designated as a National Natural Landmark. All of these areas have been mapped by NHESP as “Biomap Core Habitat,” areas that are critical for the long-term persistence of habitats for rare, vulnerable, or uncommon species, Priority Natural Communities, high-quality wetland, vernal pool and other aquatic habitats and intact forest systems. All of them include outstanding examples of Atlantic White Cedar Swamp. The Hockomock Swamp is designated an “Important Bird Area” (IBA) by Mass Audubon, an area that provides important habitat to breeding, wintering or migrating birds.

It is important that all direct and indirect impacts of the project on protected conservation lands be fully documented in the NEPA/MEPA review. This includes any potential impacts from replacement or repair of stream crossings, any hydrologic alterations on abutting wetlands, and relocation of the stream presently occupying ½ mile of the rail corridor in the Hockomock.

L-064.07

Applicable Laws and Regulations

We also focus our comments on the extent to which the DEIS/R demonstrates compliance with key environmental laws, particularly the requirements of the *Massachusetts Wetlands Protection Act* (MWPA), the *Massachusetts Endangered Species Act* (MESA) and the state and federal *Clean Water Acts* (CWA).

L-064.08

The Guidelines to Implement Section 404(b)(1) of the *US Clean Water Act* (CFR 40 Section 230) prohibit the discharge of dredge or fill material if there is a practicable alternative that would have less adverse environmental impact on the aquatic ecosystem, and if the discharge would cause or contribute to significant degradation of the waters of the United States.

Under the MWPA, variances (310 CMR 10.05(10)) from the performance standards may only be granted if the project fulfills an overriding public interest, there are no reasonable conditions or alternatives that would allow the project to proceed in compliance, and mitigating measures are proposed that will allow the project to be conditioned so as to contribute to the protection of the interests of the Act.

Because the Stoughton alternative would result in alteration of more than 5,000 square feet of Bordering Vegetated Wetland, construction of this alternative would require a variance from the MWPA. Because it would result in discharge of fill into a vernal pool it would also require a variance under the 401 Water Quality Certification requirements (314 CMR 9.00).

The MESA regulations (321 CMR 10.23) also require an alternatives analysis and demonstration that impacts to rare species have been avoided and minimized. In addition, the proponent must demonstrate that mitigation is provided that will result in a long-term Net Benefit to the affected state-listed species.

It is vital that the NEPA/MEPA review for the project include sufficient information to fully document impacts to areas regulated under these laws, demonstrating that impacts have been avoided and minimized as much as possible, and that effective plans for mitigation will be implemented. This is an essential part of the environmental review process and should not be left outstanding until permitting. In particular, it should be noted that the MESA permit process does not include any opportunity for public review and input, therefore review of rare species impacts and mitigation through NEPA/MEPA is especially important.

Climate Change

The potential impacts of climate change elevate the importance of protecting and preserving the current landscape of wetlands to the extent feasible. For example, more intense storms predicted under current global change models will require expanded flood storage areas and increase the need for buffer areas to protect private property. Undeveloped corridors including free-flowing waterways that provide opportunity for shifting and migration of natural communities and wildlife populations may be essential in response to temperature change and shifts of wetlands and other habitats. These concerns underscore the need to avoid wetlands loss to the greatest extent practicable.

The integrity of the Hockomock Swamp as a single intact block of wildlife habitat is a key element of its functionality. Large intact habitats are increasingly important as they are more resilient to environmental stresses like those associated with climate change. The ability of plants and animals to move unimpeded throughout such areas, and to be free of noise, pollution and other disturbances are important aspects of the functionality of the area. Impacts of placement of a rail line through such an area are not limited to the project footprint (as demonstrated by the CAPS analysis). The full extent of these impacts and alternatives to avoid or minimize fragmentation effects should be evaluated carefully.

Baseline Information

Project impacts in relation to protected lands and resources: The DEIS/R fails to provide adequate baseline information regarding important resources and impacts to those resources by the project,

especially in the Southern Triangle portion of the rail corridor. In addition to Mass Audubon's land, the Southern Triangle lines also run through other sensitive areas including public conservation lands owned by DCR in the Acushnet Cedar Swamp (an Area of Critical Environmental Concern and a National Natural Landmark). Details of all work where existing rail berms cross or abut protected conservation lands should be presented and the impacts evaluated and mitigated. L-064.10

The Scope for the DEIS/R requires information on the number and location of stream crossings associated with each alternative (p. 27). During a site visit to the portion of the rail line that crosses the Assonet Cedar Swamp on November 16, 2011 conducted by three Mass Audubon staff members, the South Coast Rail Project Director and other project staff, several culverts and streams that flowed along the right-of-way (ROW) were observed that are not identified in the DEIS/R. Although the Southern Triangle involves refurbishment and improvement of existing freight lines rather than entirely new construction as in the other portions of the project, it is nonetheless important to document resources and impacts along this portion of the route. In particular, it is important that the boundary between existing rail berms and wetlands be defined in relation to actual plans for the rail upgrading work so that impacts can be properly estimated, and that the condition of culverts and bridges where water flows under the berm be documented to identify where these structures would need to be replaced. In this section of our comments on the Environmental Notification Form (ENF), we requested that the proponent complete a survey of all streams and culverts along the ROW. We reiterate that request. L-064.11

The DEIS/R should also provide construction details of all stream crossings where work is proposed to allow full evaluation of potential impacts. This includes assessment of existing hydrology and condition of culverts, evaluation of whether crossings can be upgraded to better conform to stream crossing standards without adversely impacting hydrology of the swamp, and the full footprint of all proposed work. L-064.12

Rare species and vernal pool surveys: The MEPA Scope required that "the DEIR should include an endangered species impact analysis based on adequate species survey and habitat assessment for each alternative based on consultations with NHESP..." It also called for consultations with NHESP, Mass Audubon, and other impacted conservation landowners in determining which areas should be field surveyed for wetlands and rare species (p. 24). Our comments on the ENF for this project stated: "Mass Audubon reiterates requests it has made previously on this project that additional on-site rare species investigations be conducted in the Assonet Cedar Swamp, with opportunity for Mass Audubon and the Natural Heritage and Endangered Species Program to provide specific recommendations on the study protocols." To the best of our knowledge, no rare species surveys were conducted in sensitive areas along the existing New Bedford and Fall River ROWs, including the Assonet and Acushnet Cedar Swamps; nor can we find any record of consultation with NHESP or conservation landowners in the DEIR. L-064.13

The MEPA Scope also required that the DEIR "identify potential vernal pools, initially using maps and aerial photography and then verify in the field..." It stated that "Potential vernal pool identification and certification should be conducted for areas within the right-of-way of the rail alignment and within a reasonable distance of the ROW... The DEIR should include the result of vernal pool investigations, including a description and mapping of those meeting the criteria for certification" (p. 26). It appears that no new vernal pool investigation was conducted for the Southern Triangle. Table 4.14-5, "Vernal Pools Within 100 Feet of South Coast Rail Alternatives" lists no vernal pools on the New Bedford line L-064.14

in the Assonet or Acushnet Cedar Swamps. At least one and possibly two potential vernal pools were observed on the portion of the line that crosses the Assonet Cedar Swamp during the above-referenced site visit. L-064.14

Assessment of Impacts to Natural Resources

Impacts to wetlands: As noted above, the DEIS/R states that the Stoughton route will result in loss of 11.86 acres of wetlands, including areas of Atlantic White Cedar Swamp along the Fall River Secondary line in Lakeville and in the Hockomock Swamp. Our comments on the ENF requested that the DEIS/R include project plans of a 1"=40' scale for areas abutting wetlands that include delineation of all resource area boundaries, streams and the location and footprint of all work, as well as cross section diagrams of pre- and post-construction dimensions of the right-of-way (showing any modifications to side slopes) and of culverts. The plans should also include wetland boundaries that have been field-delineated and approved by the local conservation commission. This information was not provided in the DEIS/R. While the exact scale of plans to be provided may be determined by EEA and the USACOE differently than our recommendation, the DEIS/R does not provide key information necessary to verify whether the actual wetlands alterations have been accurately projected. Significant areas of impact may be overlooked in the absence of field delineations of wetlands, documentation of existing locations and conditions of cross culverts, and other essential details. L-064.15

Wetland areas abutting actual work may be altered by changes in light, temperature, pH and other factors that result from clearing of existing canopy. The SDEIS/R should provide an estimate of the amount of wetlands likely to be altered by indirect impacts. L-064.16

Our comments on the ENF requested that the DEIS/R provide soil analysis for the Hockomock portion of the right-of-way to demonstrate the ability to support the footings of the trestle. If the project were to encounter difficulties with installation of the proposed trestle during construction, redesign or modification of plans could well result in additional alteration of wetland resources. L-064.17

The DEIS/R does not provide separate estimates of wetlands loss for the diesel and electric options. We request verification that the acreage of wetlands loss identified includes areas that may be cleared or filled to construct electric substations and catenary supports for line electrification. L-064.18

The DEIS/R indicates that the proposed Stoughton line will consist of single track through sensitive areas including the Hockomock, Pine, Assonet Cedar and Acushnet Cedar Swamps. We commend this decision as a means to reduce impacts to wetlands, vernal pools and rare species habitat. However, it is important to know whether potential operational, maintenance, and safety issues associated with the use of single track in these areas have been factored in. Information is needed as to whether or not single tracking in these areas has been fully considered in the calculation of travel time. If actual travel times exceed the projected ones, the result may be a demand for double-tracking of these areas in the future. Verification that projected travel times adequately reflect future operation with single tracks should be provided in an SDEIS/R. L-064.19

We also request clarification regarding how maintenance and emergency access to rail lines through sensitive areas will be provided, including on the trestle through the Hockomock Swamp. The DEIS/R identifies "not constructing maintenance roads along the rail corridors" as a potential measure to reduce L-064.20

impacts to wetlands and rare species habitat. We commend this effort, but request that the proponent describe how the absence of maintenance and emergency access roads in certain areas would impact future train operations. While service vehicles can run on tracks, analysis is needed as to how that would be accomplished without interfering with train schedules. If lack of access for maintenance or emergencies becomes an issue, access roads and/or sidings may be constructed in the future, possibly resulting in significantly increased impacts. Measures (i.e., single tracking without separate service access) that are not likely to be viable over the long term should not be counted as impact avoidance when evaluating the total impacts of specific alternatives.

L-064.20

As noted above, the Stoughton route would result in the diversion of a perennial stream that currently runs along the abandoned railroad berm for a distance of ½ mile in the area north of the Raynham Dog Track. The DEIS/R states on p. 4-16-81, “It is presumed that this stream would be re-routed to its original and restored/stabilized channel, and hence this relocation to and restoration of the original stream channel would be a beneficial impact.” The DEIS/R does not describe how the location of the original channel would be determined or where it is located. Plans for the proposed relocation should be provided in a SDEIS/R. Stream relocations usually involve creation of meandering channels, as opposed to a ditch alongside the rail line. The SDEIS/R should clarify whether the relocated channel will involve alteration of existing wetlands within the Hockomock Swamp and if it will be located outside of the ROW. If the relocation falls outside of the ROW on abutting land owned by the Massachusetts Department of Fish and Game (DFG), it would qualify as an Article 97 impact.

L-064.21

The DEIS/R states on p. 4-16-34, “Blocked culverts and drainage ditches along the right-of-way have formed three wetlands within the rail bed. These wetlands (ST-6, ST-7, and ST-7A) are located within 15 feet north and south of the Stoughton Fish and Game Club access road.” A SDEIS/R should clarify whether impacts to these wetlands from reconstruction of the rail bed have been included in the calculation of wetlands alteration.

L-064.22

Impacts to rare species: The DEIS/R states on page 4-15-57 that the Stoughton route would “result in a loss of approximately 32.6 acres within natural areas of five Priority and Estimated Habitat polygons.” Table 4.15-30 on page 4-15-62 shows the “potential habitat loss” as 9.9 acres. The DEIS/R clarifies the difference in the two numbers on page 4-15-28 (Method for Assessing Direct Impacts), stating that “total loss of acres” is the acreage of Priority and Estimated Habitat polygons intersected by the limit of permanent alteration from the project, while “potential habitat loss” is based on vegetative cover types assumed to be used by each of the species within the Priority and Estimated Habitat polygons. The DEIS/R further states that several of the species may use habitat types that were not included in the assumptions used in the DEIS/R and that the assumptions serve as “a general guide to coarsely estimating the level of impact.” The actual amount of habitat impacted is proposed to be determined based on field delineation after the Least Environmentally Damaging Practicable Alternative is selected.

L-064.23

A coarse estimate of the level of impact to rare species habitat may not be an adequate basis for an accurate determination of which alternative is the “least environmentally damaging.” The SDEIS/R should provide acreage of impacts to rare species habitat that is based on field delineation.

The DEIS/R also describes potential impacts to rare species beyond actual loss of habitat. It states on p. 4-15-47 that existing culverted streams beneath the embankment of the abandoned line provide migratory habitat for wildlife species, and continues:

“In addition to the culverts, the right-of-way itself provides suitable migratory habitat for rare species because there are no tracks and ties to prevent turtles and amphibians from moving across the right-of-way...Much of the embankment has become reforested since the tracks were removed, and is likely to provide suitable feeding, sheltering and overwintering habitat for the blue-spotted salamander and the eastern box turtle...Documented nesting of spotted turtles within the right-of-way of the Stoughton segment indicates that portions of the right-of-way may also provide nesting habitat for the Blanding’s turtle and eastern box turtle.”

The DEIS/R characterizes most of this nesting habitat as “of marginal quality,” It states (p. 4-15-31) that the abandoned rail embankment in the Stoughton route was evaluated under two scenarios: one assuming that the railbed provided habitat for Blanding’s Turtle, Eastern Box Turtle and Blue-spotted Salamander and the other assuming that the railbed does not provide habitat. The proponent should look for evidence of turtle nesting to determine whether or not the railbed provides this habitat and present the conclusions in the SDEIS/R. L-064.24

The DEIS/R states that loss of migratory routes and increase in habitat fragmentation would result “because construction of this (the Stoughton) track would occur within undeveloped forested area.” The project proposes to partially mitigate this impact by construction of an 8,500 foot trestle. We commend this proposal and as noted above, request that the feasibility and cost of construction be ascertained. The DEIS/R indicates that in areas north and south of the proposed trestle, the total barrier effect would be approximately 19,500 feet, including 9,700 feet used by Blanding’s Turtle, 1,400 feet used by Blue-spotted Salamander and 8,400 feet used by Eastern Box Turtle. Disruption of migratory routes can have potentially significant impacts to the survival of rare species. A survey conducted in the Hockomock Swamp in 2008 and 2009 (referenced in the DEIS/R) found that a female Blanding’s Turtle traveled a total of three miles in one year and in 2009 returned to the site used for nesting in 2008. The DEIS/R also acknowledges that some organisms that use vernal pools for breeding return to the same pool year after year and do not seek other pools if the migratory path is blocked. L-064.25

The DEIS/R also states that there would potentially be some fragmentation to Hessel’s Hairstreak habitat caused by widening the canopy gap in the Hockomock Swamp, and that “clearing within 100 feet of vernal pools could lead to the loss of shade within vernal pool habitat that could be used by Blue-spotted Salamander.”

The DEIS/R states that there would be a potential increase in mortality of rare species near streams and wetlands, such as Mocha Emerald and Hessel’s Hairstreak caused by the use of herbicides, but says that these impacts would be reduced by adherence to an approved Vegetation Management Plan restricting the use of herbicides in these areas. The SDEIS/R should include a clear commitment to such a restriction and provide maps that show the location of “no-spray” zones for each alternative. L-064.26

The DEIS/R states at several points that the Stoughton alternative will result in improvement to migration for terrestrial wildlife because “reconstructing these tracks presents opportunities to reconstruct existing culverts or bridges to improve wildlife passage.” Analysis of these opportunities will occur “during final design.” Without specific information about the number and specific location of culverts and bridges to be reconstructed, it is impossible to evaluate the amount of improvement that L-064.27

will occur. Changes in these crossings need to be carefully designed so as not to adversely alter the hydrology of the cedar swamp. The SDEIS/R should provide this analysis.

L-064.27

Table 4-15-30 (“Direct and Indirect Effects to Rare Species from the South Coast Rail Alternatives”) provides NHESP’s scores for barrier impacts and overall loss of habitat functions. The Stoughton route received a score of 6 for barrier impacts, compared to scores of 1.5 for the Attleboro route and 0 for Rapid Bus, and a score of 10.5 for loss of habitat functions, compared to scores of 7.5 for Attleboro and 3 for Rapid Bus (page 4.15.62). The DEIS/R states on page 4-15-31 that NHESP noted that the *ranking* of alternatives by assigning qualitative impact ratings is more important than the calculated acreage of impacts. **Especially considering the higher scores assigned to the Stoughton route**, we request that the SDEIS/R provide a more detailed overall examination of specific impacts to state-listed species and habitat as specifically requested above.

L-064.28

Indirect impacts/impacts to biodiversity. The DEIS/R acknowledges that the rail line south of Stoughton Station “has been abandoned for several decades with the tracks and ties removed in most places and vegetation covering much of the embankment.” It also states that “existing blocks of contiguous habitat would be fragmented and edge effects would be introduced” as a result of clearing of the canopy along the ROW that would be needed to re-establish train service along the corridor (p. 4-16-82). The DEIS/R identifies in Chapter 4-14 general impacts to biodiversity that may result from fragmentation and “edge effects,” including spread of invasive species, decrease in species dependent on core and/or undisturbed habitat, impacts of noise and predation and impacts of changes in light, temperature, chemical composition, hydrology or other factors on vegetation and aquatic ecosystems.

L-064.29

The indirect impacts of the Stoughton route are evaluated on pages 4-14-83 ff. This section generally dismisses the significance of these impacts. One reason cited is the limited width of the canopy gap, identified here as “40’”. We note that other sections of the DEIS/R refer to the canopy gap through the Hockomock Swamp as “40 to 80’”. The SDEIS/R should clarify how wide the canopy gap will be; if the gap may be as large as 80’, the SDEIS/R should evaluate the impacts that would potentially result.

The DEIS/R states on p. 4-14-85, “Although the Stoughton Alternative would increase the canopy gap and create a partial barrier to vertebrate movement, the Hockomock Swamp would continue to provide moderate to large-sized forest blocks.” The fact that some unfragmented forest blocks would remain does not mean that significant loss of ecological function and value would not occur. That loss was assessed through application of the University of Massachusetts’

CAPS model. This model measures the loss of ecological integrity and biodiversity that would result from each alternative. Ecological integrity is defined as the ability of an area to support plants and animals and the natural processes necessary to sustain them over the long term. The CAPS model establishes a grid over the Commonwealth of Massachusetts and calculates the “index of ecological integrity” for each cell of the grid based on eight different ecological factors.

In contrast to the DEIS/R’s characterization of the indirect impacts of the Stoughton route as “minimal,” the CAPS analysis presented a different conclusion, indicating that the Stoughton alternative would result in a major loss of ecological integrity. This loss would be 456.9 units, compared to 324.8 units for the Attleboro alternative and zero for Rapid Bus. The CAPS analysis attributes a large portion of this loss to “indirect impacts.” The map in the CAPS analysis illustrates that fragmentation impacts would extend far into the Hockomock Swamp.

L-064.30

Regarding impacts to the Pine Swamp, the DEIS/R states, “Reconstructing the rail could create a barrier to the movement of vernal pool organisms between pools or between breeding and non-breeding habitat;” also that “Reconstructing the track would require vegetation removal which could alter the microclimate of vernal pools close to the track” (p. 4.14-87).

L-064.30

The conclusions of the CAPS analysis are relevant to the determination of the project’s potential adverse environmental impacts to aquatic ecosystems, selection of the Least Environmentally Damaging Preferred Alternative, and mitigation that should be required if the Stoughton alternative is selected. We request that the conclusions of this analysis be examined in more detail in a SDEIS/R.

Potential “taking” of open space land protected by federal, state or municipal governments

(“Section 4F taking”): 49 USC 303 prohibits use of federal funds to take land from federal, state or local parks and similar public open space, unless there is no feasible alternative and adequate mitigation is provided. As noted above, the rail right-of-way for the Stoughton route passes through the Hockomock Swamp Wildlife Management Area, the Acushnet Cedar Swamp State Reservation and the Pine Swamp, areas that fall under state or municipal ownership and are protected by Article 97 of the *Constitution of the Commonwealth of Massachusetts*. The DEIS/R fails to identify the width of the ROW in these areas and provides no diagrams or other information to demonstrate that reconstruction of the rail lines can be confined within the ROW. It is our understanding that the ROW through the Hockomock Swamp is 60’ wide, but the DEIS/R indicates that the canopy opening may be up to 80’ wide. Clarification is needed about whether all work will fall within the ROW. We request that this information be provided in a SDEIS/R.

L-064.31

Induced growth: The DEIS/R also identifies projected impacts of induced growth and development from the project, compared to the “no build” scenario. Examples of the projected impacts are: increased vehicle miles traveled (VMTs); increases in greenhouse gas emissions related to new dispersed development; and loss of forest and farmland. The Stoughton Alternative would add 75,422 VMTs per day and 20,750 tons per year of greenhouse gas emissions, and would increase loss of forestland by 575 acres and loss of farmland by 313 acres over the “no-build” alternative. The DEIS/R acknowledges the likelihood that loss of forest land would also result in loss of carbon sequestration, but does not quantify additional greenhouse gas emissions increases that would result as it should. The Massachusetts’ 2010 *Statewide Forest Resource Assessment* used a study by Pregitzer and Euskichen (2004) to estimate carbon sequestration at 0.85 tons per year for forests aged 71-120 years. Using that figure, loss of 575 acres of forestland caused by induced growth associated with the Stoughton route would reduce carbon sequestration by approximately 488 tons per year, plus the conversion losses of stored carbon when forest is removed. A SDEIS/R should acknowledge this.

L-064.32

The DEIS/R states that these impacts would be reduced by implementation of the Corridor Plan and evaluates the degree of mitigation provided by “high” and “low” implementation scenarios. Mass Audubon supports vigorous implementation of the Corridor Plan to achieve the goals identified in the DEIS/R of reducing land conversion, travel and VMTs, greenhouse gas emissions, water use and other factors. We are concerned that the DEIS/R fails to provide a detailed blueprint for that implementation to ensure that impacts of induced growth will in fact be offset, and other projected benefits will be provided. The DEIS/R states on page 5-70 that the SCR project with implementation of smart growth measures would “have a beneficial impact of unknown magnitude” on protected open

L-064.33

space; Table 5-24 also describes the incremental change in protected open space from the no-build scenario as “unknown.” We request that a detailed implementation plan be developed and included in an SDEIS/R which includes a demonstrated financial commitment to the needed state, regional and local planning and land use regulatory reforms that will be needed to fully implement the Corridor Plan.

L-064.33

The DEIS/R states on page 5-57 that the Priority Protection Areas (PPAs) in the SCR Corridor Plan represent 139,758 acres in the South Coast communities. We request clarification of how much of that acreage is already under permanent protection and therefore would not represent an opportunity to increase future protection of open space. For example, the PPAs of Fall River and Freetown include the 13,800-acre Southeastern Massachusetts Bioreserve, currently protected. Lakeville’s PPA includes Mass Audubon’s 954-acre Assonet Cedar Swamp Wildlife Sanctuary, New Bedford’s PPA includes the Acushnet Cedar and the PPAs for Easton, Raynham and Taunton include portions of the Hockomock Swamp Wildlife Management area, also currently protected.

L-064.34

Mitigation Plans

The MEPA Certificate on the ENF required detailed plans for mitigation of impacts to wetlands, rare species and biodiversity, as follows:

L-064.35

Wetlands (page 27 ff of MEPA Certificate): *The DEIR should include a detailed description of measures to avoid and minimize wetland impacts for each of the alternatives. The DEIR should also include a comprehensive mitigation plan for any unavoidable impacts, explain why these impacts are unavoidable, and demonstrate how impacts will be avoided and minimized to the maximum extent feasible. The mitigation plan should address permanent and temporary impacts and construction-related impacts...The DEIR should describe proposed wetlands mitigation areas and identify locations on maps and site plans. As noted in the MassDEP comment letter, there is flexibility within the variance process to consolidate some mitigation into more centralized areas rather than individual mitigation sites at each impact location. The DEIR should describe how mitigation sites will be designed to preserve critical functions such as flood storage volume at each locality. The DEIR should discuss ownership of the sites and identify any proposed to be taken by eminent domain. The DEIR should provide details on any replication proposed including the timeframe anticipated and the methods proposed to achieve successful replication. The DEIR should include a monitoring and contingency plan to ensure success of mitigation.*

Rare species (page 24): *The DEIR should include a detailed description of proposed mitigation measures for each alternative.*

Biodiversity (page 29): *The DEIR should describe measures proposed to avoid and minimize impacts, and include a detailed mitigation plan to address biodiversity impacts. The plan should include an estimate of mitigation costs such as funding for land acquisition, ecological assessment and monitoring programs, wildlife crossings, and other biodiversity conservation efforts. The DEIR should describe in quantitative and qualitative terms the extent to which the mitigation proposed will support biodiversity conservation and reduce or compensate for project-related impacts.*

Despite these specific requirements and the significance of the projected impacts, the DEIS/R fails to provide detailed mitigation plans to replace lost resources and their functions and values and states that

the mitigation plan will be prepared at a later date. Without the opportunity to review proposed mitigation plans, the public is unable to evaluate whether the project satisfies regulatory standards of the MWPA, MESA and the state and federal CWA. For these reasons, we request that you require preparation of a Supplemental DEIS/R. L-064.35

Our comments on the ENF requested “a review of available information to identify possible candidate areas for restoration of previously filled or destroyed wetland areas within the project corridor” including “current and historic aerial photography, USGS and other maps as well as the historical written records and maps of local and regional agencies documenting local wetlands.” As an example, we cited the Raynham Dog Track site where significant segments of the existing parking lot may well be paved-over former wetlands. We urged that preference should be given to mitigation projects that remove fill or pavement to restore historic wetlands over creation of wetlands in upland. We reiterate these comments, and urge their consideration in an SDEIS/R. L-064.36

In some cases, projected impacts may be difficult to mitigate. For example, attempts to replicate or restore Atlantic White Cedar Swamp have yielded mixed results in the past, and remains subject to scientific uncertainty. Our comments on the ENF referred to the historical transformation of the portions of Atlantic White Cedar Swamps to red maple in the Hockomock and Assonet Cedar Swamps, noting the hydrologic changes associated with earlier construction of railroad berms in these areas, and we requested that the DEIS/R “investigate ways to restore the downgradient areas as a potential mitigation component of this project.” While the document mentions restoration of Atlantic White Cedar Swamps as a potential mitigation measure, it does not provide a detailed plan for doing this or evaluate the feasibility of success. If the project impacts vernal pools or creates barriers to migration pathways, individuals that use these areas for breeding may not relocate to other pools. Rare species such as Blanding’s Turtle may decline if habitat is fragmented. Invasive plants, once introduced, may be difficult to remove without continuous monitoring, yet the DEIS/R provides no detailed plans for monitoring such areas and removing introduced plants. The NEPA/MEPA review should acknowledge the difficulties of these challenges, and provide detailed mitigation plans with an evaluation of the likelihood of success in an SDEIS/R. L-064.37

Project cost and mitigation: The MEPA Certificate stated: “... cost is one of the key factors being used by EOT in selection of alternatives. The DEIR should include a detailed analysis of costs, including construction, operation and mitigation costs, for each of the alternatives.” The Certificate also stated: “EOT is also basing its elimination and selection of alternatives on the basis of smart growth opportunities along the corridor,” and required “an assessment of costs associated with implementation of the smart growth aspects of the project for each alternative, to fully understand the overall costs and rationale for selection of alternatives” (p. 16). As noted above, the document lacks mitigation plans. The cost of mitigation cannot be estimated without the mitigation plans. The Certificate also required a description of “how the proposed rail and/or bus routes, and associated Land Use and Economic Development Corridor Plan will be financed.” This analysis is not provided. A SDEIS/R should include the full cost of mitigation in total project costs, an assessment of the costs of implementing the Corridor Plan and an explanation of how the project and Corridor Plan will be financed. L-064.38

Ridership

The DEIS/R states on page 3-121 that the number of daily work trips from the South Coast area to

Boston was estimated based on Journey-to-Work (JTW) data from 2000. In a January 28, 2011 memo from Scott Peterson of the Central Transportation Planning Staff to the South Coast Rail Group Files, Mr. Peterson stated the analysis showed that there were 8,000 work trips from the SCR study area into the major Boston employment destination. Application of a 15% growth rate resulted in projection of 9,200 JTW trips in 2030. The memo lists the 28 cities and towns in the SCR study area. Several of the municipalities in this list currently have a commuter rail station (e.g., Attleboro, Mansfield, Lakeville) or are located close to one of those stations (e.g., Carver, Freetown, Rochester, Middleborough).

L-064.39

The DEIS projects that the Stoughton Electric Route will attract 4,790 new station boardings, or 61% of the total ridership demand. The DEIS/R does not explain whether/how many of those projected riders are assumed to switch from use of an existing commuter rail line to South Coast Rail. The SDEIS/R should provide the complete analysis that yielded the projection of 4,790 new station boardings on the Stoughton Route and disclose the number of those “new” riders who would be diverted from existing lines.

Conclusion

To provide full disclosure and evaluation of the impacts to natural resources that are likely to result from this project that will enable regulatory officials to determine the project’s compliance with the requirements of applicable laws, we request preparation of a SDEIS/R. If a decision is made to not require preparation of a SDEIS and/or SDEIR, we request that the issues raised in this comment letter be addressed in the Final EIS/R. Thank you for considering these comments.

L-064.40

Sincerely,

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cc: Kristina Egan, Project Manager, DOT
DFG Commissioner Mary Griffin
DEP Commissioner Ken Kimmell
DCR Commissioner Edward Lambert
Jon Regosin, NHESP



Massachusetts Association of Conservation Commissions

protecting wetlands, open space and biological diversity through education and advocacy

April 11, 2011

VIA EMAIL

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Re: Request For Extension of Comment period; South Coast Rail Project File # NAE-2077-00698, EEA #14346

Dear Sirs:

The Massachusetts Association of Conservation Commissions (MACC), a not for profit organization representing more than 350 conservation commissions throughout the Commonwealth, is hereby requesting a 90 day extension of the closing date for receipt of comments on the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the South Coast Rail Project, US ACOE Regulatory File No. NAE-2007-00698, EEA #14346. MACC, as a pre-eminent wetlands advocacy and educational organization within Massachusetts, is highly interested in reviewing the DEIS/DEIR because of the potential impact on sensitive wetland and other environmental resources throughout the South Coast area. Our Board of Directors and membership, which includes a number of highly regarded experts in wetland systems and various branches of environmental law and science,

L-002.01

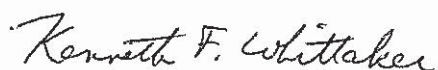
have confirmed their intention to carefully review this document. We believe those individuals, on their own behalf and that of MACC, will provide essential, beneficial and detailed review of the study and its conclusions. Furthermore, we are aware of strong interest in this project from concerned individuals and our member conservation commissioners in a number of municipalities on and in the vicinity of the proposed routes identified in that study. As part of our representational responsibilities we recognize a duty to provide a forum for the development and submission of comments from those interested parties as well.

Given the scope, and scale of the DEIS/DEIR comprising more than 2500 pages of detailed technical data and analyses, the complexity and diversity of the subject matter addressed, MACC believes it and other parties have not been afforded sufficient time to prepare for, develop, compile and submit the level of commentary that this ambitious environmental impact review requires and deserves. To allow proper and reasonably complete review of such a massive study, we respectfully ask for a 90 day extension until August 26, 2011.

L-002.02


We would appreciate if you would advise MACC, through us, of your response to this request via email at and/or via surface mail, to our attention, at the address one page one of this letter. Thank you for your consideration of this request.

Very truly yours,



Kenneth F. Whittaker, Ph.D., Esq.,
Vice President for Advocacy, MACC

Partner,
Gonzalez Saggio & Harlan, LLP



Linda Orel
Executive Director

Cc: Kristina Egan



May 27, 2011

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Re: **Draft Environmental Impact Statement/Report (DEIS/R) for South Coast
Rail NAE-2007-00698 and EOEEA #14346**

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

The Massachusetts Association of Conservation Commissions (MACC) thanks you for the opportunity to submit comments with respect to the combined Draft Environmental Impact Review/Draft Environmental Impact Statement ("DEIR/DEIS") for the proposed South Coast Rail Project.

MACC represents the 2,400 Conservation Commissioners in the 351 cities and towns of the Commonwealth, charged with protecting the natural resources of their communities under the Conservation Commission Act (G.L. Ch.40 sec.8c) and with administering and enforcing the Massachusetts Wetlands Protection Act (G.L. Ch.131 sec.40). MACC's mission is to promote strong, workable, science-based laws, regulations, and policies regarding wetlands, other water resources, open space and biological diversity.

Conservation Commissions and the communities they serve will be directly impacted by the proposed South Coast Rail project. We have been in coordination with some of them, and their individual members, in developing these comments. Nevertheless, these comments are submitted solely on behalf of MACC, and our intent is to speak from the broad perspective of wetlands and natural resource preservation throughout the entire

designated south coastal area. We offer these comments in concert with other environmental organizations which address a wide range of other topics regarding impacts to water resources, impacts to rare and endangered species habitat, proposed sacrifices of designated public lands, biodiversity issues and a range of other considerations.

MACC commends the effort in completing the DEIR/DEIS document. However, the DEIS is overly broad and lacking in specificity and detail, especially with regard to the estimation of wetlands and habitat impacts and the proposed mitigation measures to account for these impacts. The document defers analysis of proposed mitigation measures for wetland and habitat loss based on assumed uncertainties in final construction and layout details, yet the MEPA Certificate on the ENF clearly calls for the presentation of such a mitigation plan in reasonable detail. The DEIR/DEIS falls short of fulfilling the requirements of the MEPA scope in numerous specific areas.

L-080.01

In the document, a number of preliminary design decisions, which will have substantial environmental impacts, have been given only passing consideration. One example of this would be the failure to consider appropriate access allowances for 3.3 miles of single line of the rail proceeding through the Hockomock Swamp for repair and emergency response services. Although we appreciate the environmental considerations which led to this decision of a single line, we question whether an honest assessment of the likely full range of those impacts is possible without more detailed consideration of emergency access, maintenance, and other safety issues associated with a “stranded” single line layout.

L-080.02

Moreover, the overall level of the analysis is insufficient to determine the full range of impacts for the preferred alternative and, in so doing, gives short shrift to the difficulties that will be encountered in meeting the requirements of the project to comply with critical environmental laws, including the federal and state Clean Water Acts, the Massachusetts Wetlands Protection Act (WPA), the Massachusetts Endangered Species Act (MESA), and Article 97 of the State Constitution¹.

L-080.03

MACC believes strongly that the estimation of likely impacts on wetlands-related resources and the scope of needed mitigation means and methods, as briefly summarized in the following comments, do not meet the standards set forth in the MEPA Certificate. In order to address these deficiencies, additional analysis is needed, which would best be provided via a Supplemental DEIS/DEIR. At a minimum, the serious concerns related to an underestimation of the full range of impacts - present in the current document - should be addressed in appropriate detail and scope in the Final EIR/EIS for this project.

¹ We note as well that pursuant to Section 4f of the USDOT Act of 1966 that federal transportation funds may not be used to take land from federal state or local parks and similar public open space unless 1) there is no feasible alternative, 2) that mitigation is provided or the impacts of the work are found to be “*de minimis*.” Proper estimation of the needed right of way is essential to determine what aspects of this statute will apply.

- Sufficient detail has not been provided to determine the full range of impacts that will be associated with the inevitable fragmentation of the major wetlands associated with the preferred Stoughton alternative, the major impact on highly sensitive populations including loss of over 32 acres from the habitat of nine state-listed species, and the potentially serious impacts that even slight changes in hydrology (related to stream relocation and construction/replacement of stream crossings) may have on the rare Atlantic White Cedar Swamp ecosystem.

L-080.04
- The DEIS/DEIR has substantially underreported the full number and distribution of affected vernal pool habitats, in addition to the likely substantial impacts within 100 feet of those pools as identified in the document.

L-080.05
- No specific information is presented regarding mitigation measures that will be undertaken to comply with requirements under the Clean Water Act, WPA, and MESA. Variances under the WPA and Section 401 of the Clean Water Act will be needed. Such variances are contingent on a variety of findings, including a determination that proposed mitigation measures will contribute to the protection of interests identified in these laws. The absence of concrete mitigation planning in many instances raises significant concerns as to how such mitigation measures are to be structured, permitted and funded.

L-080.06
- Overall, MACC is highly concerned with the continuing, un-fragmented viability of the Hockomock Swamp and preservation of its unique status as the largest freshwater wetland in the Commonwealth. The fragmentation issues associated with the loss of forest canopy, and the apparent balkanization of the hydrologic analysis related to the various stream crossings suggest that the level of detail offered is simply insufficient to determine the full range of plausible impacts and the degree of difficulty associated with their compensation. The Conservation and Assessment Prioritization System analysis included in the DEIR/DEIS shows that large areas of this natural area will suffer significant loss of ecological integrity. These impacts extend well beyond the boundaries of the rail right-of-way, and will affect Article 97 lands owned by the Massachusetts Department of Fish and Game, all in an Area of Critical Environmental Concern.

L-080.07
- The issues associated with the acquisition and indirect alteration of protected lands have not been adequately considered. Further consideration of the legal and access difficulties should be addressed.

L-080.08

MACC does not offer these comments by way of criticism, and commends the level of effort and scope of activity that has been carried out in preparing the DEIS/DEIR for public review. At the same time, there is a perceived public preference for certain rail line alternatives at the expense of the bus line alternative which presents ecological impacts that are only a tiny fraction of those expected from rail line construction. Given this compelling logic, it appears reasonable and fair to expect that the full extent of those rail line impacts, and an honest assessment of the difficulties and feasibility of necessary mitigation methods, should be presented. MACC hopes to see some of this hard thinking ;

L-080.09

and detailed assessment, in the next phase of the analysis which we hope will comprise a Supplement document to the DEIR/DEIS.

L-080.09

Very truly yours,

Ken Whittaker
Director of Advocacy

Linda Orel
Executive Director



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May 27, 2011

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Re: **Draft Environmental Impact Statement/Report (DEIS/R) for South Coast Rail
NAE-2007-00698 and EOEEA #14346**

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

On behalf of the Massachusetts Rivers Alliance I am pleased to submit these comments on the DEIR/S for the South Coast Rail project. The Alliance's mission is to protect and restore rivers across the Commonwealth. The Alliance supports public transit and smart growth as measures to promote sustainable development patterns to reduce future growth impacts on the commonwealth's rivers and other important environmental assets. The Department of Transportation's (DOT) preferred alternative for the project has substantial impacts to streams (over 50 stream crossings, relocation of ½ mile of a perennial stream); wetlands (12 acres of alteration, dozens of vernal pools within 100 feet of the work); rare species habitats; and state, local and private conservation lands. Therefore it is important that the environmental review processes through the National Environmental Policy Act (NEPA) and Massachusetts Environmental Policy Act (MEPA) thoroughly document and analyze project impacts, alternatives to avoid and minimize impacts, and that the state require mitigation to compensate for unavoidable impacts.

L-062.01

Additional Information Needed: The MEPA Certificate on the ENF provided an extensive and detailed scope for review, including requirements for presentation of mitigation plans in the Draft EIR. The

L-062.02

DEIS/R falls short of fully documenting impacts and mitigation as described in the scope and as necessary to ensure the project will fully meet requirements of key environmental laws including the federal and state Clean Water Acts, Massachusetts Wetlands Protection Act, Massachusetts Endangered Species Act, and Article 97 of the State Constitution protecting public conservation lands. The Alliance requests that a Supplemental DEIS/R be prepared to provide the additional information needed, or if this request is denied, that the Final EIS/R provide this information.

L-062.02

Fragmentation of Hockomock Swamp: DOT's preferred alternative for the project is the Stoughton route, involving reconstruction of a long-abandoned rail line through the Hockomock Swamp. The rails and ties were removed decades ago and the corridor has overgrown, nearly closing the canopy in most areas. The Conservation and Assessment Prioritization System (CAPS) analysis performed by UMass for the project found that reconstructing a rail line along this corridor would significantly impact the ecological integrity of the swamp. Work would also traverse the Pine Swamp in Raynham, and existing freight lines would be upgraded including sections running through Mass Audubon's Assonet Cedar Swamp and the Department of Conservation and Recreation's Acushnet Cedar Swamp.

L-062.03

The Hockomock Swamp is the largest freshwater wetland in Massachusetts and an Area of Critical Environmental Concern; most of the swamp is owned by the Department of Fish and Game (DFG), except for the rail right-of-way. The Hockomock and other areas impacted by the project support Atlantic White Cedar Swamp natural communities which are rare and sensitive to even slight alterations in hydrology. Habitat of nine state-listed rare species would be altered by the project.

Stream Relocation and Culvert Crossings: A perennial stream presently flows along the rail right-of-way for a distance of ½ mile in the Hockomock Swamp. The DEIS/R states that this stream will be improved by relocating it outside of the right-of-way but does not provide any information or plans for that relocation. Since the abutting land is swamp owned by DFG, it appears likely that additional impacts to wetlands, rare species habitat, and Article 97 lands will be required for the stream relocation. The DEIS/R also indicates that numerous stream crossings along the entire route of the project will need to be reconstructed. Since many of these streams flow through abutting wetlands and rare species habitats protected by state, local, or private conservation organizations plans for each site of culvert work are needed to fully document project impacts and mitigation. The Rivers Alliance supports upgrading of existing culverts to meet the stream crossing standards to the extent feasible, provided detailed analyses are performed to ensure that adverse impacts to hydrology of Atlantic White Cedar Swamps will be avoided.

L-062.04

L-062.05

In conclusion, the Massachusetts Rivers Alliance respectfully requests that additional, detailed analysis of project impacts and mitigation be provided in the next phase of NEPA/MEPA review.

Sincerely,



Julia Blatt
Executive Director





May 26, 2011

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**Sierra Club Comments on South Coast Rail Project
Draft Environmental Impact Statement / Draft Environmental Impact Report**

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

On behalf of the Sierra Club we offer the following comments on the Draft Environmental Impact Statement / Draft Environmental Impact Report on the South Coast Rail Project proposed by the Massachusetts Department of Transportation (DEIS/R).

Challenges and Opportunities

Transportation affects people's lives on a daily basis, and when transportation options are limited to one possibility – usually driving – the quality of everyone's life suffers. The transportation sector is Massachusetts's greatest source of carbon dioxide emissions, and vehicle emissions have been associated with increased rates of asthma, respiratory diseases, and lung cancer. Transportation inequities mean that low-income and minority communities are exposed to more pollution and are given less opportunities for jobs and affordable housing than affluent communities.

The state's disinvestment in public transportation is one of the primary reasons that Massachusetts lacks transportation options. Sprawl also contributes to transportation problems: when housing patterns are diffuse, people are forced to drive. The main opportunity is to treat transportation as an integral piece of smart growth planning, affordable housing development, and energy policy. Restoration of rail to the south coast via the proposed Stoughton alternative has great potential to reduce sprawl, guide development, discourage travel by car, link workers with jobs, and stimulate economic growth with less environmental impacts than an automobile-centric approach.

Ridership is the key component to making any train service sustainable. It is for this reason that the Sierra Club has stated publicly the Stoughton alignment may ultimately represent the least environmentally damaging alternative to restore service. Project calculations indicate that other alignments would not attract sufficient ridership to make the service viable.

L-075.01

The inclusion of an electric option for train service is important. The negative impacts of land required for transformer stations / pole bases, and an elevated price for the project, could be outweighed by the significant advantages of less noise, less diesel fuel pollution, better acceleration of the trains, and higher average speed which will reduce travel times.

L-075.02

No-Build Analysis Needed

Early in the review process the Sierra Club had requested at public meetings that a comprehensive “no-build” analysis be presented to the public. We believe this context is essential to understand the impacts of *not* building the South Coast rail project so the public can better understand the choices being made today that will impact not only sensitive natural resources, but also their quality of life in the future. The documents do not seem to contain an analysis that describes highway or other expansion that may be necessary to accommodate increased population and traffic if the project is not built, nor what the region may look like in the future if the smart growth measures proposed by the project are not implemented and growth patterns are instead driven by non-transit-oriented development.

L-075.03

The Preferred Alternative and Trestle Design

The DEIS/R addresses three options, two of them rail and the third an enhanced bus route. The Sierra Club believes that the Stoughton Alternative, which we acknowledge passes through old seaport cities, rural towns and wetlands, has the potential to create smart growth opportunities for all communities on the route, as well as reduce the need for continued highway expansion through the region. It should be noted that highways already pass through most if not all the same areas that are now proposed for the rail expansion.

L-075.04

South Coast Rail also has the potential to improve environmental elements along the way because it could be used to restore hydrological connections between parts of the Hockomock Swamp that were isolated when the original rail bed construction took place in the 1890's. It is for this reason that the Sierra Club previously supported a trestle design for rights of way through wetland areas. However, our review of the document indicates that the trestle would largely be built on the existing embankment with only periodic culverts to allow for slightly increased wetlands connectivity.

L-075.05

The proponents should apply all knowledge available to help utilize the construction window to improve the hydrology and functions of the wetlands system. Location and function of culverts is as important as keeping them clear and flowing. The restoration should address in detail wildlife corridors and where best to locate them, especially due to the presence of vernal pools and rare species in the vicinity of the rail bed. Both wet and dry wildlife crossings should be described and provided for.

We request that the alternative thoroughly analyze other trestle designs that may increase connectivity in the wetlands so that the project truly creates a benefit to the areas impacted by the existing rail bed. While we are not experts on this matter, we envision that much of the existing embankment could be removed and still allow for the servicing of the rail line. This could mitigate impacts by improving the hydrology of the wetlands.

L-075.06

The DEIS/R considers adding larger culverts, improving the existing openings and using the existing grade as the base. The possibility of the old railway grade being dug out from a machine located on the new trestle and the spoil transported by rail to some place or other not close by should be examined. We request this option, or something similar to achieve the desired goals, be explored in more detail. The analysis should describe construction techniques and design elements that will be implemented to minimize the environmental impact.

L-075.07

One issue not mentioned in the DEIS/R is the failure to consider what would happen to the existing embankment if the Stoughton Alternative is *not* chosen. ATV's are now using the route extensively and the earth surface at grade is being spread into the adjoining swamps, streams and vernal pools. Subsequent use of the embankment by trespassers and ATV's could be minimized by reactivation of the rail corridor.

L-075.08

Regional Rail Capacity

Not only is the Stoughton Alternative the shortest of the three options – an important consideration for passengers – it can also resolve a major concern at the already crowded platforms at South Station congestion by lengthening the route of the already existing Stoughton trains. We are however concerned about the present and future capacities of South Station to handle the increased ridership the Stoughton branch would bring.

L-075.09

Both North and South station, as part of a broken northeast rail system, cannot handle indefinitely the increased ridership at both ends as long as there exists no connector between the two stations. As each new project on the fringe of the system connects into a dead-end system (as it exists now) the need is increased to construct the North-South Rail Link to provide the system the elasticity to expand and absorb increased and future demands on ridership. The creation of a "flow -through" system with the North-South Rail Link would increase ridership and efficiencies on the entire system, including the Stoughton alternative.

Mitigation Plans

While the DEIS/R appears to have included mitigation costs as part of the overall budget, it is difficult to understand the mitigation costs without a comprehensive mitigation plan that identifies where and how mitigation will occur. This should be more thoroughly analyzed to enable the public to fully understand the implications of the project and how impacts will be mitigated. Some wetland areas likely to be impacted by the project have been difficult to replicate.

L-075.10

Conclusion

We look forward to continued review of either supplemental or final documents that address our comments. The Sierra Club recognizes that this project raises concerns regarding impacts on sensitive natural areas. The review must accurately describe impacts given that there clearly is a “balancing act” occurring that weighs the benefits of rail service against wetlands, rare species, and vernal pool habitat. Ultimately, we must ask, what will the South Coast look like 20 years from now if population increases in the area *without the commuter rail line* and highways must be expanded in sensitive natural areas instead to accommodate growth in southeastern Massachusetts?

L-075.11

Thank you for the opportunity to comment and for the efforts of state and federal agencies to promote better public transportation choices for the south coast. Please contact us if you have any questions regarding our comments.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James McCaffrey", is written over a horizontal line.

James McCaffrey
Director, Massachusetts Sierra Club

LEATHAM & ASSOCIATES, *Certified Public Accountants*

Douglas R. Leatham, CPA
Agata Caron, M.Ec

Telephone: 508-996-5282

26 April 2011

Alan Anacheke-Nasemann
Army Corp of Engineers
696 Virginia Road
Concord, MD 01742-2751

Re: **South Coast Rail Project**

Dear Mr. Anacheke-Nasemann,

Members of the Government Affairs Committee of the *Greater New Bedford Area Chamber of Commerce* reviewed and discussed your draft report on the environmental impact of the several proposed routes, and were very pleased you appear to have come to the same conclusion as that of many members of the Massachusetts legislative delegation: that **the Stoughton family of alternatives makes the most sense**...from both an environmental as well as an economic standpoint.

L-006.01

We in the Southcoast have been wishing for the passenger rail line to come to New Bedford and Fall River since the 1980's. Not only would the rail enable Massachusetts residents to travel south to our beautiful coastal area, it would also relieve the congestion on the roadways for those headed northward to Boston and environs. As you well know, commuters traveling by rail generate so much less in hydro-carbons to pollute our precious air. And, according to your draft report, you seem to support the idea that **the Stoughton route** would pose the least environmental risk.

Thank you for your careful and thoughtful consideration of the various alternatives, and we look forward to your final report and recommendations.

Sincerely,

Doug Leatham

**Comments of Roy Nascimento
President & 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 SouthCoast 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 environmental impact statement prepared by the U.S. Army Corps of Engineers for the SouthCoast Rail project. My name is Roy Nascimento and I am President and CEO of the New Bedford Area Chamber of Commerce.

The New Bedford Area Chamber of Commerce is a private, non-profit business association that serves nearly 1,000 member businesses of all sizes from virtually all industries in ten communities in the SouthCoast region. Our mission is to serve the interests of member businesses while advocating business advancement, economic growth and job creation for the benefit of New Bedford and the SouthCoast region of Massachusetts.

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

R-002.01

The New Bedford Area Chamber of Commerce remains a strong advocate for the extension of commuter rail service from Boston to New Bedford and other communities in the SouthCoast region of Massachusetts.

The Chamber agrees with the conclusions that identify the Stoughton alternative as providing the best service to the communities in the SouthCoast region and providing the least environmental impact. The fact that the Stoughton route is served mostly by trains already in service as opposed to dozens of new trips on an already heavily traveled corridor make the Stoughton alternative the only viable choice from a transportation perspective. Also, the fact that the Stoughton route follows rail beds that were in use a little over fifty years ago is an obvious factor in minimizing the environmental impact.

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

R-002.02

In addition, the Chamber also believes that travel time and frequency of service will be important factors to the success of this project. To provide the greatest impact, we urge that travel time

R-002.03

from the SouthCoast to Boston South Station be no more than seventy minutes. Shorter commuting time gives businesses greater access to more workers with specialized skills, while residents of the region gain connectivity to employment opportunities along the Route 128 corridor and in the business districts of Boston. We also encourage full service throughout the day to meet demand and encourage ridership. A minimum of three trains in the morning peak period and three trains in the afternoon peak period should be utilized. This includes full weekend service and inter-city service between Taunton, New Bedford and Fall River to encourage regional mobility. We would also like to see a late evening train service to Boston to be considered for residents and visitors. Weekend and evening service would help support our growing tourism economy by connecting the Boston area to our new hotel, our national park, our ferry service to Martha's Vineyard, and our vibrant arts and restaurant scene here in the SouthCoast.

R-002.03

The Chamber believes commuter rail extension is critical to economic development and growth in the region and in keeping with long-range "Smart Growth" planning strategies that support the environment and encourage development around priority development areas. Commuter rail extension to the SouthCoast will also help meet existing and future demand for public transportation and enhance regional mobility for residents, businesses, and visitors to the region by reducing congestion and increasing travel choice.

R-002.04

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

R-002.05

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

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

From: Derek Santos [dsantos@nbedc.org]
Sent: Tuesday, May 17, 2011 9:22 AM
To: SCREIS, NAE
Cc: Jill Maclean; kristina.egan@state.ma.us
Subject: South Coast Rail-written comments from the New Bedford Economic Development Council
Attachments: south coast rail final EIS-EIR comment letter army corps 5.15.11.pdf

Alan,

Please find attached a PDF copy of the written comments of the New Bedford Economic Development Council regarding the DEIS/DEIR for the South Coast Rail Project. This project is vital to continuing our economic growth and we would like to thank you for this opportunity to comment in writing.

Should you have any questions or require additional information please do not hesitate to contact us.

Best,

Derek Santos
Director of Business Development

New Bedford Economic Development Council
1213 Purchase Street, Floor 3
New Bedford, MA 02740
508.991.3122 main
508.991.3122 x 141 direct
508.991.7372 fax
www.nbedc.org



Please consider the environment before printing this e-mail or its attachments.

This email and any files transmitted with it are confidential and intended solely for the use of the individual(s) or entity named above.



May 15, 2011

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

RE: Draft Environmental Impact Statement/Report for the South Coast Rail Project

Dear Mr. Anachek-Nasemann,

The New Bedford Economic Development Council (NBEDC) would like to take this opportunity to provide comment on the Draft Environmental Impact Statement/Report for the South Coast Rail Project proposed by the Massachusetts Department of Transportation.

The NBEDC fully supports the South Coast Rail project, and specifically supports the proposed Stoughton Electric Alternative as the most viable alternative with the least impact to wetlands and wildlife than any other alternative. L-030.01

As the lead economic development agency for the City of New Bedford, the NBEDC has a mission to work collaboratively at the city, state, and federal levels to promote sustainable job retention and creation. To achieve this mission we are implementing a balanced, aggressive, and multi-faceted strategy for economic development of which re-establishing commuter rail service to Boston is a critical component. South Coast Rail is a central element to our transportation goals outlined in the City's master plan, *New Bedford 2020*, and will serve as a catalyst for private investment and job creation. L-030.02

The proposed Stoughton Electric Alternative will be a catalyst for targeted economic growth along the corridor creating 2000 jobs and \$228 million in private investment by 2030. In New Bedford we are now constructing three new rail bridges for the project through the Transportation Investment Generating Economic Recovery Discretionary Grant Program, and are implementing new zoning for Transportation Oriented Districts in the areas of the two station locations. The two South Cost Rail stations in New Bedford will promote the development of 1750 new housing units and 750,000 square feet of new commercial space.

New Bedford has long been an underserved region of the state and the proposed Stoughton Electric Alternative will support smart growth in an urban center while providing the fastest service that serves the greatest amount of passengers.

This project has been studied since 1990 and with continued delay only comes increases in project cost and no advancement of the transportation network to the New Bedford Region. This project has been fully studied, is well planned, and has always had civic engagement as a central element to its advancement. Any further extension of the comment period is unwarranted.

L-030.03

We urge that the Final EIS/EIR address only the Stoughton Electric Alternative and the immediate opportunities to begin construction of the line from New Bedford to Taunton.

L-030.04

Should you require any additional information from the NBEDC please do not hesitate to call or email.

Sincerely,



Matthew A. Morrissey,
Executive Director
mmorrissey@nbedc.org

From: David Slutz [dslutz@precixinc.com]

Sent: Friday, April 15, 2011 5:27 PM

To: SCREIS, NAE

Subject: South coast Rail

Good afternoon, Alan:

I am writing to you today to support south coast rail (to both New Bedford and Fall River). I am writing to you as both business owner/operator and resident of the south coast.

Our region continues to grow and we are the gateway to the Islands for thousands of people traveling to/from Martha's Vineyard. Every morning literally thousands of cars make the trek up 140 to 24 and beyond to get to jobs downtown and inside/around 128 - many of these folks are prime candidates for rail and deserve this option (as those who make their way down here for the ferry deserve this option).

E-015.01

Moving forward on this project, which I and countless others hope is "a go," please keep the following in mind:

1. The path/tracks should allow for expansion - we are the fastest growing region in the state and I don't see this changing anytime soon;
2. Travel time to South Station needs to be kept to 70 minutes or less if at all possible;
3. Encourage folks to use the train and not parking offsite by keeping onsite parking fees low. Since the system increased parking fees I have seen the lots far less full than they used to be.

Thank you for reading and thank you for your work and support of this valuable project.

David N. Slutz
 President & CEO
 Precix®
 Makers of Acushnet Rubber O-Rings & Custom Elastomer Solutions
Success Demands Precision®
 744 Belleville Avenue
 New Bedford MA 02745
 P - 508/998-4014
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From: Anacheka-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:02 AM
To: SCREIS, NAE
Subject: FW: South Coast Rail DEIS (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

-----Original Message-----

From: Kyla Bennett [mailto:biojustus@comcast.net]
Sent: Thursday, March 24, 2011 12:14 PM
To: timmermann.timothy@epa.gov
Cc: Anacheka-nasemann, Alan R NAE; higgins.elizabeth@epa.gov
Subject: South Coast Rail DEIS

Hi, Tim. Hope all is well with you.

I attended the south coast rail task force meeting, where Kristina Egan informed us that comments are due on the DEIR/DEIS May 27th. I have not yet received my copy - it is allegedly "in the mail." Even if I started reviewing it tomorrow, it would require me to read, digest, analyze and comment on more than 55 pages per day for the remaining 46 business days before the comment deadline. I find this unreasonable. When I mentioned this to Kristina at the task force meeting yesterday, she told me I "don't have to read the whole thing," as there are sections that are not interesting and not pertinent. For example, she said it was not necessary to read the soils section. I'm sorry, but I plan to read the whole document. I thought that was the point of NEPA. I am hoping that EPA can do something to make the comment period reasonable. Those of us who work full time and have other cases besides this one cannot possibly digest this 2,500+ page document in 46 business days.

E-003.01

I respectfully request that the federal government extend their comment period and give us 120 days to fully digest this voluminous EIS.

Thanks for your consideration,

Kyla

Kyla Bennett, Director
New England PEER
PO Box 574
North Easton, MA 02356
(508) 230-9933
fax: (508) 230-2110
email: nepeer@peer.org
website: www.peer.org

Classification: UNCLASSIFIED
Caveats: NONE



May 27, 2011

ATTN: Aisling Eglington
Massachusetts Environmental Policy Act Office
Executive Office of Energy and Environmental Affairs
100 Cambridge Street
Boston MA 02114
Aisling.eglington@state.ma.us

Alan R. Anacheka-Nasemann, PWS
Senior Project Manager/Ecologist
Regulatory Division
New England District
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
screis@usace.army.mil

RE: Dept. of Army Permit Application Number **NAE-2007-00698**
EOEA #14346/ Comments on the South Coast Rail DEIS/DEIR

Dear Ms. Eglington and Mr. Anacheka-Nasemann,

Thank you for the opportunity to comment on the South Coast Rail Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR). Public Employees for Environmental Responsibility (PEER) is a Washington D.C.-based non-profit, non-partisan public interest organization concerned with honest and open government. Specifically, PEER serves and protects public employees working on environmental issues. PEER represents thousands of local, state and federal government employees nationwide; our New England chapter is located outside of Boston, Massachusetts.

As you are aware, PEER has been involved with the review of this project since 2001 – nearly a decade. While PEER was initially relieved to hear that the Commonwealth decided to take a “fresh look” at alternatives and the project as a whole, that relief

quickly turned to skepticism. Our attendance at the Southeastern Massachusetts Commuter Rail Task Force Meetings since their inception has demonstrated beyond any reasonable doubt that the Commonwealth, for whatever reason, would do whatever it could to stubbornly cling to this ill-advised and potentially illegal alternative. We have spent countless hours reviewing and commenting on Environmental Notification Forms, Corridor Plans, ridership analyses, and various other documents, only to discover that our comments are rarely taken seriously or given due consideration.

L-061.01

To add insult to injury, both the U.S. Army Corps of Engineers (Corps) and the Commonwealth have unreasonably restricted the review period of this massive, 2,500+ page DEIS/DEIR to 46 business days. Many individuals, environmental groups, and legislators respectfully requested that you extend the comment period to allow time for a comprehensive review of the DEIS/DEIR; however, an extension was denied. While struggling through the volumes of information, it has become abundantly clear to us that neither the Corps nor the Commonwealth could possibly have read the document thoroughly. For example, the DEIS/DEIR states:

Since the South Coast Rail Build Alternatives would result in the discharge of fill material into greater than one acre of waters of the U.S., including wetlands, a Department of the Army Individual Standard Permit is required (DEIS/DEIR p. 3-1).

The Corps requires individual permits for the discharge of dredged or fill material into waters of the United States, including wetlands, for anything that has more than minimal impacts, not just fills larger than one acre. It is obvious errors such as these that lead us to believe that neither the Corps nor MassDOT had time to read this document. It is difficult to fathom how the Corps could produce a document that misstates its own regulations.

The errors and misinformation peppered throughout the volumes, not to mention the lack of necessary information, are so numerous that the document was almost impossible to navigate and digest. Moreover, navigation of the document was very difficult, with Figures and Appendices taking several minutes to load – each – even on fast, new computers. As such, our comments today are limited to what we could glean from this confusing and poorly written DEIS/DEIR. Since many of the errors create a domino effect of further errors, the document is practically useless. For example, as discussed in more detail below, the failure to consistently define the South Coast Region on which all the analyses are based – ridership, economics, impacts, air quality benefits, etc. – render the entire alternatives analysis, and hence the National Environmental Policy Act (NEPA) and the Massachusetts Environmental Policy Act (MEPA) review, worthless.

Nevertheless, we have spent considerable time reviewing the DEIS/DEIR and writing this letter in the infinitesimal hope that a Supplemental DEIS/DEIR will be issued to correct the errors and present an unbiased and comprehensive document – one that complies with the requirements of NEPA and MEPA. We sincerely hope that we have not wasted our time yet again.

Our specific comments on the document are set forth below.

The Commonwealth did not adequately address concerns articulated in response to the ENF. As you are aware, PEER previously submitted comments on the Environmental Notification Form (ENF) for the South Coast rail project, as well as the scope of the federal Environmental Impact Statement (EIS) and the state Environmental Impact Report (EIR). However, the responses to these comments, included in the DEIS/DEIR in an Appendix, are primarily non-responsive. Others refer the reader to incorrect sections in the DEIS/DEIR for responses to their comments. For example, comments on PEER's letters state that Table 3.3-12 in the DEIS/DEIR describes the cost per rider. However, Table 3.3-12 actually portrays the proposed construction schedule. This is not an isolated example; the errata contained throughout the documents made it extremely difficult, if not impossible, to navigate the information. At the very least, MassDOT's responses should not send readers on a wild goose chase for the correct information.

L-061.02

The purpose and need for the project. 33 CFR 320.4(a)2(i) states that the Corps must consider in its Section 404 decision-making, among other things, "[t]he relative extent of the public and private need for the proposed structure or work." In order to assess the practicability of alternatives, and ultimately determine the least environmentally damaging practicable alternative (LEDPA), the Corps must identify a basic project purpose for each project. In this case, the Corps and the Commonwealth have identified similar yet unique project purposes for this project. As such, as PEER has stated numerous times, there is an inherent conflict between the state and federal processes. The Massachusetts Department of Transportation (MassDOT) claims that its project purpose statement is merely "a statement of the Commonwealth's objectives in advancing the project" (see p. 362 of Appendix 8, comment N-025-003. However, it is much more than that. By narrowly defining the project purpose to "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility while supporting smart growth planning and development strategies in the affected communities" (see p. 2.1 of the DEIS/DEIR), MassDOT is limiting the range of alternatives it deems acceptable/practicable to those that enhance regional mobility and support smart growth. On the other hand, the Corps' basic project purpose is "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts" (Id.). The Corps' project purpose should, if the analysis is done in an unbiased manner, result in a larger pool of alternatives from which to choose. Nevertheless, PEER believes that the Corps should have ensured that the basic project purpose, the overall project purpose, and the purpose and need should have been the same. Different project purposes, or unclear and poorly defined project purposes, will increase the likelihood of disputes the practicability of alternatives. In this case, the Corps' basic project purpose clearly renders the Rapid Bus a practicable alternative, yet MassDOT has rejected it as impracticable.

L-061.03

Definition of the South Coast study area is inconsistent, and renders many analyses worthless. The DEIS/DEIR defines the South Coast study area in several different ways. For example, pages 4.2-4 and 4.2-5 state:

The communities that would be served or that could be impacted by the proposed South Coast Rail alternatives are listed in Table 4.2-1. The alternative railroad or highway alignments pass through or near these 27 communities, and new station sites are within or near each.

L-061.04

Table 4.2-1, labeled “Land Use Study Area Communities” then lists the following communities: Acushnet, Attleboro, Berkley, Canton, Dartmouth, Dighton, Easton, Fairhaven, Fall River, Foxborough, Freetown, Lakeville, Mansfield, Mattapoisett, Middleborough, New Bedford, North Attleborough, Norton, Raynham, Rehoboth, Rochester, Sharon, Somerset, Stoughton, Swansea, Taunton, and Westport.

However, the January 28, 2011 memorandum from Scott Peterson of the Central Transportation Planning Staff (CTPS) regarding South Coast Rail Work Trips to Boston, which is cited in the DEIS/DEIR states, “The SCR study area consists of 28 communities, which are identified below....” The memo then lists the following towns: Acushnet, Attleboro, Berkley, Bourne, Carver, Dartmouth, Dighton, Fairhaven, Fall River, Freetown, Lakeville, Mansfield, Mattapoisett, Middleborough, New Bedford, North Attleborough, Norton, Raynham, Rehoboth, Rochester, Sharon, Somerset, Stoughton, Swansea, Taunton, and Westport. Therefore, this SCR study area deleted the five towns of Canton, Easton, Foxborough, Sharon, Stoughton, and added the six towns of Bourne, Carver, Marion, Plainville, Seekonk, and Wareham. Since this latter study area was used to determine ridership, it is critical to the analysis contained in the DEIS/DEIR.

The DEIS/DEIR then states, “***No commuter rail service is offered within the South Coast Rail study area.*** The nearest commuter lines (MBTA’s Providence Line and Middleborough Lines) terminate northwest and northeast of the South Coast region” (see p. 4.1-14; emphasis added). This statement is patently false and misleading. In fact, at least four towns defined as being within the SCR study area by Mr. Peterson have ***existing*** commuter rail stations: Attleboro, Lakeville, Mansfield, and Middleborough. Moreover, there are eight ***existing*** commuter rail stations in the South Coast study area as defined by Table 4.2-1 of the DEIS/DEIR: Attleboro, Canton (two stations), Lakeville, Mansfield, Middleborough, Sharon, and Stoughton.

L-061.05

Further, in the Socioeconomics section of the DEIS/DEIR, Table 4.3-1:

lists the communities that would be served or that could be impacted by the proposed project, which includes 17 municipalities in Bristol County and 3 municipalities in Plymouth County. The alternative railroad or highway alignments pass through or near these 20 communities, and new station sites are within or near each. The social and economic conditions within each of these municipalities, relative to the alternative alignments and station sites, are discussed in Section 4.3.2.1.1 (see p. 4.3-2).

Table 4.3-1, labeled “Social and Economic Environment Study Area Communities,” lists the following municipalities: Acushnet, Attleboro, Berkley, Dartmouth, Dighton, Easton, Fairhaven, Fall River, Freetown, Lakeville, Mattapoisett, New Bedford, Norton, Raynham, Rehoboth, Rochester, Somerset, Swansea, Taunton, and Westport. Again, this list is different than *both* the other lists presented in the DEIS/DEIR.

Yet another definition exists on p. 4.14-3 of the DEIS/DEIR: “The South Coast Rail Study Area is considered to be the region of southeastern Massachusetts consisting of southern Bristol and Plymouth Counties, bordering on Buzzards Bay or Mount Hope Bay, including the cities of Fall River and New Bedford and nearby towns.”

Finally, the South Coast Rail Corridor Plan includes 31 cities and towns; again, different than the other three lists. The Corridor Plan is used to justify MassDOT’s smart growth plan, on which it relies to minimize sprawl that would otherwise be a direct result of this project.

When PEER asked MassDOT to define the “South Coast Region” in its comment letter on the ENF, MassDOT responded that:

...the South Coast Rail study area ...[includes]....all of the communities that would be served by, or could be impacted by, the proposed South Coast Rail alternatives. These are the communities that the proposed railroad or highway alignments pass through or near, and that would be served by proposed stations...[t]he referenced 8,000 riders represent commuters from the region, which includes all of the communities that would be served by the South Coast Rail project (pp. 363-364, Appendix 8.2-A).

The fact that the Corps and MassDOT cannot provide a consistent definition of the South Coast Region, *on which all the analyses are based*, is of grave concern to PEER. As such, we urge the Corps and MassDOT to produce a Supplemental DEIS/DEIR (SDEIS/SDEIR) so that the public is confident that the analyses are correct. The SDEIS/SDEIR must provide a single, consistent definition of the study area, and calculate ridership, impacts, and alternatives based upon this single definition. Moreover, we suggest that the Corps and MassDOT read the DEIS/DEIR and supporting documentation more carefully, to catch these blatantly false statements and eliminate them from the documents. PEER believes that any court would agree that such basic mistakes must be remedied before issuance of a FEIS/FEIR; to do otherwise makes a mockery of the NEPA/MEPA process.

L-061.06

L-061.07

The ridership analysis is flawed. The DEIS/DEIR ridership analysis is flawed due to the area from which it obtains the initial Journey to Work (JTW) data, and due to assumptions that are incorrect. The DEIS/DEIR explains its ridership analysis as follows:

L-061.08

Traffic demand estimated for the alternatives are based on ridership forecasts developed by the CTPS. CTPS developed these forecasts based on a number of variables, such as observed commuter rail ridership in similar areas, magnitude of service to be provided, and future estimates of population and employment within the South Coast region and greater Boston area. All of these data were analyzed via a regional travel demand model, which ultimately provided a future ridership estimate for the proposed service (DEIS/DEIR p. 4.1-7).

L-061.08

The DEIS/DEIR also states:

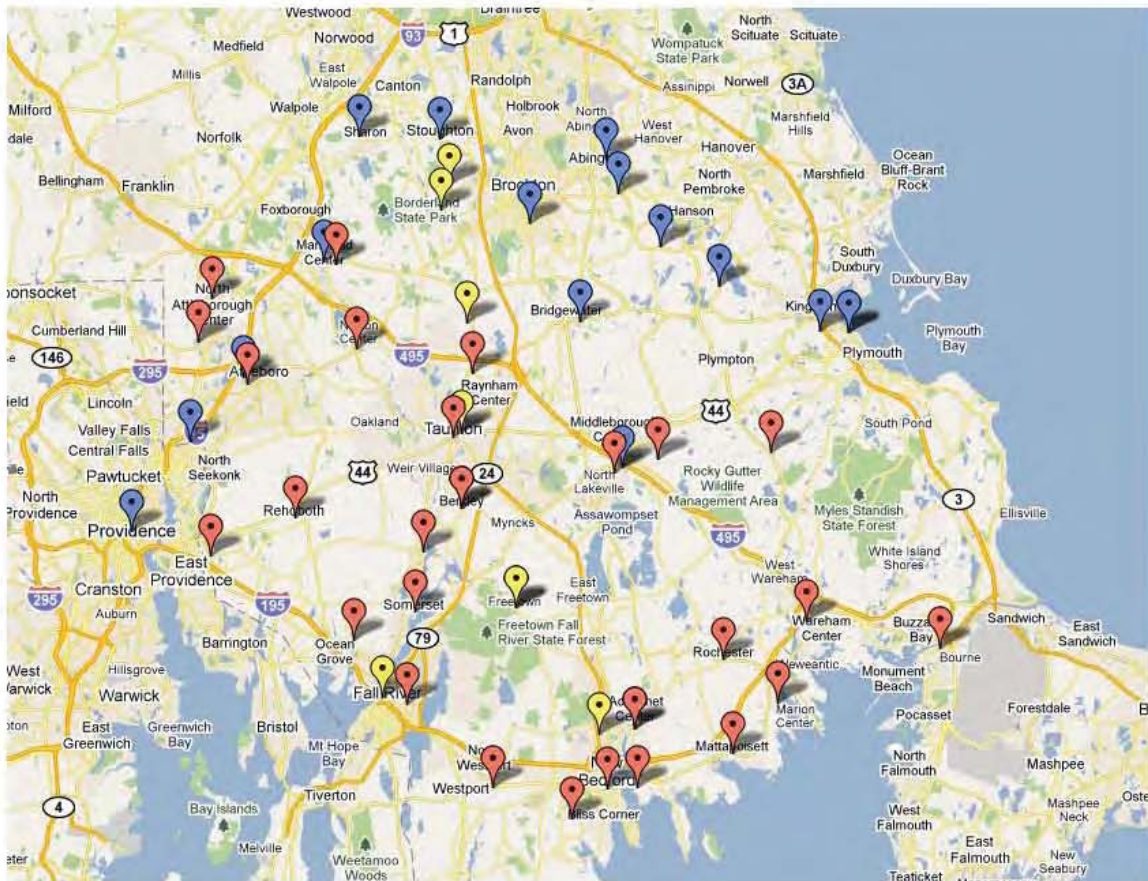
In order to estimate overall transit demand for the region, an optimal transit system with no constraints such as construction costs or environmental impacts would have to be simulated. While this optimal transit demand has not been quantified, demand was measured in terms of the number of daily work-related trips between South Coast communities and Boston. For this screening analysis, transit demand was based on 2000 Journey to-Work (JTW) data. Total service to the South Coast Region was considered the total station boardings as projected for each alternative in addition to boardings at existing commuter bus services, which is anticipated to continue to operate with the South Coast Rail project in place. According to the JTW data, the number of daily work trips from the South Coast region to Boston is approximately 8,000. The ability of the alternative to meet possible future ridership potential was calculated as the percent of met ridership demand (DEIS/DEIR, p. 3-122).

As stated above, the South Coast region is defined throughout the DEIS/DEIR in several different ways. It is not clear which of the various definitions was used to determine that there are 8,000 daily work trips to the Boston area. However, as we stated in our letter on the ENF, the Journey to Work data state that 741 people from New Bedford commute to the Boston area, and 714 commute there from Fall River (see <http://www.census.gov/population/www/cen2000/commuting/mcdworkerflow.html>). This is a total of 1,455 commuting to Boston and Cambridge from Fall River and New Bedford. What the DEIS/DEIR does *not* mention is that 1,667 people from Fall River commute to New Bedford for work, with another 1,248 commuting to Somerset, and another 1,078 commuting to Swansea (Id.). Similarly, 1,902 people living in New Bedford commute to Fall River, 2,145 to Fairhaven, and 3,761 to Dartmouth (Id.). Therefore, it is worth noting that 11,801 people travel among the cities and towns of Fall River, New Bedford, Somerset, Swansea, Fairhaven and Dartmouth, while only 1,455 travel to Boston. It seems clear that the transportation need is between and among these southern cities, and not to Boston.

L-061.09

PEER also disagrees that the proposed train line will draw people off existing lines to the new trains. MassDOT is assuming that people will, for example, leave train stations in their own towns, and drive miles to a different train station. This is non-sensical, and skews the ridership figures drastically. The map below shows existing train stations (blue markers), the SCR study area as defined in the January 28, 2011 CTPS memorandum, the

basis for the ridership figures (red markers), and the preferred alternative (yellow markers).



MassDOT is assuming that people living in the red marker towns will travel to the proposed yellow marker train stations rather than taking an existing train at one of the blue markers. This is disingenuous and, frankly, laughable. Why would someone living in Mansfield, for example, drive miles to Easton to take the train, when a commuter rail station exists in Mansfield? In fact, of the 28 communities listed in the CTPS memo, 13 or more of them have existing, operating train stations closer to them than the ones that would exist if the proposed line were built. The SDEIS/SDEIR should remove the ridership numbers from these towns that already have closer train stations in order to present more accurate ridership projections.

L-061.10

It appears that the ridership analysis also assumes that, and takes credit for, riders that shift from one train line to another. Page 3-44 of the DEIS/DEIR states:

New system-wide boardings represent the overall draw to the commuter rail transit system due to the South Coast Rail project, which represents an increase in capacity along other commuter rail lines as a particular alternative attracts system-wide new ridership. This total is also used to calculate overall cost-effectiveness of the project.

If we are interpreting this correctly, MassDOT is stating that as riders shift from an existing line to the proposed new line, other riders will take their place on the existing lines. The SDEIS/SDEIR should provide some evidence to support this contention.

L-061.11

There are four ways that potential riders can get to the train station: they can drive, if there is ample parking; they can get dropped off and picked up again in the evening, they can walk or ride their bikes, or they can take some other form of transportation, like feeder buses. It appears that, in some cases, ridership from a particular station is unreasonable given parking availability, or ability to walk to the station. The SDEIS/SDEIR should calculate ridership in two ways: 1) with feeder buses, and projected land use (e.g., TODs), **only if** the costs of those changes are included in the costs of the project; or 2) ridership that would occur using existing land use and available parking. In other words, the DEIS/DEIR should not assume dozens of people or more will be walking to a rural train station with little housing around it.

L-061.12

It is also unclear as to why MassDOT assumes that mass transportation into Boston from Fall River and New Bedford will suddenly translate into jobs for residents of these two economically depressed cities. Page 4.3-15 of the DEIS/DEIR states:

The majority of workers in the South Coast region are employed in blue collar and service jobs such as construction, manufacturing, retail trade, health care/social assistance, and accommodation and food service. A large portion of the population is also employed in educational service jobs, particularly towns with higher median incomes, such as Rochester, Lakeville, and Rehoboth. Workers in the larger South Coast cities, such as Fall River and New Bedford are concentrated in the manufacturing and health care/social assistance sector.

The SDEIS/SDEIR should provide information on the number of manufacturing and health care/social assistance jobs available in Boston for these Fall River and New Bedford workers. This analysis should also explore the pay for these jobs, and whether the cost of the commute would be affordable.

L-061.13

In a recent article entitled *Job accessibility and journey to work: the case of Boston Metropolitan area*, the author states: "...job matching is one of the important factors determining job accessibility since physical proximity to opportunities means nothing if workers nearby are not qualified for the available job opportunities" (See *Job accessibility and journey to work: the case of Boston Metropolitan area*, <http://hdl.handle.net/1721.1/33691>, Chung, Jee-seong, MIT, Dept. of Civil and Environmental Engineering., 2005, p. 57). This author also states, "cities and towns around Route 128 contain 20 to 25% of all office space in the Boston metropolitan area. About 35 to 40% of office space is located in downtown Boston with the remainder scattered throughout the metropolitan area" (Id., at 82). The SDEIS/SDEIR must make an attempt to show where the jobs exist, what type of jobs they are, and whether they are appropriate and available for the people in the South Coast study area (whatever than may be). As Chung cautions:

...using conventional methods, job accessibility by transit is determined using the total number of jobs in a zone, assuming that all jobs in a zone can be reached by transit users if the zone can be reached by transit. This assumption leads often to the overestimation of transit job accessibility by over-counting the number of jobs accessible by transit, resulting in the overestimation of transit ridershipWhile residents of a neighborhood might be closer to many job opportunities, if they do not have the skills or education to qualify for those jobs, then they are hardly candidates for employment opportunities. Therefore, job accessibility indicators need to incorporate occupational matching (Id. at 87-88).

L-061.13

The MEPA Certificate that issued in 2009 stated:

Many commenters have questioned the need for the project as well as the ridership demand estimate of 8,000 daily work trips for the South Coast region presented in the ENF (which is based on the U.S. Census 2000 Journey to Work data). Some commenters believe the number of trips is underestimated, others believe it to be excessive. EOT should consider the comments from the municipalities, regional planning agencies and others regarding the inputs to the ridership model. I expect the analysis in the DEIR to resolve many of the outstanding questions and provide well documented, valid projections of ridership to support the analysis of impacts and mitigation, and the selection of alternatives (See http://www.southcoastrail.com/downloads/ENF_Secretary_Certificate.pdf).

L-061.14

The Secretary explicitly asked that the outstanding questions regarding ridership be answered in the DEIR; if anything, more questions have arisen. Moreover, the ridership projections are neither valid nor well-documented.

In conclusion, the ridership figures are severely overestimated. The Corps and MEPA must require a more accurate estimate of ridership in order to fairly assess the various alternatives. Moreover, they must provide occupational matching to demonstrate that the alleged riders will actually have jobs to ride to.

Travel time, which is used to rate alternatives, is unrealistic. The DEIS/DEIR states:

Since New Bedford/Fall River commuters currently rely on cars and private bus services, an improved quality of service would provide a comparable or competitive travel time and improved reliability with respect to existing commuter options during peak commuting periods. The average commuting time by car during rush hour is currently 90 minutes. The CTPS travel demand model projects slower commutes as congestion along already slow corridors continues to increase. A future (2030) commute from New Bedford and Fall River to Boston is expected to be approximately 10 to 30 minutes longer than in 2009 (in the peak period) (DEIS/DEIR, p. 3-123).

The DEIS/DEIR then goes on to assign grades to the performance times of the various lines, claiming that the Stoughton electric train would receive a score of 99%, and the

diesel option would receive a score of 88%. In order to determine the travel times, the DEIS/DEIR examined arrival time statistics from 2008 (see p. 3-132), and estimated future travel times. However, MBTA's website has statistics for the percentage of trains on time each month (See http://www.mbta.com/about_the_mbta/scorecard/). MBTA states that Stoughton trains' on-time performance was 82% in Feb. 2011, and 10+ minutes late 13% of the time. The MBTA provides similar performance times throughout previous months and years, all more recent than the 2008 data used in the DEIS/DEIR. These data are readily available, and PEER is puzzled as to why the DEIS/DEIR cites data from 3 years ago rather than using current data. Moreover, if the Stoughton trains are currently more than 10 minutes late 13% of the time now, PEER does not understand how MassDOT can be so certain that the estimated travel times of 76 and 85 minutes for the electric and diesel options, respectively, can be accurate. Travel times for all alternatives should reflect a range of times, using recent data for on-time performance. If 10+ minutes are added to the Stoughton diesel travel time, it would take longer to use the commuter rail than to drive.

L-061.15

Further, p. 3-42 of the DEIS/DEIR states:

Rail travel times for the Attleboro and Stoughton/Whittenton Alternatives, which include dwell times at the stations, were calculated for the 2030 operation and reflect future improvements and service modifications to the rail corridors.

L-061.16

The SDEIS/SDEIR should disclose what these "future improvements" and "service modifications" are, and the associated costs of these improvements. The SDEIS/SDEIR should also disclose the travel times without these future improvements and service modifications.

Finally, PEER would like to see additional information as to why the Rapid Bus suddenly got so much slower in its travel time. MassDOT alluded to future traffic at one of the Task Force meetings as to why the bus is suddenly slower than all the train options, but we believe that the SDEIS/SDEIR should reveal these data. Chung states that, "Travel time is considered to be one of the decisive factors determining people's mode choice" (p. 64). If the travel times in the DEIS/DEIR are not accurate, then neither are the ridership figures.

L-061.17

Cost. PEER believes that the costs of the project are highly underestimated. First, we believe there are items missing from the capital cost estimate. By providing a lump sum figure for infrastructure costs, it is impossible to judge whether these costs are accurate. The SDEIS/DEIR should break out the separate costs for track, signals, stations, parking lots, road and intersection improvements, and maintenance facilities. Only with this information can anyone evaluate the accuracy of the cost estimates. An accurate capital cost figure is critical because this figure is used to calculate cost per rider, and to compare alternatives. If the capital cost of the project given in the DEIS/DEIR is inaccurate, then all of the alternatives analyses and comparisons are also inaccurate.

L-061.18

Second, PEER believes that the upgrades to South Station must be taken into account as part of the costs of this project. Although the entire commuter rail system will benefit from the South Station upgrades, they should not be treated as an independent project. Since the proposed South Coast Rail project relies on the South Station upgrade, and since the Commonwealth must somehow find the money to conduct the upgrade, leaving this cost out of the project underestimates the true cost of the South Coast Rail project.

L-061.19

Third, we do not see where the costs associated with the commuter rail maintenance facility are in the cost estimate for the project. Our understanding is that both the maintenance facility and the track leading to this facility must be upgraded in order to support the proposed project, if the project is going to be electrified. Therefore, this cost should be included.

L-061.20

Fourth, pp. 3-60 to 3-62 of the DEIS/DEIR discuss how a feeder bus service to the train stations is “envisioned by MassDOT to connect the urbanized communities in the study area to the South Coast stations.” The DEIS/DEIR goes on to state:

L-061.21

Since the commuter rail system would primarily serve work commuters traveling to downtown Boston, priority would be given to improving access for residents to suburban stations...Feeder bus service would provide a direct connection to significant nearby destinations or origins including downtowns, universities, government centers, hospitals and higher density residential developments...All public transportation systems would reflect and incorporate the South Coast Rail service.

Although the DEIS/DEIR states that “[p]reference would be given to rerouting existing services over providing new services where possible,” there are undoubtedly costs associated with these feeder buses, and for new stations, feeder buses could not simply be rerouted. The SDEIS/SDEIR must include the costs of these feeder buses, bus drivers, fuel, storage and maintenance facilities, and stops into the cost of the project.

Fifth, PEER is concerned that the inflation rate used in the cost figures is inaccurate. Table 3.2-26 on page 3-94 of the DEIS/DEIR states that the cost is in 2009 dollars, and that “[e]scalation was calculated at 3.25% per year per FTA criteria.” PEER believes that construction costs have exceeded standard inflation rate. For example, the costs of concrete, steel, fuel and electricity have increased faster than the inflation rate. Therefore, the escalation rate used by MassDOT is inadequate, and the costs of the project should be altered accordingly.

L-061.22

Sixth, the cost estimates assume that construction on this project will begin approximately one year from now. This is inconceivable. MassDOT should explain how it can possibly believe that engineering will be complete, and all permits will be obtained and the project will be ready for construction in one year. There will likely be legal challenges to the project as well, which would delay any construction. Even if we assume that the cost of the proposed project is \$1.8 billion (which, as we have already explained, is a serious underestimate), the yearly inflation will be astronomical.

L-061.23

Seventh, the costs of wetland mitigation are not included in this project at all. Given the proposed impacts to wetlands, these mitigation costs will likely be high, and must be added to the project. Moreover, if MassDOT continues to claim benefits from the Corridor Plan, it must explain where the money will come from to pay for preservation of Priority protection Areas. Unless MassDOT has a way to pay for this mitigation, it should not assume that it is going to happen.

L-061.24

Finally, and most importantly, there is absolutely no mention of where the money will come from to build this project. Although the Commonwealth and the nation seem to be recovering slowly from the recession, it is completely unclear as to where the Commonwealth will get the billions of dollars necessary to construct this project. Because the source of funding may itself have impacts relevant to the Corps' public interest review (e.g., taxes taken from areas around new municipal stations, gas taxes, etc.), the source of funding must be revealed.

L-061.25

The Secretary, in his issuance of the MEPA certificate in April of 2009, stated:

The Project summary should include a discussion of the project's purpose and need and associated goals and objectives. The project description and assessment of impacts should include construction and operational phases, and address all components of the project alternatives including the rail alignment, stations and layover facilities, substations and other improvements necessary for the construction, maintenance and operation of each alternative and Transit-Oriented Development (TOD) areas.As discussed in the ENF, cost is one of the key factors being used by EOT in selection of alternatives. The DEIR should include a detailed analysis of costs, including construction, operation and mitigation costs, for each of the alternatives. EOT is also basing its elimination and selection of alternatives on the basis of smart growth opportunities along the corridor. The DEIR should include an estimated cost per rider based on the results of the ridership analysis for each alternative (see http://www.southcoastrail.com/downloads/ENF_Secretary_Certificate.pdf)

The Corps and MEPA must require that the SDEIS/SDEIR contain a detailed and honest cost estimate of the project that includes the costs of the entire capital expenditure. Moreover, this new estimate must justify the escalation rate, and include realistic inflation rates for construction materials, electricity and fuel. In addition, the construction start date must be more realistic. Finally, the SDEIS/SDEIR must contain mitigation costs. A realistic cost estimate is necessary in order to accurately calculate cost per rider, cost per Vehicle Mile Traveled (VMT) reduction, and for a true comparison of alternatives.

L-061.26

Vehicle Miles Traveled (VMT) analysis is inaccurate. There appear to be many flaws associated with the VMT analysis, which goes to the heart of the alleged greenhouse gas benefits.

L-061.27

First, on p. 4.1-7, the DEIS/DEIR states:

L-061.27

CTPS conducted 2030 Build model runs for each alternative by including the new bus or rail service as a travel option. The model was used to quantify the number of vehicle trips diverted from regional roadways to local roadways because of drivers and riders who change mode from passenger car to transit service. Trip generation for each station was based on projected park-and-ride (i.e., driving & parking at the station) and drop-off (i.e., being dropped off or picked up by another driver) ridership. The analyses of impacts on traffic operations are based on the peak hour park-and-ride and drop-off ridership projections for each station. The park-and-ride ridership was divided by a vehicle occupancy rate (VOR) of 1.05 to calculate the number of park-and-ride vehicles entering and exiting the stations. Two vehicle trips were assumed for each drop-off rider: one entering and one exiting the proposed station.

When someone is dropped off at a station, there are two vehicle trips each *morning*: one dropping the person off, then the vehicle returning home or continuing on somewhere else. This analysis fails to include how the person gets home from the train station at night. It seems to PEER that when someone is dropped off at a train station to go to work, that person also needs to get picked up every evening, resulting in *four* vehicle trips, not two.

Impacts associated with using the line for freight must be revealed. The DEIS/DEIR gives conflicting information as to whether freight will be carried on this line, and if so, the impacts of such freight. Page 3-63 of the DEIS/DEIR states:

L-061.28

Freight service on alignments of rail alternatives that would include new track infrastructure or abandoned right-of-way, including Stoughton (beyond existing Stoughton station), Attleboro Bypass and Whittenton alternatives, would be restricted to standard freight size and weight.

The Corridor Plan states:

The South Coast region has a modest freight rail market, and some businesses do rely on freight service. EOT is developing a statewide freight rail plan that identifies opportunities for future freight service in the corridor. In general, this region is not expected to experience significant growth in freight for a variety of reasons. The South Coast Rail planning process has been coordinated with the state freight process and the commuter rail project will be designed in a way so as not to preclude future freight opportunities should they arise. Any future freight service would, of course, be required to undergo separate environmental review and permitting.

Finally, p. 373 of Appendix 8, comment N-025-035 states:

Expansion of freight service is not currently planned for the Stoughton line segment between Stoughton and Taunton. Any future freight service on the MBTA's right-of-way would be required to undergo MEPA review and to address potential effects on public water supplies.

The SDEIS/SDEIR must reveal whether freight is going to use the line, and if so, the frequency, types of freight, and impacts. Merely stating that future freight service would have to undergo MEPA review is totally inadequate for purposes of this analysis. But for the proposed new line, freight could not run through this location. If freight is anticipated as reasonably foreseeable activity, the impacts must be revealed in order to assess cumulative impacts to the resources, including public drinking water. L-061.29

The impacts associated with MassDOT's preferred alternative are severely understated. The DEIS/DEIR is disingenuous at best about the impacts associated with its preferred alternative. Page 3-145 of the DEIS/DEIR states that the alternatives are compared "based on five adverse environmental impacts:" 1) The amount of permanent wetland loss (in acres) and wetland loss in ACECs; 2) The number of acres of protected open space that would be directly impacted, acres of land acquisition and municipal tax loss; 3) The number of acres of protected public water supply lands (active and inactive Mapped Wellhead Zone 1) that would be directly impacted; 4) The amount of noise impacts; and 5) The number of acres of mapped Priority Habitat (state-listed rare species) that would be lost (edge and interior habitat). As PEER and other groups have been saying for years, MassDOT must look beyond the direct impacts. PEER cannot count the number of times that we cautioned that even if direct impacts are low, indirect impacts may be astronomical. L-061.30

In fact, MassDOT's own Conservation Assessment and Prioritization System (CAPS) analysis, buried in the Appendices, illustrates this nicely. On page 7 of the CAPS analysis, it states: L-061.31

Overall the two routes through the Hockomock Swamp showed the greatest estimated loss in ecological integrity...

As we have been saying since the beginning, the fragmentation impacts of the Hockomock Swamp are extremely high. So, although the alleged direct impacts associated with the Stoughton Alternative appear lower than some of the other alternatives, this does not mean that the Stoughton Alternative is the LEDPA.

PEER also believes that the DEIS/DEIR downplays the effects of clearing a 40 to 100 foot swath through the Hockomock canopy. Page 4.14-60 of the DEIS/DEIR cites a 1993 study, stating that: L-061.32

Where the proposed rail will require the clearing of a corridor through a forested area, the potential increase in ambient light levels in the understory canopy will be reduced by the shape and orientation of the clearing. The relatively narrow canopy gap and its north-south orientation will limit the potential increase in

ambient light within the understory area. Accordingly, the impacts associated with the clearing are considerably less than would be expected in most clear cut/forest edge conditions and would be more similar to a north-facing exposed cut. The study found no significant edge microclimate effects in northern facing cuts. The impact analysis conservatively assumes that increased light, wind and temperature are likely to occur within 30 feet of the cleared edge of the right-of-way, based on the research cited above. The most likely potential effect of this physical change would be to increase the growth rates of the shrubs currently growing in this zone, resulting in a more dense shrub layer along the edge. Increased drying of the leaf litter, if this effect occurred, may affect recruitment of shrub and herbaceous species by affecting seed germination and seedling establishment. The anticipated effect would be that the existing sweet pepperbush (*Clethra alnifolia*) and greenbrier (*Smilax rotundifolia*) currently found along the edges of the railbed in wetland areas would respond with enhanced growth and fill the edge gap. These species have responded in this way to increased light along the edges of the Hockomock Swamp created by Route 138, and in the Assonet Cedar Swamp along the edges of the New Bedford Main Line...The temporary nature of the alteration reduces the potential impacts associated with the proposed corridor clearing. An increase in sunlight adjacent to the rail corridor will result in an increase in adventitious limb growth and increased development of the shrub layer. "Closed edges" as defined by Matlack are edges of older clear-cuts where adventitious limbs and shrub growth have closed or partially closed the gaps created by clear-cuts. Once this gap in the canopy is closed, measurable differences in light, temperature, humidity, vapor pressure density and soil moisture are no longer observed.

First, PEER strongly disagrees with the characterization that a 40 to 100 foot cut through the center of the Hockomock Swamp, and then construction of an active rail line, is "temporary in nature." Second, PEER was under the impression that the canopy would not be allowed to close; rather, that the vegetation had to be kept clear of the rail line, particularly if it were electric. The SDEIS/SDEIR should clarify what the Commonwealth plans to do with regard to the vegetative growth next to the line. If indeed the canopy is allowed to grow back, the SDEIS/SDEIR should disclose how long this will take to reach pre-construction conditions, if ever.

L-061.33

PEER would also like to direct MassDOT and the Corps to read the article *Overview of Transportation Impacts on Wildlife Movement and Populations* (see Jackson, S.D. 2000. Overview of Transportation Impacts on Wildlife Movement and Populations. Pp. 7-20 In Messmer, T.A. and B. West, (eds) *Wildlife and Highways: Seeking Solutions to an Ecological and Socio-economic Dilemma*. The Wildlife Society). In particular, we would like to draw your attention to page 3, which states, "As long linear features on the landscape, railways, roads and highways have impacts on wildlife and wildlife habitat that are disproportionate to the area of land that they occupy" (see also *Effect of rail on wildlife*, <http://www.wildlandscpr.org/node/221>). PEER is disturbed that the DEIS/DEIR cites to one study that is almost 20 years old to support the Commonwealth's contention

L-061.34

that the impacts through the Hockomock will be minimal. This is certainly contrary to using the best science available, and misleading to the reader.

L-061.34

The DEIS/DEIR is also misleading in other places. For example, Page 4.14-100 states:

The Stoughton and Whittenton Alternatives would reduce connectivity in the Hockomock Swamp with a gradient ranging from major impacts close to the rail line to negligible impacts at greater distances, compared to the existing connectedness (Figure 4.14-27). Without a trestle (Figure 4.14-28), these alternatives would result in substantial losses in connectivity in the Hockomock Swamp east of the rail line, between the Raynham dog track and Foundry Street and between the rail line and Route 138, and in some areas west of the rail line. ***Moderate impacts would extend through much of the Hockomock, including areas east of Route 138. These impacts would be substantially reduced by the trestle (Figure 4.14-29), with major losses restricted to a smaller area east of the rail line and north of the dog track. Impacts would also extend over a smaller area than the “no-trestle” option*** (emphasis added).

L-061.35

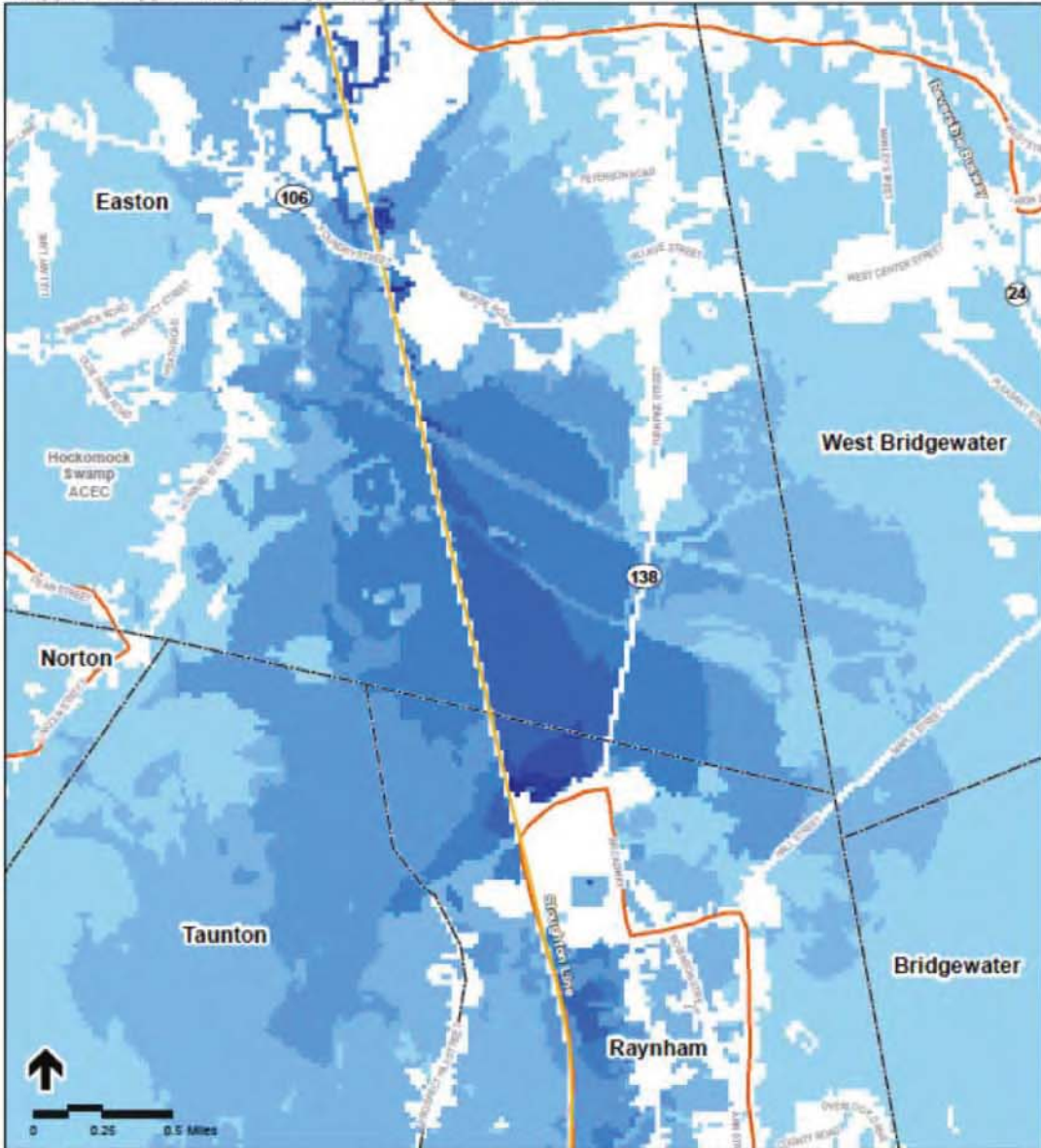
However, when you examine Figure 4.14-29 (see below), you can see that contrary to the description in the DEIS/DEIR, the loss of connectedness is major east of the rail line, not moderate. The SDEIS/SDEIR should include the figures next to the text, and describe them accurately.

Page 1-35 of DEIS/DEIR states that:

Losses of wetland habitat are similar for the Rapid Bus and Attleboro Alternatives (20.3 to 21.5 acres), and they would result in the largest impacts to vernal pool wetland habitat (2.3 to 5.4 acres). The Stoughton and Whittenton Alternatives would have less wetland loss (10.3 to 11.9 acres), and the least impacts to vernal pool wetland habitat (1.0 to 1.8 acres).

L-061.36

However, again, MassDOT misrepresents the true impacts by not taking into account the 55+ acres of supporting vernal pool upland habitat that would be lost (see Table 4.14-28). The SDEIS/SDEIR should present direct and indirect impacts together, in order to allow the reader to properly assess the true impacts associated with each alternative.



- Legend**
- | | |
|-----------------------|---|
| Loss of Connectedness | Area of Critical Environmental Concern (ACEC) |
| Major | Town Boundaries |
| Moderate | Proposed Alternative |
| Negligible | |

Figure 4.14-29

Change in Connectedness
 for the Hockomock Swamp
 (with trestle)

Another example of where the DEIS/DEIR is disingenuous is on page 4.15-47, which states:

Reconstruction of the track of the former Stoughton line would result in habitat loss which *could* lead to habitat fragmentation and loss of genetic diversity. However, the loss of a small percentage of habitat is not considered significant given the large area of suitable habitat for these species in, and in the vicinity of, the project area (emphasis added).

L-061.37

The qualifiers used in statements such as these appear to be an attempt to minimize the known impacts of the preferred alternative. As stated above, the CAPS analysis found that the Stoughton routes would result in the “greatest estimated loss in ecological integrity” of all the alternatives. Stating things like habitat fragmentation “could” result, but is not considered significant makes a mockery of ecology and wildlife biology.

The DEIS/DEIR also downplays water quality impacts. Page 4.14-61 states, “[t]he rail or highway alternatives are not anticipated to generate non-point source discharges of pollutants to surface waters, and therefore are not considered to have an adverse impact on aquatic communities.” However, page 4.17-34 states, “Most potential rail contaminants are due to the train traffic on the rails, which may result in hazardous contamination from spills, drips, or exhaust.” PEER has provided its water quality analysis of vernal pools along an active rail line compared to the vernal pools in the Hockomock several times. This analysis demonstrates that non-point source discharges from rail lines do, in fact, significantly affect water quality of vernal pools. A bald statement that the impacts do not occur is not sufficient to make scientific studies disappear. The SDEIS/SDEIR must investigate fully the impacts of rail on the water quality of vernal pools and other waters.

L-061.38

Page 4.14-84 of the DEIS states that the canopy gap for the length of the trestle will be 40', but later on that same page it says the canopy gap will be 40 - 80' for a single track, including through some Atlantic White Cedar swamp, and 60 - 100' for a double track. Specifically, it states:

L-061.39

Removing the forest canopy on the railbed within the Hockomock Swamp ACEC study area could potentially alter the physical conditions (light, wind, temperature) in adjacent forested areas. No adverse effects are anticipated to herbaceous or shrub-dominated communities, since there would be no change in the light, wind or temperature regimes. The canopy gap is anticipated to be approximately 40 feet in width for the length of the trestle, and the resulting forest edges will face east and west.....Reconstructing the railroad track system through the Hockomock Swamp ACEC will increase the width of the canopy gap over the railbed to between 40 and 80 feet wide in areas with single track (through the Hockomock and Pine Swamps) and between 60 and 100 feet wide in areas with double track (north of North Easton station and a segment south of the trestle near Raynham Place station), and will require the removal of existing vegetation on the elevated railbed. This linear gap, extending through natural communities,

which include Atlantic white cedar swamp and red maple swamp, may allow invasive exotic plant species to colonize the railbed or areas adjacent to the railbed.

Again, the impacts to the Hockomock should be clear and unambiguous, and this includes a specific width of clearing. Moreover, statements such as “No adverse effects are anticipated...” are unscientific, counterintuitive, and indicate a clear bias. These statements should be removed from this supposedly factual document.

L-061.40

The trestle through the Hockomock is a bridge, and cannot be built without substantially more impacts than what is revealed in the DEIS/DEIR. The MBTA defines a bridge as "any structure with total bridge length (sum of all spans) greater than 20 feet"

(http://www.mbtta.com/uploadedfiles/Documents/Schedules_and_Maps/Commuter_Rail/FINAL%20031009_Vol1Sec3_Bridges_March-2009.pdf). The trestle, is therefore a bridge. In fact, Page 3-74 of the DEIS/DEIR states:

By far the largest new bridge would be the trestle through the Hockomock Swamp with about 284 spans. It would be about 8500 feet long and 24 feet wide at the level of the bridge deck, with a minimum 3 feet clearance above grade and incidental excavations to allow large mammal passage. Figure 3.2-19 shows the typical cross section of the trestle through the Hockomock Swamp.

L-061.41

Page 3.2 of the MBTA document shows a diagram of a "one track of two rails" of 56.2' for *each* rail track, yet the figures in the DEIS/DEIR show the single track trestle through the Hockomock as either 20' (Figure 3.2-19) or 28' (figure 4.15-9) wide. MassDOT should explain how MBTA design standards for bridges require 56.2', yet the bridge structure through the Hockomock will only be 20' to 28'. The SDEIS/SDEIR must include a design of the trestle, based on an actual survey, to adequately depict impacts to the Hockomock Swamp. The not to scale drawings included in the DEIS/DEIR are completely inadequate.

PEER also does not understand how the proposed trestle through the Hockomock could be built and/or maintained without a much wider right-of-way, or without access roads leading into the wetland. The DEIS/DEIR describes the construction sequence but does not discuss how the heavy equipment will get into the swamp, how it will operate within the right-of-way, and how this trestle will be maintained once it is built. It is inconceivable that the trestle would not require some kind of access to it, and the impacts associated with this access must be disclosed.

L-061.42

The DEIS/DEIR also does not appear to disclose the width of the right-of-way through the Hockomock or in other locations. PEER contacted Kristina Egan of MassDOT, and was told that the right-of-way through the Hockomock was 60'. That information should be included in the SDEIS/SDEIR, and a survey should be done to ensure that the right-of-way is consistent in width throughout the area. According to the DEIS/DEIR, the width of the right-of-way varies: page 3-102 states, "The construction method would be kept

L-061.43

consistent throughout the corridor, even in sections where the right-of-way and embankment widens.” However, the specific width, varying or not, is nowhere to be found in the DEIS/DEIR.

L-061.43

Article 97 issues are not adequately discussed in the DEIS/DEIR. It is clear that the preferred route for the rail line would invoke Article 97. Pages 4.10-26 to 4.10-27 state:

The estimated area of protected open space and publicly owned parcels in the ACEC required for constructing the Stoughton Electric Alternative north of the Southern Triangle is listed in Table 4.10-9 and shown in Figures 4.10-7a-e. This area would be used for the widened right-of-way necessary for the railroad improvements or construction, and for a traction power facility...The two entries for Easton in Table 4.10-9 represent one 0.94-acre parcel, for a traction power facility. The site is entirely within the Hockomock Swamp ACEC. One of these parcels is designated for conservation purposes, and would therefore be considered Article 97 land subject to the provisions of the EEA’s Article 97 Land Disposition Policy.

According to the EEA Policy, Article 97 land disposition cannot occur unless “exceptional circumstances” exist. In order for a determination of “exceptional circumstances” to be made, the following conditions, among others, must be met: 1) no feasible and substantially equivalent alternatives exist and 2) The disposition of the subject parcel and its proposed use do not destroy or threaten a unique or significant resource. MassDOT claims that because the area proposed to be converted “represents a very small proportion of the overall protected area,” no unique or significant resources would be threatened (see page 4.10-60). PEER disagrees. Article 97 should be taken very seriously, and public land should not be given away lightly. Table 4.2-9 of the DEIS/DEIR shows 2.57 acres of public land being taken, in a total of 8 parcels. PEER believes that construction of the rail through the Hockomock would involve even more public land being taken from the Division of Fisheries and Wildlife (DFW). We do not believe that the trestle can be constructed within the confines of the right-of-way; nor do we believe that the trestle can be maintained without additional impacts to DFW land. AS such, we believe that the SDEIS/SDEIR should more accurately reflect both the amount and the impact of such takings, and the likelihood that the legislature would approve such a taking, given the enormous cost of this project.

L-061.44

Implementation of the Corridor Plan is highly speculative and will cost additional monies that are not disclosed. Page 4.3-24 of the DEIS/DEIR states that the Corridor Plan provides “an opportunity to organize new growth around stations and direct it away from sensitive areas of ecological value.” Unfortunately, the DEIS/DEIR does not disclose either the source of funding or the legal mechanisms to accomplish this. In fact, pages 4.3-56 and 57 concede that, “Implementation of Smart Growth measures, as proposed by MassDOT, is subject to local decision making and may thus vary among communities targeted for Smart Growth...” Despite this uncertainty, the DEIS/DEIR proceeds to assume that “conservatively established smart growth goals would be achieved by the Build Year and development would be distributed accordingly. Actual

L-061.45

development with the implementation of Smart Growth measures may vary from this both on local and regional, aggregated basis. The impact analysis assumed a full implementation and realization of development according to the Smart Growth Plan, so that its impacts could be assessed relative to those without Smart Growth measures.”

L-061.45

Page 3-144 of the DEIS/DEIR states:

As stated in the South Coast Rail Economic Development and Land Use Corridor Plan, commuter rail service to the South Coast will generate nearly \$500 million in new economic activity every year. This is new growth by the year 2030 that would not occur without the new infrastructure. The rail connection is projected to create between 3,500 and 3,800 net new jobs within the Commonwealth by 2030—about two-thirds of which would locate in the South Coast region with the remaining third in Boston Cambridge and other communities outside the region. The Corridor Plan would be implemented by MassDOT throughout the 31-community region regardless of which alternative was selected, so there would be no substantive difference among alternatives with regard to the majority of smart growth benefits. These benefits include protecting the Priority Preservation Areas, and concentrating development in the Priority Development Areas. The principal differences among the alternatives would be with regard to their ability to promote concentrated development (transit-oriented development) at station areas. Transit-oriented development (or redevelopment), as illustrated by the concepts included in the Corridor Plan report, would include mixed high-density residential, retail, and commercial/office development at certain station locations. The benefits of this transit-oriented development would be to increase local tax revenues; decrease vehicle miles traveled, and decrease Greenhouse Gas emissions. As outlined in the Corridor Plan, transit oriented development would be likely as new development or re-development at the Downtown Taunton, Taunton, Freetown, Fall River Depot, King’s Highway, Whale’s Tooth, Easton Village, and Raynham Place stations.

Even the Secretary’s 2009 MEPA certificate requested additional information:

The DEIR should include an assessment of costs associated with implementation of the smart growth aspects of the project for each alternative, to fully understand the overall costs and rationale for selection of alternatives. The DEIR should address how the proposed rail and/or bus routes, and associated Land Use and Economic Development Corridor Plan will be financed.

L-061.46

It is unrealistic – not to mention deceitful - to assume that these Smart Growth measures will be implemented. The SDEIS/SDEIR must remove these assumptions in all of its analyses unless and until both a funding mechanism and legal mechanisms are developed and assured.

The mitigation discussion is wholly inadequate. As we stated above, mitigation costs are not taken into account in the costs of this project. However, the mitigation

L-061.47

discussion, such as it is, is flawed in other ways as well. Specifically, the mitigation does not comply with the requests in the 2009 MEPA certificate. The Secretary stated:

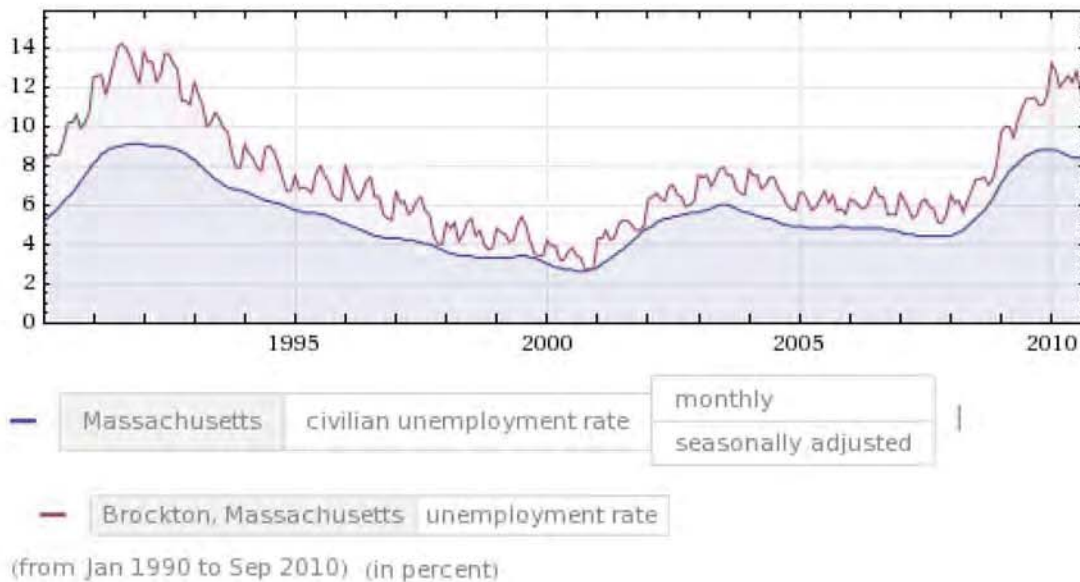
The DEIR should also include a comprehensive mitigation plan for any unavoidable impacts, explain why these impacts are unavoidable, and demonstrate how impacts will be avoided and minimized to the maximum extent feasible. The mitigation plan should address permanent and temporary impacts and construction-related impacts...EOT should consult with MassDEP to discuss any concerns regarding proposed wetlands mitigation sites and to discuss appropriate protective measures and mitigation for vernal pools....The DEIR should describe proposed wetlands mitigation areas and identify locations on maps and site plans. As noted in the MassDEP comment letter, there is flexibility within the variance process to consolidate some mitigation into more centralized areas rather than individual mitigation sites at each impact location. The DEIR should describe how mitigation sites will be designed to preserve critical functions such as flood storage volume at each locality. The DEIR should discuss ownership of the sites and identify any proposed to be taken by eminent domain. The DEIR should provide details on any replication proposed including the timeframe anticipated and the methods proposed to achieve successful replication. The DEIR should include a monitoring and contingency plan to ensure success of mitigation. The ENF indicates that EOT will rely on compensatory wetland mitigation areas referenced in the 2002 New Bedford Fall River Commuter Rail FEIR, which identified more than 50 acres of compensatory wetlands. The DEIR should use the FEIR Certificate as a starting point for developing wetlands mitigation commitments, as recommended by MassDEP, and should specifically identify the proposed mitigation measures and ratios associated with each of the resource areas.

L-061.47

The DEIS/DEIR did not contain maps, locations of mitigation sites, or costs associated with mitigation. Did MassDOT confer with MassDEP as requested? If so, that information should be provided in the SDEIS/SDEIR. The discussion of mitigation in the DEIS/DEIR was so minimal, PEER is unclear how MassDOT even proposes to mitigate for the massive impacts proposed, and how it will pay for such mitigation. All of this information is necessary for the resource agencies to make an informed decision on permitting.

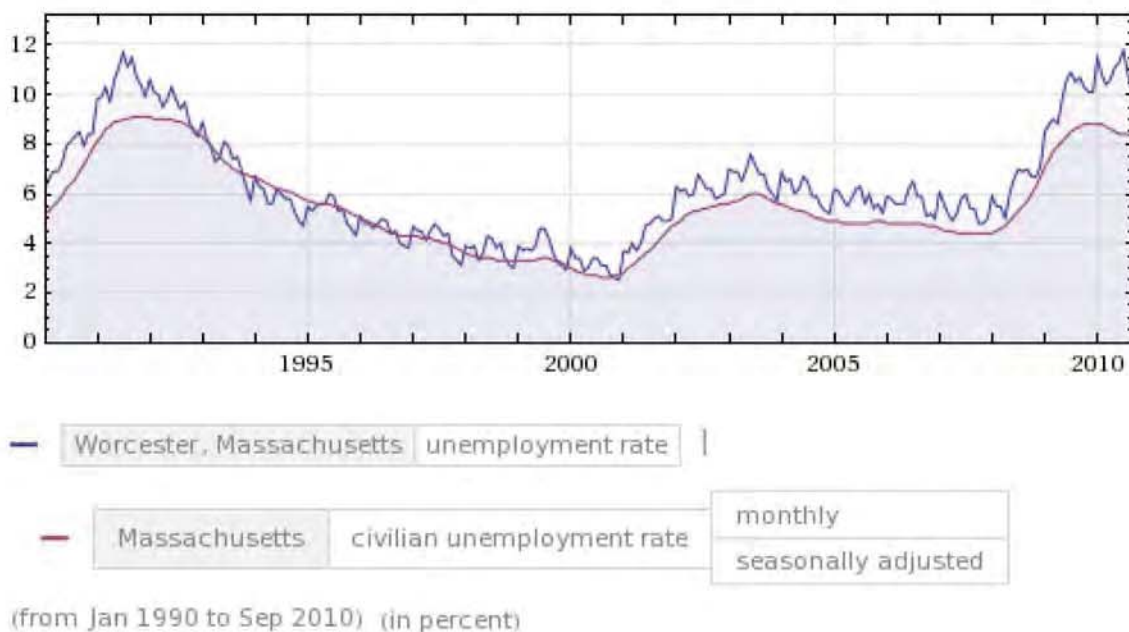
Alleged economic benefits of the proposed train are unsubstantiated. The DEIS/DEIR claims that the proposed project will bring all sorts of wonderful economic benefits to the South Coast region (whatever that may be), and help the cities of Fall River and New Bedford. These claims are stated baldly, with no substantiation. Moreover, a quick review of other depressed cities, and their unemployment rates before and after the commuter rail arrived in their towns, does not show miraculous economic recoveries. For example, the City of Brockton got the commuter rail in 1997. As you can see from the graph below, Brockton's unemployment rate tracks that of the state of Massachusetts, and does not appear to change with the advent of the rail.

L-061.48



Similarly, Worcester got the commuter rail in 1994. The same trends exist: the unemployment rate tracks that of the state.

L-061.48



Rather than assuming that the commuter rail will bring economic growth and employment to these cities, MassDOT must give us hard evidence that this will happen. The SDEIS/SDEIR should provide analyses of unemployment, education, job skills, language skills, etc., to determine the precise reasons for their economic woes. Simply claiming that the train is the silver bullet is not sufficient to warrant an expenditure of billions of dollars, and allow the destruction of such valuable natural resources.

The Rapid Bus is the LEDPA. It is abundantly clear to PEER that the Rapid Bus is the LEDPA. Although the ridership analysis and cost analysis are seriously flawed, it is apparent that the Rapid Bus has the least amount of impacts (zero loss of ecological integrity units, according to the CAPS analysis), is much cheaper, and will accomplish the basic project purpose. The DEIS/DEIR states on page 4.3-67, “The South Coast Rail Rapid Bus alternative will improve accessibility and mobility in the South Coast region, which in turn will stimulate additional economic activity in the region.” Even if the Stoughton alternative were to be declared the LEDPA, it would cause or contribute to significant degradation of waters of the United States, and thus be unpermissible.

L-061.49

Other errata and items that must be addressed in a SDEIS/SDEIR: There are numerous other errata and unaddressed issues in the DEIS/DEIR which should be addressed in a Supplemental document. These include, but are not limited to:

L-061.50

- The analysis of climate change on page 3-142 does not take into account induced traffic.
- In the land use chapter (pages 4.2-1 to 4.2-2), all discussion of noise receptors are human-related. There should be additional mention of the effects of noise on wildlife, interference with breeding calls, etc.
- The blue-spotted salamander population in the Hockomock is likely the pure, diploid population, which is very rare throughout New England. The Commonwealth should investigate this matter, and increase protection of the population if indeed it is the diploid one.
- Figure 3.2-6 shows that there is a section of privately owned track in Raynham. The SDEIS/SDEIR should disclose how this track will be obtained, and costs of obtaining this track must be disclosed and added to costs of the project.
- Page 4.3-6 uses property tax rates from 2005, showing, for example, that the property tax rate in Easton was \$7.45/\$1,000 Assessed Value. However, in Table 4.3-9 on p. 4.3-19, the DEIS/DEIR says the Easton 2005 tax rate is 10.69. The SDEIS/SDEIR should use consistent, and preferably correct, figures. Moreover, it should use up-to-date figures; the 2012 tax rates are already available for most towns and cities.
- Figure 4.2-5c, Tile 2 has a category for “undeveloped” land and “forest,” yet the undeveloped land is mostly forested. This must be clarified;
- Page 4.3-22 discuss the “permanent impacts” of the proposed project, stating, “The potential long-term social and economic effects of the South Coast Rail alternatives include loss of property tax revenue for municipalities from the acquired privately owned parcels, displacement of existing businesses, residential displacement, fragmentation of neighborhoods or loss of continuity between neighborhoods and job creation related to the operation of the new service.” This section should include noise impacts, quality of life, water quality, drinking water, and safety issues.
- Table 4.2-2 on page 4.2-6, states that 40.8% of Easton is "developable." It also states that, "For purposes of this analysis, developable land is defined as large parcels of land that could be developed into new subdivisions or new commercial/industrial properties or could be placed into permanent or limited

L-061.51

L-061.52

L-061.53

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L-061.56

L-061.57

- open space protection." It is unlikely that this amount of land in Easton is indeed developable. The SDEIS/SDEIR should check this and other numbers, and disclose how these percentages were obtained. L-061.57
- Figure 4.15-9 shows a trestle through "Hancock Swamp." Please clarify where this swamp is. L-061.58
 - Page 4.3-25 states, "Projections were also made for the four Rhode Island communities that are expected to have commuters utilizing the potential new transit service. Please clarify whether these riders are included in the ridership analysis, and/or the parking availability analysis. L-061.59
 - The DEIS/DEIR states that the trestle will be 1.6 miles in length (page 4.10-26), while Appendix 8 says 1.8 miles (page 377, comment N-025-048). Pick one and stick with it. L-061.60

Conclusion. Given the short amount of time to review this massive document, together with its many errors and shortcomings, PEER is positive that we did not cover all the ground we should have. However, it is abundantly clear that a Supplemental DEIS/DEIR needs to be done, with an adequate amount of time given for its review. We are also absolutely sure that the Stoughton Alternative is not the LEDPA, and even if it were, it is not permissible. We urge the Corps and MEPA to do their duties and require adequate and truthful information before they make a determination on this project. L-061.61

Sincerely,

Kyla Bennett, Ph.D., J.D.
 Director, New England PEER
 P.O. Box 574
 North Easton, MA 02356
 508-230-9933
 nepeer@peer.org

From: Anacheka-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:11 AM
To: SCREIS, NAE
Subject: FW: South Coast Rail review (UNCLASSIFIED)
Importance: High
Classification: UNCLASSIFIED
Caveats: NONE

From: Carolyn LaMarre [mailto:director@savethetaunton.org]
Sent: Monday, April 04, 2011 2:09 PM
To: Anacheka-nasemann, Alan R NAE; timmermann.timothy@epa.gov
Subject: South Coast Rail review
Importance: High

Dear Alan and Tim,

Taunton River Watershed Alliance is a citizen volunteer membership organization dedicated to preserving the watershed through which the South Coast Rail project is proposed. The review of the DEIS/DEIR will be done me and volunteer reviewers. I am currently only working part time due to budget constraints and the volunteers will work on the review after their normal work hours. It is unlikely, given these time constraints, that TRWA will be able to adequately review the documents. In fact, I think it will be difficult for anyone to do so in less than 60 days.

Therefore, I am requesting that the review period be extended further to an additional 60 days. I believe that other NGOs will have a similar difficulty meeting the May 27th deadline for review and meaningful comments also.

E-008.01

Thank you for your consideration.

Sincerely,

**Carolyn LaMarre, Executive Director
Taunton River Watershed Alliance, Inc.
P.O. Box 1116
1298 Cohannet Street
Taunton, MA 02780**

508-828-1101

director@savethetaunton.org

TRWA is a citizen, volunteer organization. Please visit our website to learn how we protect, preserve, and restore our watershed. Join our efforts by becoming a member at www.savethetaunton.org. You can make a difference!

Classification: UNCLASSIFIED
Caveats: NONE



May 27, 2011

Mr. Alan Anacheke-Nasemann
U. S. Army Corps of Engineers
New England District
Regulatory Division
ATTN: CENAE-R-PEA
696 Virginia Road
Concord, MA 01742

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental
Affairs
Attn: MEPA Office, Aisling O'Shea
100 Cambridge Street, Suite 900
Boston, MA 02114

Via Email: SCREIS@usace.army.mil and aisling.o'shea@state.ma.us

**Re: Draft Environmental Impact Statement/Report for South Coast Rail
NAE-2007-00698 and EOEEA #14346**

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

On behalf of the Taunton River Watershed Alliance, Inc. (TRWA), I submit the following comments on the Draft Environmental Impact Statement and Environmental Impact Report (DEIS/R) for the South Coast Rail Project. TRWA is an Alliance of concerned residents, businesses, and organizations united to restore and properly manage water and related natural resources within the Taunton River Watershed.

MassDOT has identified the "Stoughton corridors" as its "preferred alternative" to provide public transportation between Fall River/New Bedford and Boston. These alternatives would involve reconstruction of the abandoned railbed that cuts through the Hockomock Swamp in Easton and Raynham. Protection of the Hockomock Swamp is a high priority for TRWA. The Hockomock Swamp is the largest freshwater wetland in Massachusetts and the headwaters of the Taunton River. It supports a variety of natural communities including Atlantic White Cedar Swamp and provides habitat for many species of wildlife, including at least 13 species listed by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) as endangered, threatened and special concern. Maintaining the integrity and functions of large wetland and habitat areas is especially critical to provide flood storage capacity and opportunities for migration of natural communities and wildlife in the light of the anticipated impacts of climate change that include more intense rainstorms, increased floodwaters, temperature change

and sea level rise. The Stoughton diesel and electric alternatives would also cross the Pine Swamp in Raynham.

The DEIS/R fails to provide an adequate assessment of the impacts of the project to wetlands, streams, rare species and biodiversity, especially in the Hockomock and Pine Swamps and detailed mitigation plans for unavoidable impacts. This information is necessary to identify the “least environmentally damaging practicable alternative” as required under Section 404 of the federal Clean Water Act and to determine compliance with the Section 404(b)(1) Guidelines, the Massachusetts Wetlands Protection Act (MSPA), Massachusetts Endangered Species Act (MESA), and other applicable statutes and regulations. We respectfully request the Executive Office of Environmental Affairs and the Army Corps of Engineers to require preparation of a Supplemental DEIS/R (SDEIS/R) to provide this information.

L-071.01

Significant impacts to ecosystems and wetland resources that would result from construction of the Stoughton diesel or electric alternatives (identified in the DEIS/R) include:

- Nearly 12 acres of wetlands alteration;
- Loss of approximately 32.6 acres of rare species habitat, with impacts to nine state-listed species;
- Alteration of 1.77 acres of vernal pool and of 55 acres of support upland adjacent to vernal pools;
- Relocation of approximately ½ mile of a perennial stream that runs along the existing railbed north of the Raynham Dog Track; and
- Fragmentation of habitat in the Hockomock and Pine Swamps, disruption of 19,500 feet of migratory route by the “barrier effect” and a high degree of loss of “ecological integrity (EI).” Ecological integrity is defined as “the ability of areas to support plants and animals and the natural processes necessary to sustain them over the long term.” The EI loss was predicted under the Conservation Assessment and Prioritization System (CAPS) analysis, developed by the University of Massachusetts at Amherst.

The DEIS/R fails to provide adequate information regarding these and other impacts. Examples of missing information include:

- Plans showing field delineations of all wetland resource boundaries, streams and the footprint of all work. This information is needed to determine whether the predicted wetland losses associated with the Stoughton alternatives are accurate;
- Soil analysis for the portion of the right-of-way (ROW) in the Hockomock Swamp where the proposed trestle will be constructed to demonstrate ability of the soil to support the footings of the trestle;
- Information on how access to rail lines for maintenance and emergencies will be provided in sensitive areas where single tracking is proposed and especially for the trestle area;
- A plan showing the proposed relocated channel of the perennial stream that currently flows on the ROW in the Hockomock Swamp, and clarification of whether the relocation will involve alteration of existing wetlands;

L-071.02

L-071.03

L-071.04

L-071.05

The DEIS/R also fails to provide detailed mitigation plans that were specifically required in the MEPA Certificate on the Environmental Notification Form for this project. These requirements included:

Wetlands (page 27 ff of MEPA Certificate): *The DEIR should include a detailed description of measures to avoid and minimize wetland impacts for each of the alternatives. The DEIR should also include a comprehensive mitigation plan for any unavoidable impacts, explain why these impacts are unavoidable, and demonstrate how impacts will be avoided and minimized to the maximum extent feasible. The mitigation plan should address permanent and temporary impacts and construction-related impacts...The DEIR should describe proposed wetlands mitigation areas and identify locations on maps and site plans. As noted in the MassDEP comment letter, there is flexibility within the variance process to consolidate some mitigation into more centralized areas rather than individual mitigation sites at each impact location. The DEIR should describe how mitigation sites will be designed to preserve critical local functions such as flood storage volume at each locality. The DEIR should discuss ownership of the sites and identify any proposed to be taken by eminent domain or where work is proposed on Article 97 property. The DEIR should provide details on any replication proposed including the timeframe anticipated and the methods proposed to achieve successful replication. The DEIR should include a monitoring and contingency plan to ensure success of mitigation.*

L-071.06

Rare species (page 24): *The DEIR should include a detailed description of proposed mitigation measures for each species.*

L-071.07

Biodiversity (page 29): *The DEIR should describe measures proposed to avoid and minimize impacts, and include a detailed mitigation plan to address biodiversity impacts. The plan should include an estimate of mitigation costs such as funding for land acquisition, ecological assessment and monitoring programs, wildlife crossings, and other biodiversity conservation efforts. The DEIR should describe in quantitative and qualitative terms the extent to which the mitigation proposed will support biodiversity conservation and reduce or compensate for project-related impacts.*

L-071.08

Despite these specific requirements, the DEIS/R does not provide detailed mitigation plans for wetlands impacts or for impacts to rare species and biodiversity. These plans should be provided in a SDEIS/R.

L-071.09

For the reasons described above, we request that you require preparation of a SDEIS/R. If you decide not to require a SDEIS/R, we request that all of the information identified above be provided in the Final DEIS/R. Thank you for considering these comments.

L-071.10

Sincerely,

Carolyn LaMarre
Executive Director

Taunton River Watershed Alliance, Inc.
1298 Cohannet Street
Taunton, MA 02780
508-828-1101
director@savethetaunton.org

cc: Kristina Egan, Project Manager, DOT
DFG Commissioner Mary Griffin
DEP Commissioner Ken Kimmell
DCR Commissioner Edward Lambert
Jon Regosin, NHESP



The Nature Conservancy in Massachusetts
99 Bedford St., 5th Floor
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fax (617) 532-8400

nature.org/massachusetts

May 26, 2011

U.S. Army Corps of Engineers New England District

Alan Anacheke-Nasemann, Senior Project Manager
Regulatory Division, Permits and Enforcement Branch
696 Virginia Road
Concord, MA 01742-2751
SCREIS@USACE.army.mil

Executive Office of Energy and Environmental Affairs

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us

**Re: Department of the Army Permit Application Number NAE-2007-00698
Executive Office of Energy and Environmental Affairs EEA No. 14346**

Dear Mr. Anacheke-Nasemann and Secretary Sullivan,

The Nature Conservancy (TNC) is a global non-profit conservation organization working to preserve the plants, animals and natural communities that represent the diversity of life on earth by protecting the lands and waters they need to survive. The Nature Conservancy focuses its efforts strategically in locations that are most critical to biodiversity, and which have the greatest potential to provide viable habitat over the long term. In partnership with municipal, state and federal agencies and other conservation groups, TNC has protected over 20,000 acres of wildlife habitat in Massachusetts, and more than 117 million acres worldwide. We are pleased to have worked collaboratively with both the Commonwealth and the Army Corps of Engineers on a number of important conservation initiatives.

For your consideration, TNC offers the following comments on the EIR / EIS for the South Coast Rail:

The Nature Conservancy is generally supportive of public transportation enhancements, recognizing they can play an important role in reducing vehicle miles traveled and associated environmental impacts. TNC has no objection to restoration of mass transit service from Boston to Taunton, Fall River and New Bedford, provided potential impacts are comprehensively analyzed, and appropriate strategies are implemented to maximize positive impacts and avoid, minimize and mitigate negative impacts. This project bears careful review as it involves potentially significant adverse environmental impacts to wetlands of high ecological integrity, as well as important habitat for multiple state-listed species. L-063.01

In their 2009 report included in Appendix 4-14-A, *Conservation Assessment and Prioritization System (CAPS) South Coast Rail Analysis*, Compton et al. concluded, "overall the two routes through Hockomock Swamp showed the greatest estimated loss in ecological integrity. The trestle alternatives through Hockomock Swamp reduced the modeled loss of ecological integrity somewhat, although many of the benefits of a trestle are likely to occur at a local scale below that of the CAPS analysis." Landscape scale L-063.02

fragmentation, as well as other indirect impacts such as changes in canopy cover, toxins, water quality, microclimate alterations, etc., caused by construction, operation and maintenance of rail through Hockomock Swamp is unlikely to be compensated for by the trestle. Further documentation and quantification of these impacts, and discussion of the likelihood of success of mitigation for such impacts, is needed. In contrast, the rapid bus alternative would have *no impact* on IEI--no loss of ecological integrity at landscape scale, and it is the least damaging to the function of the aquatic ecosystem.

L-063.02

Direct impacts to priority habitat and wetlands associated with the rapid bus alternative involve higher acreage, but the ecological integrity of these areas adjacent to existing highway infrastructure is already impaired. The combination of direct and indirect impacts of the Stoughton alternatives must be considered in this context. Further, the proposed future construction of transit-oriented development at the Raynham Place station would introduce additional direct and indirect impacts to the integrity of Hockomock Swamp. "Undevelopment" and restoration of all or part of the former dog track site should be considered as compensatory mitigation for other unavoidable impacts.

L-063.03

L-063.04

L-063.05

It is clear from the analysis that Attleboro is not practicable due to constraints on construction and operation. However, we request that the rapid bus be retained as an alternative for further review in determination of the LEDPA, as it appears to meet the overall project purpose, "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility". Furthermore, the analysis indicates it is constructable and it is the least-cost alternative.

L-063.06

Regardless of the alternative selected, substantial mitigation will be required. Poorly planned development constitutes one of the primary causes of wildlife habitat loss and fragmentation in Massachusetts. Improvements in transportation infrastructure generally stimulate new residential and commercial development, and this growth can be expected to occur well beyond the vicinity of new rail or bus stations and existing urban centers. The Commonwealth's stated goal to build this project in a way that is consistent with smart growth principles is commendable. Implementation of the Corridor Plan is critical, including acquisition of lands with high IEI that can provide long term net benefits to rare species and working with towns to adopt smart growth practices. If the project stimulates scattered, low-density development, intended benefits in traffic reduction and air quality improvements may be offset. We appreciate the thoroughness of the analysis of this topic provided in the document.

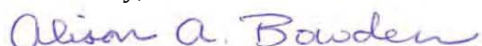
L-063.07

The MEPA Certificate on the ENF for this project specifically required detailed description of proposed mitigation measures for impacts to rare species, wetlands, and biodiversity and wildlife. These detailed plans are not provided and should be included in an SDEIS/R or FEIS/R. It is unclear if mitigation costs are intended to be included as a "contingency" in cost estimates provided. An SDEIS/R should include the full cost of mitigation in total project costs and an explanation of how the project, Corridor Plan, and all compensatory mitigation will be financed.

L-063.08

Thank you for your consideration of these comments. The Nature Conservancy looks forward to continued work with the Commonwealth and the Army Corps of Engineers as planning and review of this project proceeds. Please contact me with any questions at 617-532-8360 or abowden@tnc.org.

Sincerely,



Alison A. Bowden
Freshwater Program Director



Strategy | Human Capital | Branding | Communications

May 10, 2011

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

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

RE: South Coast Rail Project

Dear Mr. Anacheke-Nasermann and Secretary Sullivan:

I write to you in support of extending rail service to the South Coast region.

The introduction of commuter rail to the South Coast will enable access to employment opportunities near Route 128 and downtown Boston. Our region has been battered by adverse economic conditions, and the implementation of full-scale, reliable commuter rail service is a critical step toward sustained economic recovery.

L-024.01

To make the service viable for commuters, a minimum of three trains in both the morning and afternoon peak periods should be utilized. A late evening train service to Boston should also be considered to allow for additional riders. Weekend service would help support the area's tourism economy, which continues to grow.

L-024.02

Since at least the 1980's, those seeking higher office, including our current and previous Governors, have made promises of support for commuter rail service between Boston and New Bedford. Instead, over the last several decades, commuter rail extensions have been provided to more economically advantaged regions of the Commonwealth.

It is time to make good on the promise, and to provide full-service rail as a means to improve opportunities for those in this region. Thank you for your consideration.

Regards,

John A. Theriault
Principal



THE UNITED REGIONAL CHAMBER OF COMMERCE

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May 23, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
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email: SCREIS@USACE.army.mil

Secretary Richard K. Sullivan, Jr., EOEEA
attn: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston, MA 02114
email: aisling.o'shea@state.ma.us

Re: South Coast Rail Project
DEIS/DEIR

Via: Email Only

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

Please be advised that I am submitting this comment letter on the Draft Environmental Impact Statement (DEIS)/Draft Environmental Impact Report (DEIR) of February 2011, regarding the South Coast Rail Project (SCRIP), on behalf of the United Regional Chamber of Commerce (URCC) as its duly authorized representative.

The U. S. Army Corps of Engineers (ACOE) has done an excellent job of thoroughly analyzing and evaluating the remaining alternatives based upon all of the factors involved. As a result of the DEIS/DEIR findings, one must logically and correctly conclude as follows:

1. Enhanced Bus Alternative

This would be an investment in the enhancement of the existing regional transportation network, but would not fulfill the project purpose and need to reactivate commuter rail service between Taunton, Fall River, New Bedford and Boston. However, it could be a welcome supplement in the short term.

L-083.01

2. Rapid Bus Alternative

This would require a significant and substantial investment to realize the contemplated further enhancement of the existing regional transportation network through the construction of additional highway infrastructure, rapid bus stations, and rapid bus layover facilities. However, it would still be subject to the limitations of the existing highway infrastructure, traffic and congestion, and resulting travel delays. In spite of the significant investment, it still would not fulfill the project purpose and need to reactivate commuter rail service between Taunton, Fall River, New Bedford and Boston. Although it could be a further supplement in the long run, the cost of development appears not to be justifiable.

L-083.02

3. Attleboro Alternative

This is the least practicable commuter rail alternative based upon cost, construction and operation. In addition, with consideration to the significant impact upon otherwise not impacted wetlands, it certainly does not meet the critical test of being the Least Environmentally Damaging Practicable Alternative (LEDPA). Therefore, because of its impracticability and infeasibility, this alternative should be deleted from any further review or consideration by either the ACOE or the Massachusetts Department of Transportation (MDOT).

L-083.03

4. Whittenton Alternative

This alternative is an unnecessary detour from the Stoughton Alternative, which I shall discuss next and last. It would create an extremely adverse impact on the City of Taunton with its multiple downtown grade crossings. Public Safety and economic development would suffer greatly, and people would become the endangered species. Operational issues would be more complex and costly, travel times would increase, and ridership would decrease. Therefore, this alternative does not pass the LEDPA test, and should be deleted from any further review and consideration by the ACOE and the MDOT.

L-083.04

5. Stoughton Alternative

This is the most practicable commuter rail alternative based upon all factors considered, and it fulfills the project purpose and need of restoring commuter rail service between Taunton, Fall River, New Bedford and Boston. It is practicable, feasible and least environmentally damaging, and therefore passes the LEDPA test with flying colors. This alternative was utilized for commuter and freight rail service from the mid 1800's to the mid 1900's. It was discontinued because of the

L-083.05

Alan Anacheke-Nasemann
Richard K. Sullivan, Jr.
Re: South Coast Rail Project
Page 3

development of the interstate highway system during the Eisenhower Administration. America abandoned the rails and headed for the highways. However, this alternative can work again and it is the only one to accomplish the project mission. Our New England Yankee ancestors applied their proven wisdom of common sense and practicality, and we need to do the same. The MDOT has already designated Stoughton as their preferred alternative. Therefore, this is the one alternative that should be pursued by the ACOE and the MDOT for further review and consideration, and ultimately for development and operation.

L-083.05

Based upon the foregoing, I look forward to the Final Environmental Impact Statement (FEIS)/ Final Environmental Impact Report (FEIR) and the ACOE's determination of the LEDPA for which a permit may be issued.

Thank you for the opportunity to submit these comments for due consideration and inclusion in the FEIS/FEIR.

UNITED REGIONAL CHAMBER OF COMMERCE



George I. Spatcher, Jr.
Member and Representative to the
Commuter Rail Task Force

cc: Kristina Egan
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May 25, 2011

Secretary Richard K. Sullivan, Jr.
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100 Cambridge Street, Suite 900
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Attn: MEPA Office, Aisling O'Shea

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

RE: EEA No. 14346

Dear Secretary Sullivan:

WalkBoston appreciates the opportunity to provide comments on the South Coast Rail Draft Environmental Impact Statement/Draft Environmental Impact Report. This important project is one that could positively impact the mobility of a great many residents of the southern sub-region of the Commonwealth.

In terms of advocating for pedestrian service, we are concerned about certain analyses in the proposal and hope there are explanations for the actions based on them. Because of our concern, we request that certain points be given further attention during any follow-on permitting and planning work on the project. These are:

1. A safe walking environment. Construction of any of the options in this report will result in a need for pedestrian improvements. Differing locations call for distinct approaches to pedestrian safety. Depending on the location, improvements may include new sidewalks to complete or connect to a network, signal-timing changes at intersections to allow more time for pedestrian crossings, passively activated crossing signs at pedestrian crossings, crosswalk striping, and pedestrian count-down signals. The proposed improvements included in this report appear to be a first cut. We assume that more measures for pedestrian safety will be needed and are to be added at a later date. It would be very helpful if these proposals were outlined.
2. Traffic calming elements are planned for streets in the Town of Easton in association with one of the alternatives. We would like to know how traffic calming suggestions were approached and handled in other communities, and what local responses may have been to such suggestions. Were traffic calming ideas fully explored in relation to each station?
3. Each alternative displaces the use of a specific right of way by pedestrians for recreation purposes. We trust that there has been study to ascertain the importance of recreational (and possibly commuting) access in communities where the commuter rail will eliminate such use. This could be particularly important in communities that do not have alternatives for recreational opportunities. We wonder if unused rail corridors that are not to become part of a future commuter rail system can be candidates for permanent trails?

L-095.01

L-095.02

L-095.03

L-095.04

4. There is some confusion about walking distances to stations. A distinction has been made between a 5 minute walking distance (usually a 0.25 mile distance) and a 0.5-mile perimeter around proposed stations. See, for example, Figs. 4.4-8 to 4.4-25 and 4.2-8 to 4.2-34 and 4.10-10 to 4.10-32. Why are there differences in the analyses of radius determination and what impact does it have on pedestrian access? L-095.05
5. The proposed Battleship Cove Station in Fall River does not seem to be as detailed as other proposals (Figure 4.5-54). Because of its location adjacent to the marine museum and downtown, this location seems to be potentially important for tourism, for access to downtown Fall River and for commuter traffic. Yet it appears to be relegated to part-time use. What is the explanation for this approach? L-095.06
6. Fall River access issues need immediate attention irrespective of the process of bringing new rail or bus access to the South Coast sub-region. We are particularly concerned about data that show that environmental justice communities in Fall River are already significantly disadvantaged. The analysis shows that all proposed alternatives would improve access to jobs for Fall River residents by more than 100% and would improve access to hospitals for Fall River residents by up to 400% (Fig. 4.4-51). No other community in the south coast study region has such a large deficiency of access. In the event that the South Coast project does not move forward, are there any opportunities for ameliorating this situation? L-095.07

Thank you for the opportunity to offer comments on this project. Please feel free to contact us if you have any questions.

Sincerely,

Wendy Landman
Executive Director

Robert Sloane
Senior Planner

Cc MassDOT Secretary Jeffrey Mullan
Kristina Egan, Director of South Coast Rail



Secretary Richard Sullivan
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RE: South Coast Rail Project
Draft Environmental Impact Statement / Draft Environmental Impact Report
(EEA File #14346; U.S. Army Corps of Engineers Regulatory File No. NAE-2007-00698)

May 25, 2011

Dear Secretary Sullivan and Mr. Anacheke-Nasemann:

Weaver's Cove Energy (WCE) has reviewed the above-referenced South Coast Rail Draft Environmental Impact Statement / Draft Environmental Impact Report (DEIR) noticed in the Environmental Monitor. The attached comments are being timely filed prior to the May 27, 2011 close of the public comment period. We look forward to seeing responses to these comments incorporated into either a supplemental draft environmental impact report / supplemental draft environmental impact statement or a final environmental impact report / final environmental impact statement.

L-047.01

Sincerely,

Mario Tavolieri
Pipeline Project Manager

c.c. Ted Gehrig, President & COO, Weaver's Cove Energy LLC
Gregg Landes, Vice President – Planning & Development, Weaver's Cove Energy LLC
Leon Bowdoin, Vice President – Operations, Weaver's Cove Energy LLC
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VIA FedEx # 7947 9543 9080 and Email to Kristina.Egan@state.ma.us

Comments of Weaver's Cove Energy on South Coast Rail Project
DEIR- EEA File #14346 DEIR - USACE Regulatory File No. NAE-2007-00698

Comment 1.

The DEIS/DEIR states on page 4.18-26 that the use of the Weaver's Cove Energy's (WCE) West Layover Facility Site: "...for layover is consistent with Designated Port Area (DPA) temporary uses and would not effect the Mount Hope Bay DPA." This interpretation is at odds with the definition of "Temporary Uses" as defined in 310 CMR 9.02. 310 CMR 9.02 states:

L-047.02

"Temporary Use means warehousing, trucking, parking, and other industrial and transportation uses which occupy vacant space or facilities in a Designated Port Area, for a maximum term of ten years as specified in 310 CMR 9.15(1)(d), and without significant structural alteration of such space or facilities."

Building the WCE's West Layover Facility Site overnight yard is inconsistent with 310 CMR 9.02 because it involves "significant structural alteration" that is intended to remain in place for well in excess of 10 years. The DEIS/DEIR should explicitly address this inconsistency. The DEIS/DEIR should explain why building a rail yard and support facilities on the site is not a "significant alteration of such space or facilities".

Comment 2.

In addition to not meeting the definition of a temporary use, 3.10.CMR 9.02 also states:

"Temporary uses may be licensed only if marketing efforts have failed to identify any prospective water-dependent industrial tenant, and if the license is conditioned to require further solicitation of such tenancy upon expiration of the license term."

L-047.03

The DEIS/DEIR documents no such solicitation. Logic suggests that WCE itself would respond to such a solicitation because it has been developing a water dependant use on the site for close to a decade. The DEIS/DEIR should document the planned solicitation process and WCE should be included in the solicitation.

Comment 3.

310 CMR 9.15(1) (d) 1. states:

"...in Designated Port Areas, the term of license for any non-water-dependent use in a marine industrial park shall not exceed 65 years; the term of license for any supporting DPA use shall not exceed 30 years; and the term of license for any temporary use shall not exceed ten years".

L-047.04

The DEIS/DEIR should explicitly document the term of the license. If a variance has been granted, the DEIS/DEIR should document the process by which the variance was obtained and explain the legal justification for such a variance. If a variance will be sought, the basis on which the Project meets the variance requirements should be documented in the DEIS/DEIR. If the license period is for only 10 years, as required under 310 CMR 9.15(1) (d) 1, then the DEIS/DEIR should evaluate the economic and environmental impacts of relocating the overnight yard in 10 years time should any water dependant use surface when the required solicitation is issued at the expiration of the 10 year license.

Comment 4.

The DEIS/DEIR incorrectly states that WCE will not locate any facilities on the WCE East Layover site. The DEIS/DEIR should reflect the facts shared by WCE with Christina Egan and other members of the South Coast Rail project development team in meetings, e-mails and letters. The technical aspects of WCE's LNG development are extensively documented on the Federal Energy Regulatory Commission's (FERC) Website under docket CP04-36. Also see www.weaverscove.com. WCE notified South Coast rail both verbally and via written correspondence that the Weaver's Cove Energy LNG project has received a FERC certification to site an interstate natural gas pipeline on the East Layover Site in the

L-047.05

precise location where the Massachusetts's Department of Transportation (MDOT) is currently proposing the overnight layover facility.

L-047.05

The South Coast Rail project development team has been made aware, and the DEIS/DEIR should reflect the fact that Weaver's Cove Energy will need access to construct the pipeline in the designated and FERC approved pipeline right of way.

WCE has also notified South Coast rail both verbally and via written correspondence that the Weaver's Cove Energy LNG project has received a FERC certification to site facilities in the precise location where MDOT is currently proposing the West layover facilities.

Comment 5.

The DEIS/DEIR should evaluate the implications if any of constructing a layover yard over a 24" inch diameter high pressure interstate natural gas pipeline. Pipelines routinely cross under railroad tracks to get from one side to the other, but routing them along the axis of the track is a unique approach. South Coast Rail needs to address in the DEIS/DEIR the implications and risks of siting active rail lines over a long and continuous run of high pressure interstate pipeline.

L-047.06

Comment 6.

As documented in the permitting documents available on the FERC website in Docket CP4-036, the proposed rail layover yard would be sited on a wetland mitigation area for the Weaver's Cove Energy LNG project. The DEIS/DEIR should address the impact of the proposed layover yard on the wetland mitigation plans that are documented in WCE's FERC and US Army Corps of Engineers (USACE) permit filings. Pertinent materials were sent by Weaver's Cove Energy to the South Coast Rail project team several months before the DEIS/DEIR was issued.

L-047.07

Comment 7.

WCE's FERC and USACE permitting documents clearly show how the site will be used for laydown, staging and construction. WCE has communicated these facts to MDOT and South Coast rail in written and verbal communications. The DEIS/DEIR should show how the construction and operation of the overnight yard is compatible with the above uses of the property by WCE.

L-047.08

Comment 8.

Both the proposed WCE's East and West Layover facilities would be constructed on property that currently accommodates remediation equipment which is owned and operated by a previous landowner under an agreement with WCE. Access to contaminated areas of the site is required to remediate the site under Massachusetts Contingency Plan process. The DEIS/DEIR should evaluate the impacts of the proposed layover site on the remediation process and explicitly address whether or not the placement of the layover yard on the site will have an impact on the cost of conducting the remediation. If the placement of the facility will result in incremental mitigation costs, the DEIS/DEIR should clearly explain which entity will be responsible for paying these incremental costs. The incremental costs should also be factored into the economic analysis which should be added as part of the layover site selection report which is included in Appendix 3.2-E of the DEIS/DEIR. (NOTE: several of the comments below address this appendix and discuss how the cost of the siting the layover yard should be incorporated into the study).

L-047.09

Comment 9.

301 CMR 9.02 which states:

"Supporting DPA Use means an industrial or commercial use in a Designated Port Area that provides water-dependent industrial use in the DPA with direct economic or operational support, to an extent that adequately compensates for the reduced amount of tidelands on the project site that will be available for water-dependent industrial use during the term of the license. The type, location, scale, duration, operation, and other

L-047.10

Comments of Weaver's Cove Energy on South Coast Rail Project

DEIR- EEA File #1434

DEIR - USACE Regulatory File No. NAE-2007-00698

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Page 3 of 35

relevant aspects of the industrial or commercial use must be compatible with activities characteristic of a working waterfront and its backlands, in order to preserve in the long run the predominantly industrial character of the DPA and its viability for maritime development. In determining whether an industrial or commercial use qualifies as a Supporting DPA Use, the Department shall act in accordance with the following provisions as well as all applicable provisions of a DPA Master Plan.

L-047.10

In the case of commercial uses, any use may be determined to be compatible with the DPA except where the inherent nature of the use gives rise to severe conflict with port operations or excessive consumption of port space, either directly or indirectly (e.g. as a result of collateral development activity). Accordingly, new or expanded uses that shall not be determined to be a Supporting DPA Use include, but are not limited to, transient group quarters such as hotels/motels, nursing homes, and hospitals; recreational boating facilities; amusement parks and other major entertainment or sports complexes; and new buildings devoted predominantly to office use. Conversely, uses that shall be presumed compatible with the DPA are small business uses that are adaptable to the upper floors of existing buildings, to minor infill parcels, and to other interstitial spaces not likely (in their own right or in combination with other nearby spaces) to be of primary importance in attracting maritime development to the DPA. Typical of such uses are storefront retail and service facilities; shops operated by self-employed trade persons; eating and drinking establishments with limited seating; and small-scale administrative offices.....”

The DEIS/DEIR should quantify and document how siting the layover yard within a DPA will provide “direct operational or economic support” to that DPA. The DEIS/DEIR should evaluate the effect of the no build alternative on the DPA (meaning the layover yard is built, but it is built outside the boundaries of the DPA).

Comment 10.

Page 5-61 of the DEIS/DEIR states:

“residential property values would increase by 5 to 25 percent within one mile of new station sites and decrease by up to 20% within 400 feet of the alignments and layover facilities.”

L-047.11

The DEIS/DEIR should provide reference to the study or studies that support the determination that property values would decline by the stated percentages at the one mile and 400 foot distances. The DEIS/DEIR should explain and reconcile how the prescribed distances relate to the site specific view shed because it is these site specific view sheds between neighboring landowners and the proposed rail facilities that drive the economic impacts – in addition to noise, vibration, traffic, and air quality impacts.

Comment 11.

The DEIR/DEIS lists the potential wetlands impacts for a number of rail line route alternatives. The DEIS/DEIR should quantify the acreage of impacted wetland resources associated with the various “overnight” and “mid-day” facility alternatives and how these impacts would be mitigated. Wetland areas should be mapped and a description of the quality of the wetland should be included in the DEIS/DEIR. The DEIS/DEIR should include a single table that lists the individual wetland impacts by location and the total acreage of wetland impacts. As currently written, the wetland impacts are scattered throughout the DEIS/DEIR making it difficult to understand the various individual and cumulative impacts. Wetland areas impacted are currently based on crude GIS data instead of site specific surveys of wetland areas. GIS data is not generally based on ground surveys but instead relies of aerial photography. It is also often dated and can therefore be unreliable and inaccurate. The DEIS/DEIR should be based upon new (current) site specific wetland survey data. MADOT should conduct surveys of wetland areas along each route, at each station, and at overnight and day layover yards.

L-047.12

Comment 12.

Much like wetland impacts being scattered throughout the DEIS/DEIR, there are other important statistics that should be organized in such a way that readers of the DEIS/DEIR can easily understand the total impacts. Total impact tables should be included for all the other key impacts including, but not limited to, real estate taxes foregone, acreage of properties taken (by category), tons of air emissions (CO₂, NO_x, VOC, etc) from all the sources, etc. L-047.13

Comment 13.

The project needs to show compliance with Federal Conformity standards. This generally requires an estimate of operational and construction air impacts over the life of the project. The DEIS/DEIR should include these estimates as well as the details of how they have been determined. L-047.14

Comment 14.

The DEIS/DEIR should evaluate how short listing each of the five overnight yard alternative locations would support or detract from the development of the Regional Smart Growth Plan being championed by MDOT under MEPA. The DEIS/DEIR should discuss how the ranking of the alternative overnight yard locations would change if Smart Growth planning is or is not considered in the selection process. L-047.15

Comment 15.

The DEIS/DEIR should identify which of the overnight and midday yard alternative locations discussed in Appendix 3.2-E (Layover Facility Alternatives Analysis) are located in "Priority Development Areas" listed in the "Corridor Plan" that is discussed in P.3.1 on page p-5 of the DIES/DEIR. L-047.16

Comment 16.

Each overnight yard alternative occupies more land area than a typical train station, thus logic suggests that the potential impacts from overnight yard siting would be as significant if not more significant than impacts emanating from a typical train station site. The DEIS/DEIR should evaluate the potential impacts associated with the siting, permitting, construction and operation of each overnight and midday yard locations. L-047.17

1. The DIES/DEIR should evaluate the impact of noise generating activities that will occur at night when ambient noise levels are low and people are likely to be sleeping with their windows open. The noise analysis should be expanded to consider the impact of noise generated when trains enter or leave the overnight yard. In particular, the noise analysis should evaluate the noise associated with trains accelerating out of the yard and decelerating into the yard (e.g., brakes squeaking). The DEIS/DEIR should evaluate the noise impacts associated with train wheels squealing as they navigate the curved switches within the yard. The DEIS/DEIR should quantify how loud the noise from this activity will be once it reaches the closest sensitive receptor in the vicinity of each overnight yard site studied in Appendix 3.2-E. L-047.18
2. The DEIS/DEIR should include a site specific traffic analysis for each of the overnight yard locations listed in Appendix 3.2-E. Impacts to the traffic conditions on roads surrounding each rail yard site should be evaluated. This work should be based upon completion of site specific traffic count studies. The impact of the incremental traffic generated by the project can then be studied using appropriate and approved traffic models. Intersections that might suffer excessive degradation in service should be documented and where appropriate mitigation to restore acceptable service should be documented in the DEIS/DEIR and included as a project activity, including its costs, environmental and operating impact on the public during design, construction and operation. L-047.19
3. The DEIS/DEIR should describe whether or not traffic signals and sidewalk work will be required for some or all of the proposed overnight yard and midday yard locations. L-047.20

4. The DEIS/DEIR should include an analysis of visual impacts associated with the lighting at night for each of the sites considered in Appendix 3.2-E. The analysis should consider the impact on abutting property owners as well as viewshed impacts from nearby locations including historical cultural sites. The analysis should describe site specific proposed lighting plans and mitigation plans for each of the alternatives. L-047.21

Comment 17.

The Weaver's Cove West overnight yard site is a brownfield site that is contaminated with Light Non-Aqueous Phase Liquids (LNAPL) floating on the water table. Due to this contamination, the parcel has had its use restricted through a deed restriction imposed by a prior owner of the site. The DEIS/DEIR should address how MDOT intends to address this legal restriction and how such measures would impact the site's attractiveness relative to other alternatives identified in Appendix 3.2-E. L-047.22

Comment 18.

Title searches should be completed for all alternative overnight yard sites to determine if there are additional deed restrictions, other than the one identified in Comment 17, that need to be considered. This title work needs to be completed to understand whether or not the proposed configuration of the Project is viable. L-047.23

Comment 19.

The DEIS/DEIR should identify a preferred location for the overnight yard locations. Failing to identify a preferred alternative suggests that Mass DOT may be attempting to segment review of the project by studying the overnight yard locations separately from the rail and bus line routes and the station locations. L-047.24

Comment 20.

The DEIS/DEIR fails to identify even a single midday yard location. The DEIS/DEIR should include full assessments of specific midday yard alternatives because they are essential elements of the project. The potential locations of midday yards should be listed and a preferred location identified in the DEIS/DEIR along with a description of the proposed facilities so the abutting and nearby landowners are provided the same opportunity to comment as landowners near the other proposed facilities associated with the Project. The Project should be reviewed as a whole in the DEIS/DEIR – not segmented as is the case of the current draft the DEIS/DEIR. L-047.25

Comment 21.

Page P-9 of the DEIS/DEIR states:

"Because the alternatives evaluated in the DEIS/DEIR have substantially different levels of environmental impacts (which are of necessity only estimates at this design stage) and would impact environmental resources in different locations, it is not practical to provide a fully detailed mitigation plan for each alternative and resource at this stage of the project development..... The EOEEA has agreed that this is the appropriate level of information ... and has waived the requirements to include detailed wetland mitigation plans in this document." L-047.26

Under what regulatory authority was this decision made and who within Executive Office Energy and Environmental Affairs (EOEEA) authorized the decision? The DEIS/DEIR should document the legal basis under which EOEEA waived the requirements to include details on wetland mitigation. In order not to segment the review of the project, the amount and type of mitigation should be documented in the DEIS/DEIR. The feasibility of implementing the required level of mitigation should also be discussed in the DEIS/DEIR. While the precise listing of each mitigation site may not be required, at least a set of possibilities should be provided in the DEIS/DEIR with a few preferred mitigation sites identified.

Comment 22.

The DEIS/DEIR should explain how a preferred layover alternative can be selected if the environmental impacts studied and evaluated to generate the current short list were neither detailed nor specific. The DEIS/DEIR should specifically document the legal basis under which the project can be developed and alternative layover sites identified without collecting current site specific data. [GIS layer data is typically used as a crude screening tool. The DEIS/DEIR should include ground level surveys that confirm the accuracy of the GIS data. Wetlands need to be identified and located by ground survey teams. Elevation contours need to be determined and estimates of cut and fill completed. Title searches need to be conducted to identify land use restrictions. The level and type of contamination and ongoing remediation techniques need to be defined – with remediation equipment located on drawings of the site.]

L-047.27

Comment 23.

The Secretary's Certificate and USACE decision should document and affirm that the selected overnight yard locations are the "Least Environmentally Damaging Practicable Alternatives". The initial screen used to assess the viability of overnight yard locations was not based on sufficient data to support a position by either agency. Crude qualitative evaluations need to be replaced with studies of a quantitative nature. The capital cost differences between the sites should be compared to the operating cost differences between the sites.

L-047.28

Comment 24.

The DEIS/DEIR should report at what point in the review process will the USACE and/or the Secretary select the preferred overnight yard locations. Will the public be afforded an opportunity to comment on this selection before the review process under MEPA and NEPA are completed and before the rail line options are narrowed down?

L-047.29

Comment 25.

The DEIS/DEIR should include a copy of the notifications sent to abutters and nearby residents of the overnight yard locations to demonstrate that input from interested parties was, and is, being solicited. The rail yards are significant facilities and landowners near them should be notified. Landowners near the track rights of way are most likely aware that train traffic may increase on those lines as a result of the project without any special notification effort. However, it is very unlikely that a landowner near the track would anticipate the construction of a rail yard near or adjacent to their property. As part of the "Civic Engagement" process discussed in the DEIS/DEIR, an effort should be made to reach out to nearby landowners. Landowners within 1500 feet of any proposed layover yard location or those with a direct view of the yard if that distance is farther, should be notified in writing via mail that specific sites near or adjacent to their property are being considered for overnight yard locations.

L-047.30

Comment 26.

The DEIS simply assumes that the overnight yard locations for trains should be at the terminus of the lines (away from Boston) in order to avoid "deadheading" trains for the morning commute. Since no mid-day layover facilities have been selected, (not a single potential location is listed in the DEIS/DEIR), consideration should given to relocating the overnight yard locations so a single storage yard location can serve both overnight and mid-day storage of trains for both the Fall River and New Bedford line. The DEIS/DEIR *concluded* that the overnight yards are best located in Fall River and New Bedford by *assuming* that sufficient mid-day storage facilities will be in place at a location near Boston. In some parts of the DEIS/DEIR, it is reported that the midday facilities will be addressed at a future date. In other parts of the DEIS/DEIR it is assumed that mid-day train storage facilities will be provided by the MBTA and that the development of these yards is outside the scope of the current Project being reviewed.

L-047.31

If new train storage capacity is needed, the DEIS/DEIR should address the impacts of all of the required storage facilities. It is insufficient for MA DOT to simply conclude that the needed mid-day storage will be made available by others on a timely basis. If another agency is going to provide the needed services, such as the MBTA, then the locations of that spare capacity should be documented in the DEIS along with written correspondence from the MBTA documenting its commitment to making that capacity

Comments of Weaver's Cove Energy on South Coast Rail Project

DEIR- EEA File #1434

DEIR - USACE Regulatory File No. NAE-2007-00698

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available to the South Coast Rail project. The DEIS/DEIR will be deficient if South Coast rail and MDOT are allowed to simply state that unknown and unnamed existing or planned storage facilities will be utilized. The DEIS/DEIR should specifically address the environmental impacts of utilizing specific existing or planned storage facilities. The development of mid-day storage facilities required to operate the project should be included in the scope of the DEIS/DEIR environmental review.

L-047.31

Comment 27.

A discussion of mitigation associated with the numerous train stations is included in the body of the DEIS/DEIR. A discussion of the site specific mitigation required by the development of the overnight and mid-day train storage facilities should be included in the DEIS/DEIR. See Table 4.1-87.

L-047.32

Comment 28.

The total acres of property required to site the overnight rail yard seem to vary drastically by site. To site the overnight yard on the WCE West Site, the DEIS/DEIR reports that 57.91 acres would be required and all of Weaver's Cove's land west of the railroad tracks would be acquired by the project. To site the overnight yard on the WCE East site, MDOT reports that only 17.99 acres of the approximately 20 acre parcel owned by Weaver's Cove east of the rail line is required. To site the overnight yard on the ISP site a total a 43.57 acres would have to be acquired by MDOT.

L-047.33

The DEIS/DEIR should include drawings that show how much land is needed to site the facility (permanent use of the land), and how much land is needed to support the construction of the facility (temporary use of the land). Drawings for each of the overnight yards considered (a dozen or more) should clearly show the entire outline of the property line of the parcel being impacted and properly lines of the neighboring parcels, wetlands located, the grading of that area of the overnight yard shown, the areas needing to be cut/filled to achieve the appropriate grading for a rail yard, a quantitative estimate of cut and fill volumes, and a listing of the total acreage of each parcel hosting south coast rail facilities and the acreage taken. Drawings of the layover facilities in Appendix 3.2-E and in the body of the DEIS/DEIR should clearly document the total acreage of each tax parcel effected by the proposed siting of a layover yard, the portion of the parcel being taken by the project should be recorded on the drawing and shaded and the acreage of the portion of the parcel that will remain with the current owner should be recorded and shaded on the drawing.

Comment 29.

Two of the overnight yard options require taking roughly 50 acres of land (WCE West and ISP) and the other (WCE East) requires roughly 17 acres. The DEIS/DEIR should explain how and why the land taking requirements at each site differ so drastically. If the smaller Weaver's Cove East site really is viable site at 17 acres, the DEIS/DEIR should explain why the project must take the full 57.91 acres of the Weaver's Cove West site in order to site the layover yard West of the tracks.

L-047.34

Comment 30.

All of the sites in the current short list for the Fall River layover yard are contaminated. Many of the additional alternatives listed in the Appendix are also contaminated. Simply relying on generic statements that do not address the details of the site specific nature of the contamination does not provide to the public the information on which they need to comment.

L-047.35

The DEIS/DEIR should explain how the presence of historical environmental contamination will effect the development of each of the overnight yard locations listed in the DEIS/DEIR as well as in Appendix 3.2-E. The nature of the contamination should be described and the ongoing or planned methods to remediate the sites should be described. The impact of the construction and operation of the rail yard on each remediation method should be discussed. The approximate incremental cost of building on a brownfield site should be documented. The party responsible for doing the remediation work should be identified. If siting an overnight yard on the site will increase remediation costs, the DEIS/DEIR should identify who will be responsible for paying these incremental costs. The DEIS/DEIR should include this type of analysis

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and explanation for each of the layover yards discussed in the layover yard site selection document in Appendix 3.2-E. L-047.35

Comment 31.

While the above comment addresses only the layover yards, the same comments apply to proposed station locations. Additional site analysis should be completed for all the station sites considered. L-047.36

Comment 32.

The existing contamination of the three short listed Fall River overnight yard sites may preclude their use as train storage facilities. Until it is confirmed that the three listed sites are viable, they should be removed from the short list. L-047.37

Comment 33.

The construction of an overnight yard could impact the technical feasibility of the ongoing remediation of contaminated properties and could impact the cost and schedule of ongoing remediation efforts which are currently being implemented by the prior owner(s) of the sites and parties responsible for remediating the contamination. The presence of an overnight yard could also restrict the implementation of future remediation efforts. For example, the WCE site has an active groundwater pump and treat system (groundwater depression system) combined with LNAPL recovery wells (skimming wells) scattered across the property. The DEIS/DEIR should describe how the development of the overnight yard will impact the location of the existing extraction and injection wells as well as how the overnight facility will impact the routing of the various treatment system pipelines, electrical services, and compressed air services routed both aboveground and underground across the site. L-047.38

Comment 34.

The DEIS/DEIR should discuss whether or not the South Coast Rail Project developer intends to indemnify owners for possible increases in remediation costs that might arise should rail facilities be constructed on contaminated lands. The DEIS/DEIR should report who will be responsible for these incremental costs. L-047.39

Comment 35.

The DEIS/DEIR should discuss whether or not the South Coast Rail Project will assume responsibility for any releases of historical contamination that result from either the construction or operation of the Project. L-047.40

Comment 36.

The brownfield remediation plan being implemented at the WCE site contemplates drilling wells and extracting LNAPL from the thickest areas of the LNAPL plume under-laying the site. For maximum recovery at the lowest cost, extraction wells are located at the thickest area of the plume. The restrictions that an overnight yard might impose on the ability of a remediation system designer to install extraction well where they are needed (now and in the future) needs to be evaluated and discussed in the DEIS/DEIR. L-047.41

Comment 37.

The location of impervious surfaces associated with the overnight yard and their impact on groundwater flows and recharge rates should be discussed in cases such as the WCE site where the contamination can migrate and LNAPL plumes can shift. The DEIS/DEIR should describe how the construction and operation of the rail yard (in particular cut and fill operations) will impact local groundwater flows under the site. If groundwater flows will change, the DEIS/DEIR should discuss what steps will be taken to prevent contamination from migrating into uncontaminated or surrounding landholdings. L-047.42

Comment 38.

The rail stations are described as a net benefit to the communities that host them. The operation of rail lines is described in the DEIS/DEIR as a net negative to neighboring landowners. These two factors are spread relatively evenly into regions that lie inside and outside environmental justice areas. The DEIS should explain why the cities of Fall River and New Bedford, both cities subject to Environmental Justice concerns, should be saddled with all the undesirable Overnight Yard facilities when more affluent and well off communities do not have to host any overnight yard facilities.

L-047.43

Comment 39.

If the construction of overnight facilities on WCE's property prevents the construction of an LNG facility on the WCE site, Tax losses to the City of Fall River and the town of Somerset resulting from the loss of the LNG facility and Offshore Berth would exceed \$5 million per year in Fall River and several million per year in Somerset. Job losses due to the precluded development of the LNG facility would be 2,500,000 labor hours during construction and in excess of roughly 50 full time employees and an equivalent number of contract staff. These employment and tax issues should be discussed in the DEIR/DEIR. The net beneficial employment impacts of the Weaver's Cove project are discussed in the FEIS issued by FERC in May of 2005 for that project.

L-047.44

Comment 40.

The DEIS/DEIR fails to mention the new industrial park that is under development. The industrial park straddles the Fall River and Freetown borders (a new highway exit off route 24/79 which is currently being built by the state on this industrial estate – Stop and Shop is a tenant). This site is a potential location for overnight and layover facilities. The DEIS should include a map of the industrial estate clearly delineating the boundaries of the entire estate and those areas of the estate that are built out to date. Site specific wetland data should be readily available for this area as it has been under development for years. The total acreage of the estate and in particular the not yet built out areas should be delineated and recorded. The distance between the estate and the proposed routing of the Fall River line should be documented. The DEIS/DEIR should discuss the feasibility of using this industrial estate as layover/overnight facilities. If some of the existing overnight facilities discussed in the appendix to the DEIS/DEIR are located in the industrial estate (no mention is made of this in the current DEIS/DEIR), the discussion of those facilities should be expanded to include a clear definition and description of the estate, the full boundaries of the estate, and current land uses (developed and built) within the estate. Layout drawings should be modified to include the estate boundaries and site specific wetland characterizations.

L-047.45

Comment 41.

The above comments should be applied to the Fall River Industrial park (formerly a municipal airport).

L-047.46

Comment 42.

With regards to placing an overnight yard on the WCE West Site, the DEIS/DEIR states (page 4.2-48):

"Use of this site for this purpose [the siting of an LNG terminal] would preclude its use as a layover facility for the Fall River Secondary."

In light of this statement, the DEIS/DEIR should explain why the Weaver's Cove site is on the short list of viable candidates for siting an overnight yard and is being subjected to continued study. The DEIS should clearly state that the Weaver's Cove site will not be used as a layover yard location if the Weaver's Cove LNG Facility is permitted, constructed and built. However, if the South Coast Rail Project and MDOT intend to pursue the WCE site for overnight yard locations, then the DEIS should explain what will happen should both the WCE and South Coast Rail Project move through the permitting process and go into construction. The DEIS should explain what will happen if South Coast Rail Project goes into construction before the Weaver's Cove LNG Project and vice versa. The DEIS should describe how conflicts will be managed.

L-047.47

Comment 43.

The ongoing permitting and development of the LNG terminal at the Fall River site is documented in the Final Environmental Impact Statement and Certificate issued by FERC to WCE in 2005. That FEIS and Certificate issued to WCE are in the process of being modified to accommodate an offshore LNG vessel berth (applications made in 2008 – reviews pending). The US Coast Guard on July 30, 2009 issued a letter of recommendation supporting LNG vessel transits to this proposed berth. The permitting docket associated with the WCE Project (FERC Docket CP04-36 and the associate MEPA docket) reports that the entire WCE East Layover yard Property will be used as a construction staging area for the construction of the LNG Terminal. The DEIS/DEIR should discuss how the South Coast Rail project will accommodate this intended land use by WCE.

L-047.48

Comment 44.

No detailed analysis is provided in the DEIS/DEIR showing how the siting of an overnight rail yard facility near existing residential neighborhoods (north, south and across the street from the facility in the case of the WCE East site) will impact residential property values. The DEIS/DEIR does report that property values will drop 20% within 400 feet of an overnight yard facility. The DEIS/DEIR should provide references to the studies that support this 20% claim and provide an explanation of why the distance is limited to 400 feet. An analysis should be provided to document what the negative impacts might be at distances in increments of 400 feet up to the point where there is no anticipated negative on property value. The factors that influence these estimates should be documented (visual, noise, traffic, etc.). It would appear that at least a simple analysis was completed to address the impact of station sites on real estate values. The DEIS/DEIR should be expanded to address these issues for overnight yards and midday layover facilities. Commuter rail stations and overnight/midday rail layover facilities each serve drastically different functions and have drastically different impacts. A single study cannot possibly address both uses. An additional study effort should be completed and the results reported in a revised DEIS/DEIR.

L-047.49

Comment 45.

Section 4.3.3.3 of the DEIS/DEIR states that for the Fall River Secondary “No Business or Community Facility displacements would occur along the Fall River Secondary.” This statement is not true if the Fall River West Overnight Yard is selected as the overnight yard option. The DEIS/DEIR reports that all of the property west of the tracks owned by Weaver’s Cove will be taken in this option. Construction of the Fall River West Overnight Yard alternative would result in the shut down of the Fall River Office of Weaver’s Cove Energy. Ten (10) people are currently employed at that facility. They would have to relocate to another facility – most likely outside Fall River. This is yet another example of how the current version of the DEIS/DEIR fails to take into account site specific information.

L-047.50

Comment 46.

In section 4.3.3.3 the tax revenue loss from the development of the Fall River Secondary is listed. It is not clear if this tax revenue loss includes the revenue loss that would result from the acquisition of the site for the Fall River Line Overnight Yard facilities. The DEIS/DEIR should provide clarity and include the tax losses that will result from all elements of the Project (including the Midday Layover Facilities where not a single site has even been proposed).

L-047.51

Comment 47.

Every single station along the entire train and bus line is clearly delineated and studied in sufficient detail that MDOT has been able to state with certainty where the preferred stations are located. In order for the DEIS/DEIR to be deemed complete and adequate, the preferred alternative for each of the overnight yard locations should be similarly defined, analyzed, and selected. Since a preferred alternative has not been selected, one can conclude that the needed level of detailed study and analysis has not yet been completed for the overnight and midday yard locations. It seems inappropriate that a facility like a “rail station” that according the DEIS/DEIR will increase local property values has been selected, while at the same time the locations of the overnight yard facilities that will have a negative effect on local property values and have negative effects on abutting land owners (e.g., noise, visual, traffic, etc.) have not been

L-047.52

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studied, documented, and then selected prior to the publication of the DEIS/DEIR. Playing up the benefits of the project while downplaying and failing to study the negative effects of the project is inconsistent with the spirit of the NEPA and MEPA review processes and may be contrary to regulatory standards and requirements.

L-047.52

Comment 48.

Section 4.3.12 (page 4.3-48) of the DEIS/FEIR states:

"One midday train layover facility is planned for the Boston Area, but alternative sites have not been selected."

L-047.53

The DEIS/DEIR should not be deemed adequate while it remains silent on the siting of the midday train layover facilities. The DEIS/DEIR document clearly states that midday layover capacity is required to make the South Coast Rail Project complete and functional. The DEIS/DEIR should scope alternative midday sites. Site specific data should be collected for each site considered including wetlands, noise, visual, air and other impacts. Neighbors bordering these facilities should be notified and asked to participate in the review process. The economic, environmental and operational efficiency of consolidating the midday and overnight facilities should be addressed as an alternative in the DEIS/DEIR.

If midday layover facilities cannot be sited near Boston as is currently assumed, then presumably the midday trains will have to lay over at the overnight yards which are currently being proposed at a limited number of locations in Fall River and New Bedford at the other end of the line from Boston. If ideally located midday facilities cannot be located near Boston, the DEIS should consider how "deadheading" of trains could be reduced if the overnight yards were moved closer to Boston and those overnight yards served as both midday and overnight facilities. The deadheading analysis in the current DEIS only addresses the overnight yards. The DEIS should take a broader view of the deadheading issue and should seek to minimize deadheading and running nearly empty trains by considering both the Midday and Overnight facilities in a single combined study of this issue.

The assumptions behind the placement of the overnight yards have not been adequately tested and evaluated and the information in the DEIS/DEIR does not provide sufficient information to complete such an analysis. The feasibility of the major layover facilities have not been tested to the point of proving that any one of them is viable. A DEIS/DEIR that does not list a preferred alternative for both midday facilities and Fall River and New Bedford Overnight yards is not complete.

L-047.54

Comment 49.

The siting of the overnight yards is slated for Fall River and New Bedford in order to reduce the adverse operating costs of train deadheading. The DEIS quotes a number of roughly \$100,000 per year in operating cost for each mile that the overnight yard is moved north of the terminal stations (at the "end of the line") in Fall River and New Bedford. This analysis is not complete as other economic factors are just as substantial and influential in the economics of yard selection. The analysis should include a long run economic analysis of all variable expenses and capital cost expenses that vary by overnight and midday yard locations. The DEIS should put the operating costs into context by considering and analyzing cost more broadly.

L-047.55

The DEIS should address deadheading costs relative to project development costs such as overnight yard site acquisition costs, rail yard construction costs (they can't be the same for each site), cut and fill costs, environmental remediation costs (capital and operating), etc. An economic analysis of the pros and cons of the various layover sites including both capital and operating costs should be presented in the DEIS/DEIR.

Comment 50.

An economic analysis should be completed to evaluate whether or not one single train overnight and midday yard facility located north of Fall River and New Bedford is preferable to the economic and environmental impacts of developing, constructing and operating three separate facilities (overnight yard in Fall River, overnight yard in New Bedford, midday facility at an unknown location) that serve roughly the same purpose. The environmental impacts of a single yard should be reduced because economies of scale would be achieved in operations when developing one slightly larger train storage site as opposed to three small ones. The DEIR/DEIS needs to address this concept. The current analysis is fractured into small components, many components are missing, and there is no comprehensive summary that supports a preferred alternative when compared to all the alternatives considered and all the factors (both economic and environmental) that should be considered.

L-047.56

Comment 51.

The WCE West Site Layover facility analysis documented in the DEIS/DEIR reports that Parcel T-15-2 as shown on figure 4.2-56 will be taken if the Weaver's Cove West layover facility is built (it is part of the 57.91 acres that would be taken by South Coast Rail— see table 4.2-29 on page 4.2-49). The DEIS/DEIR should discuss why this entire parcel must be taken to support the development of the overnight yard. The DEIS should also report who owns Parcel T-15-2. WCE believes the parcel was subdivided many years ago and the local electric utility owns a portion of this parcel and WCE owns a portion of this parcel. The DEIS/DEIR fails to report that a 300 foot tall transmission tower sits on the Eastern corner of what is depicted as parcel T-15-2. This transmission tower will be in the shadow of WCE East and West layover locations. This tower carries two major regional electric transmission circuits across the Taunton River while keeping the wire 150 feet above the surface of the water. Since the rail project intends to take the land under the Transmission Tower, the DEIS/DEIR should report how the transmission tower is going to be relocated and where it is going to be placed. The DEIS/DEIR should address what impact the South Coast Rail Facilities will have on these electric grid facilities.

L-047.57

If the South Coast Rail project does not intend to relocate the transmission tower, the DEIS/DEIR should explain how or why the presence of a 300 foot tall transmission tower that dominates the visual landscape was not addressed in the DEIS/DEIR. This type of oversight casts serious doubts as to whether MDOT has seriously considered how much land and in what locations that land is required to site the overnight facilities. This is why the overnight yard alternatives analysis report included in the appendix (see Appendix 3.2-E) is inadequate. Each alternative that is considered in that report should include a map showing parcels impacted, owners of those parcels should be listed and the layout of the facility should be depicted on figures drawn at a scale that wetland, cutting and grading work, land ownership and the location of rail facilities can be seen in detail. A quantitative analysis is needed instead of the simple set of guesses and hunches that are cobbled into a conclusion.

L-047.58

Comment 52.

In the write up of the Weaver's Cove West Layover site, the DEIS/DEIR refers to a nearby cell phone tower. Perhaps MDOT is mixing up the 300 foot transmission tower (see comment above) with the cell phone tower. The location of the cell phone tower discussed in the DEIS/DEIR should be located on a map and that map should be included in the DEIR/DEIR. The DEIS/DEIR should discuss why the location of the cell phone tower is significant and how it will be impacted by the project or how the project will impact the cell phone tower.

L-047.59

Comment 53.

The DEIS/DEIR includes a table of contents. However, that table of contents does not include any listing of the appendices to the report. The DEIR/DEIS table of contents should include a listing of Appendices. Each report in the Appendix that runs more than a few pages should have its own table of contents.

L-047.60

Comment 54.

The appendix containing the field noise measurements is nothing more than a rough set of largely handwritten field notes that make little to no sense. This appendix should be reworked to include a description of the test methodology, maps of sampling locations, descriptions of how long the measurements were taken, descriptions of the test equipment, summaries of the data collected, and notes as to any abnormalities with regards to the data collected of the data collection process. The report should include a description of weather conditions (windy days tend to be noisier than calm days – on wet days road noise from tires increases) at the time the data was collected.

L-047.61

Comment 55.

MDOT is treating the overnight facility inconsistently when compared to the midday layover facilities required. MDOT simply states (without justification) that the overnight facility must be located at the end of both the Fall River and New Bedford lines. Yet MDOT does not dictate that the midday facilities must be located in Boston in order to avoid the economic and environmental costs of deadheading trains between the Boston and the unspecified location of the midday facility. This discrepancy in the site selection process should be addressed in the DEIS/DEIR.

L-047.62

Comment 56.

The cost of deadheading trains is described as a key reason for locating the overnight yard as close to the terminus of the line as possible. The DEIS/DEIR should discuss the impact of having several of the early morning trains leave the overnight yard and head north skipping any stations south of the overnight yard locations. This would have both a revenue impact (lost revenue – perhaps or maybe riders will have less selection as to departure times) and an operating cost savings (less deadheading expense). The impact of the revenue losses and cost saving should be addressed in the alternatives analysis associated with the location of the overnight yard facilities (a similar analysis should be completed with regards to the siting of the midday yard facilities). The DEIS/DEIR cannot simply “assume” or simply “dictate” that the costs associated with the moving the overnight yard several miles further to the north are unacceptable without providing an analysis explaining why having some trains miss stops at a few of the southernmost stations during the first day of the run is not acceptable. The analysis in Appendix 3.2-E of layover sites should be expanded to include this information. A robust and viable alternatives analysis does not simply assume the answer. More study is needed.

L-047.63

Comment 57.

Weaver's Cove Energy LLC has been discussing a modified version of the WCE East Site terminal layout that would involve a land swap between the railroad and WCE. This land swap would make more contiguous waterfront land available to WCE (improving the viability of the WCE site as a DPA) and would have the advantage of removing a curve from the Fall River spur, an advantage for MDOT. This alternative should be documented and included in the DEIS/DEIR.

L-047.64

Comment 58.

In Section 4.3.4.1 the construction impacts of the project are discussed for each rail section alternative. The same or very similar text is repeated for each segment of the project:

“Based up the preliminary estimates of construction costs, the Corridor Plan suggests that “the total direct, indirect and induced economic effects within the Commonwealth of Massachusetts of the rail alternatives would include about \$1.4 billion to \$1.8 billion in business output, which would in turn generate 6,800 -7,800 person-year jobs, and \$314-\$360 million in household income. “

L-047.65

This text is used to describe the following alternatives:

1. Attleboro Electric Alternative (see page 4.3-53)
2. Attleboro Diesel Alternative (see page 4.3-57)
3. Stoughton Electric Alternative (see page 4.3-58)

4. Stoughton Diesel Alternative (see page 4.3-61)
5. Whittenton Electric Alternative (see page 4.3-62)
6. Whittenton Diesel Alternative (see page 4.3-65)

It is not credible to suggest that each alternative has the exact same (and very large) impact on economic activity in the region. By laying out one single large impact, the DEIS/DEIR seems to imply that direct, indirect, and induced economic effects are independent of the project alternative that is ultimately selected. The DEIS/DEIR as drafted misses the point. An alternatives analysis is supposed to compare and contrast alternatives. The analysis in the DEIR/DEIR needs to be made more granular. DIFFERENCES in the economic impact between each of the six alternatives listed above should be analyzed and included in the DEIS/DEIR. The DEIS/DEIR should evaluate and discuss the economic impacts for each discrete alternative and should document differences between alternatives.

L-047.65

This need for increased granularity applies equally to the analysis of the various bus route alternatives. It also defies logic that each bus route alternative would have the exact same impact on economic activity in the region. A more detailed analysis is needed to support the selection of the best project alternative.

Comment 59.

Page 4.3-69 under the heading "Summary of Impacts: Direct and Indirect Impacts" states:

"The largest component of the property tax loss calculation is the \$40,410.88 estimate of loss for the Fall River Depot Station, an order of magnitude greater than for any other single project element except for the \$26,125.657 loss for the Mansfield station. Since the Fall River Station is common for all alternatives, this value dominates the total property tax loss calculation for all alternatives."

L-047.66

This analysis is incomplete and misleading. The reported property tax loss for the WCE West Overnight site is listed at \$236,119.79 (see Table 4.2-29 on page 4.2-49), the property tax loss for the WCE East Overnight site is listed at \$57,317.75 (see Table 4.2-28 on page 4.2-48), and the property tax loss for the ISP Overnight site is listed at \$29,955.86 (see table 4.2-30 on page 4.2-49). These overnight yard real estate tax losses are much larger in magnitude than those reached in the section of the DEIS/DEIR that summarizes tax revenue losses from the development of the entire project. The DEIS/DEIR should reconcile these inconsistencies and demonstrate that the inconsistencies do not invalidate other conclusions drawn in the DEIS/DEIR that rely on a subset of the same data set.

The DEIS/DEIR states:

"Impacts to land uses and social and economic environment from the layover facilities were excluded from this summary because sites have not been selected. Depending upon the selected layover facility site(s), land acquisition, property tax revenue loss, and residential and business development vary considerably by alternative."

L-047.67

These statements demonstrate that MDOT has not studied the overnight yard locations to same degree as the station locations. This makes it impossible for the public and regulatory agencies to draw valid conclusions about the potential impacts of the South Coast Rail Project. The potential impacts for the layover yards are significant and should be addressed in the DEIR/DEIS. The results from a comprehensive analysis of the layover site(s) will and should significantly influence which alternative is selected and whether or not the project should be allowed to proceed. It should also be noted that that when describing the layover sites, the term "site(s)" is used. This suggests that MDOT has not determined whether or not a single or three or more layover facilities may be required (see Comment above that addresses this issue). The DEIS/DEIR as drafted remains a seriously flawed document.

The comparisons and conclusions drawn from many of the tables in the DEIS are fragmented and in some cases are meaningless because effects of the overnight and midday yards are not included. Examples include but are not limited to:

Table 4.3-40 on page 4.3-68

Table 4.3-41 on page 4.3-71

Table 4.3-41 on page 4.3-78

The DEIS/DEIR should be updated to include overnight yard impacts.

Comment 60.

Based on the discussion beginning at the bottom of page 4.4-5 and ending on page 4.4-7, it appears that the Environmental Justice Analysis neglected to address impacts from the layover and midday facilities. The Environmental Justice Analysis in the DEIS/DEIR should be expanded to include midday and overnight layover facility impacts.

Comment 61.

Page 4.4-20 of the DEIS/DEIR states:

"Engineering plans for these facilities [the layover facilities] will be completed once the preferred sites have been selected."

The analysis that winnowed down the full listing of potential layover sites to a short list of three layover sites is flawed. The DEIS/DEIR concludes that three layover sites should be studied for the Fall River spur and two should be studied for the New Bedford spur. The impacts associated with alternative site layover locations can only be assessed after site specific conceptual designs have been developed.

Factors that should be considered include:

1. Economics (see pertinent comments made above).
2. Distance between sources (rail facility equipment) and sensitive receptors (houses, schools, etc) with regards to: noise, vibration, visual impacts, air quality, traffic,
3. the number of sensitive receptors that will be impacted near the site (the study includes no quantitative data)
4. site specific mitigation techniques should be considered for each of the above impacts.

Sufficient engineering analysis should be completed and reported in the DEIS/DEIR to document significant differences between the various sites considered. While completing this engineering work does cost money and take time, NEPA/MEPA policies and regulations demand that sufficient engineering work be done so the best sites can be selected and so the public can comment on the analysis and selection criteria.

Comment 62.

Section 4.4.4 on page 4.4-48 lists the steps that were taken to reach out to environmental justice neighborhoods. In the future, all such communications should include overnight and midday yard locations. Abutters with 1000 yards of these facilities should be notified via mail.

Comment 63.

The DEIS/DEIR should include a visual description of what the overnight and midday facilities will look like and include an artists rendition. The number, shape and size of support buildings should be described (profile drawings of the sites should be developed documenting elevations in addition to more detailed layout drawings) and the nature of the activities conducted in those buildings should be documented. Architectural embellishments and landscaping considered to improve visual impacts should be described.

Comment 64.

The DEIS/DEIR should discuss where and when the following activities will take place:

1. trash removal from the trains
2. water addition to the trains (where will it come from, how much?)
3. sewage removal from the trains (how much, how will it be handled, where will it go, how will it be transported?)
4. light and routine maintenance activities undertaken (describe them in some detail – overnight cleaning, painting, lubrication, etc)
5. heavy maintenance activities (describe them in some detail)
6. employee parking facilities required (number of spaces where located)
7. contractor parking facilities required (number of spaces and where located)
8. temporary construction laydown areas that will be impacted
9. loading of food service supplies.

L-047.73

Comment 65.

The DEIS/DEIR should discuss all of the activities that will be undertaken by the project while the trains are sitting in the midday and overnight facilities.

1. expected traffic to and from facility
2. expected staffing at the facility
3. amount of stormwater runoff from facility, projected stormwater quality, the systems used to treat this water, the location where it will be discharged to the environment.

L-047.74

Comment 66.

Page 4.5-15 of the DEIS/DEIR states that “this segment of the Taunton River has been designated as a ‘recreational river area,’ recognizing its aesthetic value and developed shoreline.” The DEIS/DEIR should report who made this designation and should explain what the standards to met for this designation is and how the Project complies with this designation. The standards that must be met in order to for the project to comply with this designation should be discussed and the accommodations made to ensure compliance should be reported. The regulatory review process associated with this designation should be described.

L-047.75

Later in the document the fact that the Taunton River has been designated as “Wild and Scenic” under the federal Wild and Scenic River Act (WSRA) is discussed. The DEIS/DEIR fails to report how the rail Project will comply with this designation of the river and it fails to describe the steps that will be taken to secure sign off from the Department of Interior that all elements of the project are consistent with the WSRA.

L-047.76

The DEIS/DEIR should explain how and why all elements of the project are consistent with the WSRA and all proposed or required mitigation measures should be discussed. The mitigation discussion should specifically address whether proposed mitigation is “in kind and in place” or if not “in kind in place” explain how the proposed mitigation addresses the project impact. The DEIS/DEIR is deficient in this regard and should be deemed inadequate.

Comment 67.

The description of each layover facility studied in Appendix 3.2-E and also in the body of the DEIS/DEIR should include the following facts:

1. A table showing the number of residences near the layover facilities and how far away they are. A table showing number of residences within 400 feet, 600 feet, 800 feet and 1000 feet (measured from the closest edge of the layover facility boundary to the residence) should be reported.
2. The distance to the closest church, hospital, school, nursing home, and other sensitive receptors should be reported.
3. The presence of vegetation or other screening effects between the sites and receptors should be reported.

L-047.77

Comments of Weaver's Cove Energy on South Coast Rail Project

DEIR- EEA File #1434

DEIR - USACE Regulatory File No. NAE-2007-00698

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Comment 68.

While the proposed commuter rail stations will be exposed to “transit noise and vibration impacts” as discussed in the Section 4.6 of the DEIS/DEIR, the layover facilities will experience a drastically different set of impacts. The trains will be housed at these facilities for extended periods of time and not simply passing through. An undefined number of workers will be servicing/cleaning/handling the trains at these locations. Hence the noise analysis required to assess the impact of the yards is drastically different than the noise analysis needed to assess passing trains. The noise analysis provided on page 4.6-36 for the overnight yard only accounts for a single idling train. This overly simple analysis fails to report the magnitude of the noise and vibration levels at the closest receptor. The analysis should be expanded to address the following additional factors:

L-047.78

1. The noise level of a train when it is gearing up to push a full set of cars from a standstill and is working to overcome standing friction.
2. The noise emanating from squealing wheels as the trains pass through the switches into the various sections of the yard.
3. The squealing of the brakes when the trains stop in the yard.
4. The clanking of the rail switches in the yard as they are set from one position to another should be considered.
5. The slamming of train couplings as the trains are hooked together.
6. The noise levels from train maintenance activities should be addressed.
7. The noise associated with any air compressors that will be installed on the site.
8. The noise levels associated with any electric substation that will be installed
9. The noise levels associated with any transformers.

Cumulative noise impacts from all of these factors for the maximum number of trains that can be located on the overnight yard sidings should be considered because simply studying a single idling train paints an inaccurate and incomplete picture and is not sufficient.

Comment 69.

A large number of trains will be pulling into and out of the overnight yard during early morning and late night hours. Background noise levels at sensitive receptors surrounding each alternative site should be measured. Both short term and week long data should be collected. Increases in noise levels above current background conditions should be reported in the DEIS/DEIR as well as their frequency and duration. The hours of day and night that these noises will be generated should be reported in the DEIS/DEIR.

L-047.79

A similar analysis should be included in the DEIS/DEIR for the construction related noise impacts.

The background noise data measured for the Project should be expanded to include sensitive receptor sites around specific layover facility locations. The hours of the day/night and at what locations around the background noise levels listed in table 4.6-9 on page 4.6-36 of the DEIS/DEIR should be documented. The measurement locations should be reported on a map that also shows the location of the sensitive receptors.

It is not clear from the current write up in the DEIS/DEIR whether or not the few noise measurements that were taken were long term (days or weeks) or short term (minutes/seconds/hours). The weighting scale used to collect the measurements is not reported. The concept of a weighting scale is not even discussed in the DEIS/DEIR. The DEIS/DEIR should be expanded to include a background write up describing how noise measurements are collected and reported. The equipment used to collect the measurements should be reported. The last date that the equipment was calibrated should be reported. The weather conditions when the data was collected should be reported. The training of the individuals taking the noise measurements should be reported. Noise levels at night should be compared to noise levels during the day. Peak noise levels should be discussed. Average noise levels should be discussed and periods of low noise levels should be described.

The DEIS/DEIR should describe the nature of the single noise impact associated with WCE West Layover site listed in Table 4.6-39 on page 4.6-36. L-047.79

Comment 70.

The above discussion focuses on operational noise. The DEIS/DEIR fails to include any meaningful analysis and discussion of construction related noise impacts. Along the linear expanse of the rail lines, construction noise impacts are generally temporary as the construction crews move down the line and do not remain in any one location a significant period of time. Even so, DEIS/DEIR should document how long each construction crew will be within range of a sensitive receptor and how much noise will be created and how loud it will be. L-047.80

The issue of construction noise impacts is more important for overnight yard and midday yard locations and as a result a more detailed analysis should be provided for yard sites. Construction impacts in a midday or overnight yard are of a longer duration – hence sensitive receptors are exposed for a longer period of time because more work is done over a longer period of time at a single site of a limited size than is typically case for rail line construction. The DEIS/DEIR should address the nature of the construction equipment that will be used in the yard, the number of pieces of noise generating equipment that will be used, how long they will be used and how many pieces of equipment will be operating at one point in time. The hours of day and night that the equipment will operate should also be reported.

Comment 71.

It is not clear if the air quality emissions listed in Table 4.9-23 include the emissions from multiple trains running at the same time in the Layover facility. The applicant should model the maximum number of trains that will be operating in the yard at any one time. The location of each train modeled should be reported and the location of the closest sensitive receptors should be reported along with estimated air quality conditions at those receptors. The emissions study should address what happens when emissions spike as trains move from idling mode to actually pushing cars around the yard. The wind conditions that were modeled should be discussed. Downwash effects of local structures and topography should be reported. L-047.81

Comment 72.

Remediation of the WCE East and WCE West sites are the subject of a Public Involvement Plan (PIP) under the MCP. Construction of layover facility on either the Weaver's Cove West or East sites will involve making changes to the remediation system. The nature of the required modifications should be described. Site specific steps taken by MDEP to comply with PIP and MCP should be described in the DEIS/DEIR. Any MDOT actions undertaken at the site must comply with the Public Involvement Plan. The DEIS/DEIR should describe the PIP process and how the applicant plans to comply with that process. The project sponsor should be asked to directly contact the leaders of the PIP group to apprise them of this proposed development and notify them that PIP site is being considered as an overnight yard site. L-047.82

Comment 73.

The Coastal Zone Management Act is implemented by Massachusetts under 301 CMR 20.00 The policy appendix to 301 CMR 20.00 is codified at 301 CMR 98. 301 CMR 98 (7) reads in part as follows:

"PORTS POLICY #3. Preserve and enhance the capacity of Designated Port Areas (DPAs) to accommodate water-dependent industrial uses, and prevent the exclusion of such uses from tidelands and any other DPA lands over which a state agency exerts control by virtue of ownership, regulatory authority, or other legal jurisdiction." L-047.83

Since the WCE West Layover facility is located on DPA land, the DEIS/DEIR should explain how the siting of this layover facility is going to demonstrate compliance with CZM Ports Policy #3. In particular, the DEIS/DEIR should explain how the DPA land owned by WCE and being directly impacted by the overnight yard siting will be enhanced as a DPA by the development of an overnight yard on the property.

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The DEIS should report that failure to satisfy this Policy will prevent the issuance of the CZM approval by the State under Federal law and this would block the development of the project and the construction of the overnight yard on the WCE West site. L-047.83

Comment 74.

Page 4.18-3 of the DEIS/DEIR states:

"New Nonwater-dependent use projects are permitted within Designated Port Areas (DPA), according to the waterways regulations at 310 CMR 9.32 (1) (b) (4). A detailed description of DPAs is provided in section 4.18.2.1.6" L-047.84

The referenced section (4.18.2.1.6) of the DEIS/DEIR does appear in the current version of the DEIS/DEIR. The section of the DEIS/DEIR that does address DPA issues fails to map the elements of the project that may rest in Designated Port Areas. Figure 4-18-1c is drawn at a scale that makes it difficult if not impossible to understand the impact of the Project on the Fall River DPA area near Battleship Cove. The boundary of the DPA land near the Battleship Cove area should be mapped and the land being utilized should be clearly depicted in the DEIS/DEIR. Land ownership within the DPA should be reported on a parcel by parcel basis.

Comment 75.

The DPA drawing of the WCE site as depicted in Figure 4.18-1b only depicts the WCE East layover alternative. The labeling of Figure 4.18-1b should be corrected to clearly indicate that the layover facility depicted with shading on the drawing is the "East" WCE Layover Facility – the term "East" needs to be added to the descriptor. A new Figure that is referenced from the section of the DEIS/DEIR that directly addresses the DPA issue should be included in the DEIS/DEIR. This new figure should depict the Weaver's Cove West Layover facility falling within the depicted Fall River DPA area. The drawing should include all the structures that MDOT intends to place on DPA land – layover facilities and any other facilities. The DEIS/DEIR indicates that Mass DOT intends to take the entire area of the WCE DPA (over 50 acres) should the West Layover Facility be selected. L-047.85

Comment 76.

The DEIS should clearly articulate how 310 CMR 9.32(1) (b) (4) is being interpreted to allow the construction of non-water dependant facilities within a DPA (see reference on page 4.18-3). A more detailed interpretation and explanation of how the project elements will comply with DPA regulations and Massachusetts law should be included within the text of the DEIS/DEIR. The DEIS/DEIR should report if this exemption for non water dependant uses applies equally to all elements of the project (stations, layover facilities, running track, bridges, etc.), or if its application varies from project element to project element. If the exemption only applies to particular facilities, the DEIS/DEIR should explain why this is the case. L-047.6

Comment 77.

Some elements of the project are subjected to Chapter 91 jurisdiction, some elements of the project are subject to CZM jurisdiction, and some elements are subject to both. The DEIS/DEIR simply contains one generic listing of facilities that are subject to these three categories of review. For clarity the DEIS should separately list those elements of the project subject to CZM review. A separate list should identify those elements subject to Chapter 91 review. Finally a third list should identify those elements subject to both reviews. L-047.87

Comment 78.

On page 4.18-8, the DEIS in Section 4.14.8 states that a:

"more detailed review of the project's compliance with the regulatory policies of the MCZMP is provided in section 4.14.8." L-047.88

The current version of the DEIS/DEIR does not include a section 4.14.8. If this text is supposed to refer to section 4.18.5, beginning on page 4.18-31, this section should be expanded to discuss each element of the project separately. Each of the twenty program policies and nine management principles should be applied to each major element of the project that will be subject to CZM review. A table of all of these elements of the project subject to CZM review should be created.

L-047.88

Comment 79.

Page 4.18-8, the DEIS/DEIR states:

"The continued use and anticipated replacement/upgrade or enhancement track within the Coastal Zone and DPAs is consistent with the regulatory policies of the Massachusetts Coastal Zone Management Plan. These improvements will maintain or enhance the capacity of the affected Coastal Zone and DPA to support marine based industry. A more detailed review of the project's compliance with regulatory policies of the MCZMP is provided in Section 4.14.8."

L-047.89

Here again the reference is wrong and there is no explanation in the DEIS to document how the project supports marine based industry and the operation of the DPAs. Building rail road tracks into a DPA that has no rail could certainly could expand intermodal transport between ship and rail, but these facilities already exist today within the DPA so the addition of the tracks is neither new or an improvement.

An overnight yard does not enhance intermodal transport – especially when alternative overnight yard locations are available outside the DPA. Building a train station or a layover facility within a DPA, when these facilities are clearly not water dependant and could be built elsewhere, does not maximize the utility of the limited acreage of DPA space available within the Commonwealth. The DEIS/DEIR should clearly articulate how the project supports marine based industry. In particular, the DEIS/DEIR should explain how the siting of the layover facilities on the land owned by WCE will enhance WCE's ability to site a marine based LNG import terminal at that site.

Comment 80.

The DEIS/DEIR reports that the filled tideland areas were defined based on GIS data provided by MassGIS and Massachusetts MDEP (see bottom of page 4.18-3). The DEIS/DEIR should clearly reference the specific documents or data sources that were used to define the historic mean high water line markings within these GIS layers. The DEIS/DEIR should specify what data was entered into the GIS program to define the historical shoreline. If historical maps were used to set the historic shoreline in the GIS layer, the specific maps used at each specific location should be cited. The scale of these original maps should be reported in the DEIS/DEIR and the DEIS/DEIR should report whether or not these original maps were drawn before or after the original rail line was installed.

L-047.90

Comment 81.

The issue of the location of historical high water lines is also discussed on page 4.18-25. The two historic maps used to fix the shoreline should be entered into the record and posted in the FEIS. These 1865 and 1874 documents cover very large areas on such small maps that precise shoreline determinations are very difficult if not impossible to determine. The shoreline on the 1865 drawing often does not match the shoreline depicted in the 1874 drawing – even when it is clear that there had been no filling between the time the two maps were created. More localized and more detailed drawings with higher resolution often conflict with these larger area drawings near the Weaver's Cove site. A number of historic Chapter 91 drawings for structures along the shoreline in the area of Weaver's Cove provide a more precise indication of the location of the historic shoreline. These references should be utilized.

L-047.91

Comment 82.

The proposed rail crossing of the Taunton River (the "Taunton River Crossing") is shown in Figure 4.18-2a and discussed on page 4.18-10 where the expansion of the bridge is briefly described as single track crossing. The DEIS/DEIR should substantiate its claims that navigation on the river will be improved by replacing wooden piles with concrete piles and with a wider two track span. An apparent conflict in the DEIS/DEIR as to the number of tracks that will span the river also needs to be resolved. Page 4.18-19 lists all the Taunton River Bridges as single track crossings. Other descriptions describe a double track crossing.

L-047.92

Comment 83.

The DEIS/DEIR should describe the surface area of river bottom consumed by the wooden piles being removed versus the surface area covered by the new concrete piles. The DEIS/DEIR should report if there will be a net reduction or net increase in impacted river bottom. This same type of analysis and type of data should be reported for each bridge crossing and every element of in water work.

L-047.93

Comment 84.

The DEIS/DEIR should explicitly address how the free flow of the river will be impacted by changes to structures in the Taunton River. The DEIS/DEIR should explain how navigation on the river is improved if the vertical clearance between the water surface and bottom of the bridge span is decreased by 7.5 inches. The DEIS/DEIR should explain what designation (Scenic, Recreational, other) the National Park Service has placed on each segment of the river where in water work or work adjacent to the river will take place.

L-047.94

Comment 85.

The DEIS/DEIR should address how the new bridge will not have an adverse impact on any of the outstanding resource values (ORV) associated with affected section of the river as defined under the Wild and Scenic River Act. The DEIS/DEIR should list each specific ORV.

L-047.95

Comment 86.

Page 4.18-19 of the DEIS/DEIR refers to Figure 4.18-5e and states that the Taunton River crossing will involve replacing three bridges with new single track crossing. The DEIS/DEIR should include a detailed analysis of how each Bridge complies with the Wild and Scenic River Act. Many of the river crossings associated with the Project involve crossing of rivers that flow into the Taunton River. Since these rivers are tributaries to the Taunton River, the DEIS/DEIR should address how these elements of the project comply with the Wild and Scenic River Act. As a part of this analysis, the DEIS/DEIR should report on potential impacts to anadromous fish. The DEIS/DEIR should document any proposed steps to avoid, minimize or mitigate construction and operational impacts including underwater noise impacts to migrating fish or to avoid, minimize or mitigate impacts associated with turbidity arising from in water work or from storm water flowing off the bridges into the river. The same Wild and Scenic River analysis should be incorporated in the DEIS/DEIR for the busway route which follows Route 24 over the Taunton River.

L-047.96

Comment 87.

The DEIS should provide the scientific data that the Department of Interior will rely upon to complete a "Section 7" determination that the various project elements are in accord with the Wild and Scenic River Act. The Wild and Scenic River act has been documented to stop a number of the bridge development projects across the country.

L-047.97

Comment 88.

The DEIS/DEIR should explain how the movement of commuter rail passengers into and out of Battleship Cove station will improve the capacity of the Designated Port Area in which it is to be constructed. The station is a non-water dependant use that could and should be located outside the DPA.

L-047.98

Comment 89.

Page 4.18-25 the DEIS/DEIR states:

"The used of the site [Weaver's Cove Energy East Layover Site] for layover needs is expected to be classified by DEP as a nonwater dependent Infrastructure Facility (310 CMF 9.55). This classification may waive some of the above references provisions, as long as feasible mitigation or compensation measures are provided such as the protection of maritime commerce or recreation and associated public access, reduction of flood and erosion-related hazards on lands subject to 100-year flood or projected sea level rise, and the attainment of water quality goals."

L-047.99

The DEIS/DEIR should list specifically which of the "referenced provisions" will be exempted. The impact that these exemptions have on the project should be described. The DEIS/DEIR should list the specific mitigation that will be applied to bring the project into compliance and the potential impacts associated with implementing that mitigation should be reported. The DEIS/DEIR should report whether "in place and in kind" mitigation is being proposed or will the mitigation be implemented in areas miles away from the layover facility and not replicate the same type of resources that are being impacted. The DEIS/DEIR should address what impacts might flow from the required mitigation programs that might be considered.

Comment 90.

Page 4.18-26 states:

"The Waterway's License determination for the installation and backfilling of the PiP LNG Transfer system confirmed that the site includes filled tidelands."

L-047.100

This statement cannot be correct. MDEP has not even begun to process any of WCE's Pipe-in-Pipe (PiP) permit applications. No determinations have been issued for the PiP system by MDEP and MDEP has made it clear in writing that it will not issue any determination until such time as Weaver's Cove Energy's MEPA review of the PiP system is completed. Statements made in the DEIS/DEIR should clearly reference the permit decision document upon which conclusions are being drawn. No reference has been provided and therefore the veracity of the claim being made is difficult to test/check/confirm. In this case, the text is NOT factually correct.

Comment 91.

The statements about WCE's waterfront parcels on page 4.18-25 during the description of the WCE West Layover site and public access to the waterfront area is confusing, inaccurate, and not supported by any facts in the DEIS/DEIR. The text states:

L-047.101

"However, there are some areas of the site where informal public access seems to be achieved, namely the northernmost vegetated portion via a series of pathways off of North Main Street."

The DEIS/DEIR should define what is meant by "informal public access." The informal access route should also be mapped in the DEIS/DEIR. If the informal access route involves crossing an active rail line, the DEIS/DEIR should explain the specific rights the public has to make such a crossing of an active rail line in an area where there is no crossing agreement. If the route includes crossing privately held land, the DEIS/DEIR should document the rights that the public has to cross private property. WCE's property (including the wooded area described) is regularly patrolled by security staff and public access is not allowed to the waterfront area across lands owned by Weaver's Cove and this should be reported in the DEIS/DEIR.

WCE is not aware of any public crossing of the railroad in the vicinity of the WCE parcel that would provide any legal access by the public to the waterfront area in question. The only access that we are aware of to the waterfront area in question is via the Taunton River and boat. The reported pathways off North Main Street to the waterfront need to be documented in a map. This is true not only for the WCE site but in other cases where similar descriptions are made within the FEIS/DEIR regarding access to other waterfront areas by the public. L-047.101

Comment 92.

On page 4.18-29 of the DEIS/DEIR a statement is made as to what constitutes "Maintenance and Repair" as defined by 310 CMR 9.22(1). A portion of the regulation is quoted and then the following statement is made: L-047.102

"This is interpreted to mean that repair, replacement, and maintenance activities may be permitted to restore the serviceability of tracks, bridges, culverts, etc. provided that the work does not include addition of new tracks within the jurisdictional area not contemplated by the original license."

The DEIS/DEIR should be expanded to explain why the interpretation above is consistent with the regulations. The full text of the regulation clearly states if the facility is "enlarged" a new license is required. The DEIS/DEIR should explain why the number of tracks is determinative as to whether or not a new permit is required as the plain text of the regulation leads to a different conclusion. A facility is enlarged when the footprint of the impacted area increases. The footprint of the area impacted can increase even when the number of tracks does not increase. The DEIS/DEIR should explain why conceptual level design drawings are not needed to determine if a new license is or is not required because such drawings would enable the reader to assess impacts from the changes being made to the rail system and the footprint of that system.

Comment 93.

On page 4.18-29 a statement is made describing what constitutes a "Minor Project Modification" as defined by 310 CMR 9.22(3). A portion of the regulation is quoted:

"Structural alternations which are confined to the existing footprint of fill and structures being altered and which represent an insignificant deviation from the original license specification in terms of size, configuration, materials, or other relevant design or fabrication parameters"

and then the following statement is made:

"In the case of authorized jurisdictional crossings that are determined by DEP to be jurisdictional, minor modifications may typically be obtained for work that a) reduces or maintains the footprint of existing fill or structures; and b) maintains or increases the space available for navigation."

The document then states:

"The jurisdictional analysis conducted to date includes a preliminary assess of non-tidal river and stream crossings. Additional field investigation is required to clarify the potential jurisdiction of many of these crossings. Crossing (SIC) determined to be jurisdictional will be reviewed for approval as maintenance, repair or minor modification."

The permitting requirements for each crossing should be proposed by the applicant and that information should be included in the DEIS/DEIR. The DEIS/DEIR cannot be deemed complete if the permitting plans for each element of the project cannot be determined. If additional analysis needs to be completed, it should be completed before the DEIS/DEIR is published. The document does not even list the number

of river crossing that are being proposed. The document fails to define which crossing are and are not jurisdictional under the CZM and Chapter 91 programs. More work is required to complete the DEIS/DEIR. L-047.103

Comment 94.

In Table 4.18-12 a reference is made to compliance with Chapter 91 requirements within DPAs. The description of Regulation 310 CMR 9.34 speaks to compliance with Municipal Harbor Plans. A reference should be provided to Fall River's Approved and Final Municipal Harbor Plan. If an approved plan exists, the DEIS/DEIR should reference it. The agencies that have approved the plan (city and state government?) should be clearly described in the DEIS/DEIR and include same in the appendices. If the plan has been approved by the Department of Commerce as part of the approved CZM plan, the document memorializing the Department of Commerce's approval of that plan should be referenced. If the plan has not be finalized and fully approved under CZM regulatory requirements and instead only exists in draft or development form, the DEIS/DEIR should explain why a draft and unapproved plan is determinative in CZM permitting issues and why the draft plan is enforceable under the CZM program. L-047.104

Comment 95.

In Table 4.18-12 a reference is made to compliance with Chapter 91 requirements. The description of Regulation 310 CMR 9.37 speaks to Engineering and Construction Standards. The standards that will be used for the construction of the facilities should be listed in the DEIS/DEIR. Different elements of the project will be built to different standards. The DEIS/DEIR should describe which standards apply to each of the discrete elements of the Project. The DEIS/DEIR fails to even explain how many elements of the project and which elements of the project are subject to jurisdiction. More work is required to complete the DEIS/DEIR. L-047.105

Comment 96.

In Table 4.18-12 a reference is made to compliance with Chapter 91 requirements. The description of Regulation 310 CMR 9.38 speaks to Use standards for Recreational Boating Facilities. The DEIS/DEIR states that no recreational boating facility enhancements will be constructed as part of the project. This implies that none of the mitigation associated with the project will include the addition of, or improvements to, recreational boating facilities. This is a clear example of why the mitigation associated with the Project must be addressed in the DEIS/DEIR. L-047.106

The mitigation contemplated to ensure compliance with the Wild and Scenic River Act needs to be described in the DEIS/DEIR. The Taunton River was designated as a Wild and Scenic River due at least in part to outstanding "recreational" values. It is therefore plausible, that some type of recreational facility improvements will be included in the ultimate mitigation package. Chapter 91 will apply to these "recreational" mitigation works and a discussion of such should be included in the DEIS/DEIR.

Comment 97.

In Table 4.18-12 a reference is made to compliance with Chapter 91 Basic requirements. The description of Regulation 310 CMR 9.38 speaks to Dredging and Dredge Material Disposal. The DEIS/DEIR reports that the project will not include any dredging or dredge material disposal. The DEIR/DEIS should affirmatively state that during all bridge construction elements of the project and all near shore track work, no sediments will be removed from any river or any water body. If, on the other hand, sediments are to be removed anywhere from below the water surface, this constitutes dredging – and dredging permits and dredging review is warranted. If sediments are to be removed, the location and extent (volumes removed, acreage impacted) of the dredging should be documented, removal techniques should be discussed, and timing of the work clearly articulated in the DEIS/DEIR. This would include the removal of in water sediments using equipment that is staged from land. Dredging occurs whenever in water sediments are removed and dredge permitting requirements cannot be bypassed simply because the equipment doing the work is staged from land or does not resemble a clamshell or hydraulic dredge (dredging can be done from a backhoe staged from land). L-047.107

In most dredging operations, the timing of the work must be controlled by the imposition of dredge windows to ensure work is timed to protect fish populations. If any sediments are removed from below the water line, dredging is being conducted and the potential impacts and mitigation should be addressed in the DEIS/DEIR and the required permitting steps should be described.

L-047.107

While it is possible, it does seem odd that for a project of this magnitude and with the number of river crossings and water body crossings, that no dredging will be conducted.

Comment 98.

The DEIS/DEIR should discuss bridge construction techniques. For example, if coffer dams will be created with sheet pile placement in the water, the construction techniques should be discussed and methods used to dewater the coffer dam should be addressed. Potential impacts from in water construction activities should be addressed. The species of fish that might be impacted and the steps taken to protect those species should be discussed in the DEIS/DEIR. The DEIS/DEIR should demonstrate that in-water work will be timed to avoid impacts to the various life stages of aquatic species and should describe construction techniques to avoid and minimize impacts.

L-047.108

Comment 99.

In Table 4.18-12 a reference is made to compliance with Chapter 91 Basic requirements. The description of Regulation 310 CMR 9.55 addresses compliance with the Standards for Nonwater-dependant Infrastructure Facilities. The DEIS/DEIR needs to be expanded to specifically identify which elements of the project are water dependent and which elements of the project are not. The DEIS/DEIR should clearly state the regulatory approval path that is being sought for each element of the project. Each element of the project should be listed in a table and the regulatory review standards that apply to each element should be reported.

L-047.109

Those elements of the project that are water dependent must meet a different set of regulatory standards than those that are not water dependent. NEPA and MEPA are designed to make sure that all the regulatory agencies and the public have a firm foundation based on the facts prior to the initiation of detailed permitting efforts. Which permitting path is implemented on each element of the project will determine the nature and amount of mitigation that is required to satisfy the regulatory requirements.

If mitigation is required, the nature of the mitigation and its potential positive and negative impacts should be part of the regulatory review and reported in the DEIS/DEIR. That is why the Chapter 61 findings are an essential part of completing the MEPA process. Section 61 findings can only be completed once the nature of the mitigation required is well understood and the need for the mitigation can only be understood based on an understanding of how each element of the project will be permitted. Simply put, these issues need to be resolved when the project is still subject to ongoing MEPA review with its public input process being allowed to function.

Comment 100.

The statement at the top of page 4.18-3 demonstrates that a fundamental flaw in the review process exists in the current version of the DEIS/DEIR:

L-047.110

“Additional field investigations and consultations with Massachusetts DEP is required to clarify the potential jurisdiction at many of these crossings.”

Additional field investigations and site specific data should have been collected and analyzed before the DEIS/DEIR was issued. MDOT should explain in the DEIS/DEIR the regulatory path they intend to pursue to secure the required approval to build every element of the project. The regulatory agencies and the public reviewing the DEIS/DEIR can then comment on the adequacy of these permitting and approval approaches. The need for additional work in this regard is evident not only for the river crossings but for each discrete element of the Project.

Comment 101.

Section 4.18.5 on page 4.18-31 takes a broad brush approach to proving that the entire project meets the Coastal Zone Management requirements. The CZM program and policies only apply to specific elements of the Project. Section 4.18.5 should be much more granular and should apply each of the listed standards to each element of the project that is subject to CZM jurisdiction. (see Comment above –each element of the project subject to CZM review should be listed in a table). For example how does the Weaver's Cove West Layover Facility comply with Ports Policy #3 when viable sites for this element of the Project exist outside the DPA boundaries? The DEIS/DEIR only addresses Ports Policy #3 (on page 4.18-35) for the Battleship Cove Station element of the project. By failing to conduct an element by element review, the current draft of the DEIS has failed to capture the full impact of the all the CZM policies and mandates.

L-047.111

Comment 102.

The DEIS/DEIR should address how the construction of layover facilities and commuter rail stations within the boundaries of a DPA meet CZM Ports Management Principle #1. The discussion should address the fact that viable alternatives outside DPA boundaries for the layover and commuter rail station elements of the project are available to the project and are feasible.

L-047.112

Comment 103.

The DEIS/DEIR states on page 4.18-35:

"The use of existing, active rail segments with the Coastal Zone does not preclude the development of any proposed public access paths in this area."

L-047.113

This statement should be qualified to state that the Project will not preclude the use of any existing public use where a legal right to cross the railroad right of way exists today and where trespass is not involved. (See prior Comments on this issue) The DEIS/DEIR should report where each of the public access paths to the waters subject to Coastal Zone Management jurisdiction are located. Maps should be provided showing where and how access is provided. Usage levels of these pathways should be detailed in the DEIS/DEIR.

Comment 104.

As stated in one of the above comments, mitigation implemented to address the unavoidable environmental impacts of this Project may involve improvements to public access to the waterway. If public access improvements will or may ultimately be included in the mitigation plan, they should be addressed under MEPA through the Section 61 findings. The impact of these mitigation plans on CZM Public Access Management Principle #1, 2, 3 and 4 needs to be addressed in the DEIS/DEIR.

L-047.114

Comment 105.

If this project adversely impacts the development of the WCE LNG import terminal, this Project will have an impact on CZM Energy Policy #1 (see page 4.8-36 of the DEIS/DEIR). This issue should be addressed in the DEIS/DEIR. The LNG facility is a proposed coastally dependent energy facility.

L-047.115

Comment 106.

Appendix 3.2-E - Layover Facility Alternatives Analysis simply assumes that using the same facilities to layover midday and evening trains in a single facility makes no sense. The DEIS/DEIR should include a technical and economic analysis to support this view. Both capital and operating costs of the alternatives should be considered. The impact of layover facility location on ridership and revenue should be addressed in light of tradeoffs associated with deciding to deadhead select early morning trains versus simply letting some other trains run north bypassing one or more stations located south of the overnight layover facility.

L-047.116

Comment 107.

On page D-2 of Appendix 3.2-E, the statement is made that the cost to the MBTA of operating a commuter rail train in 2007 was \$10 per revenue mile. The report then assumes that the cost of moving a train per non-revenue mile is \$7.50. The DEIS/DEIR should include an analysis to support this assumption. The analysis should itemize the costs that are included in the estimate cost of moving a train one non-revenue mile in a deadheading operation. Variable and fixed costs should be identified. Overhead costs should be identified.

L-047.117

Comment 108.

The conceptual layout drawings included in Attachment A of Appendix 3.2-E are plotted at a scale that renders them nearly useless in assessing the viability of any site for a layover yard. The drawings should be re-plotted at a scale where more detail is shown. Property lines should be shown. Owners of the properties should be identified. Key nearby features such as sensitive noise receptors and areas needing cut and fill should be recorded.

L-047.118

Comment 109.

The Overnight facility alternatives evaluated in Appendix 3.2-E do not clearly show the boundaries of the entire Fall River/Freetown Industrial Estate (the one that includes the Stop and Shop facility and the one that will be serviced by the new highway interchange on Route 24 that is currently under construction). The Appendix should be modified to include a clear drawing with the boundaries of the entire industrial estate superimposed on an aerial photograph of this estate. Siting an overnight rail yard facility inside this industrial estate would be compatible with local land uses. The current alternatives report does not even recognize the existence of this industrial estate, an effort that is being spearheaded by local government bodies.

L-047.119

Comment 110.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E evaluated layover yard locations south of Battleship Cove (beyond the last proposed station) in Fall River. The old rail line heading south of Battleship Cove at one time ran down into Rhode Island and onto Aquidneck Island. MDOT should expand Appendix 3.2-E to consider layover yard locations in Tiverton, Rhode Island or even further south. The current layover yard alternatives analysis report clearly states that sites beyond a given mileage south of the terminus are preferable to those located the same mileage north of the terminus (as the southerly locations don't involve turning the trains around before taking them to the overnight yard). If locations as far as nine miles north of Fall River Depot were considered, then locations roughly the same distance down the old rail line heading south into Rhode Island should be evaluated in the alternatives analysis.

L-047.120

Comment 111.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E does not state if there is an advantage to having the overnight layover facility on the east or the west side of the right of way. This issue should be addressed in the report.

L-047.121

Comment 112.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E states that incremental train variable operating costs are only \$90,000 per year per mile when the layover yard is located away from the terminus of the line (the last station to the south). This number is used to justify the selection of sites close to the line terminus in Fall River and New Bedford. Proper economic analysis of long lived assets requires that consideration be given to other costs such as capital costs of the building the facilities and the differential operating costs differences between operating the layover yard at different locations. In this proposed approach, capital cost differences between building the layover yard at one location versus another should be considered.

L-047.122

For example the amount of grading that must be done at each of the sites considered in the Appendix 3.2-E report should be estimated and typical cost for one yard of excavation and one yard of fill should be estimated and these figures used to estimate the grading cost for each site. Similar differential capital costs should be estimated for other construction activities at each site. Only with this more complete cost data set can the figure of \$90,000 per year per mile be deemed significant in terms of layover site selection.

L-047.122

Comment 113.

Page D-17 of Appendix E-3.2 states that the WCE East property “does not have any permanent improvements proposed as part of the LNG terminal proposal.” This is not true. This site will house a new high pressure interstate natural gas pipeline designed to transport natural gas from the LNG facility to natural gas consumers throughout New England. The proposed layover site is also the site of a proposed wetlands mitigation area that is now a firm commitment made by WCE in the MEPA review process for the LNG project. WCE also has plans to use rights it holds in an existing “at grade” crossing from its property East of the track to gain access to the lands it owns West of the tracks. This will provide an alternative entrance to the site that will be available in special circumstances should the primary entrance not be available. It also is possible that the ongoing permitting of the LNG facility may require some design changes that may result in some of the LNG facilities moving from East side of the tracks to the West side of the tracks. As an example, existing water injections wells associated with the environmental remediation of the property may have to be moved to the East side of the tracks or additional wells may have to be added East of the tracks. These use conflict issues need to be addressed in the DEIS/DEIR for the South Coast Rail Project.

L-047.123

Comment 114.

Appendix 3.2-E and the DEIS/DEIR fail to take into account the willingness of the landowner to sell land to the railroad. This is one factor that should be considered in selecting the siting of any Project facilities.

L-047.124

Comment 115.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E evaluates layover site number 4 on the Fall River line. The DEIS/DEIR states:

L-047.125

“The site would not be large enough to accommodate a layover facility without acquiring a portion of the Fall River Country Club.”

The small 1.5 inch by 3 inch drawings included in the report make it impossible to tell how much land would have to be acquired, where that land is located, and whether or not it is in active use by the country club or if it is idle land sitting down gradient from the golf course which sits above the tracks. The amount and location of the land that might have to be taken from the country club should be reported and a figure should be included that clearly delineates the existing railroad land, the boundaries of the country club land, and the location of the land that would need to be taken to make Site 4 viable. The report also talks about a need to excavate cuts to achieve the necessary grading of the layover track. This would tend to place the facility in a depression out of the view of the neighbors and the club – an excellent visual mitigation tool and noise screening tool. The report should discuss the benefits of this visual and noise mitigation.

Comment 116.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E discussed a number of layover facilities that were not large enough to accommodate the full number of sidings desired and were eliminated early in the review process. If two or three trains worth of capacity is available at a location south of Fall River Depot, the DEIS/DEIR should discuss the feasibility of building two smaller overnight facilities. One located in the ideal location and the other in a less optimal site farther to the north. While the report says a split yard arrangement using multiple sites is not desirable, no quantitative justification or evidence is provided to support this conclusion. The DEIS/DEIR should be expanded to discuss this option. Economic impacts of a split facility should be addressed and compared to the operating

L-047.126

Comments of Weaver's Cove Energy on South Coast Rail Project

DEIR- EEA File #1434

DEIR - USACE Regulatory File No. NAE-2007-00698

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phone 774-488-3900, fax 508.675.9473
www.weaverscove.com

Page 29 of 35

improvements achieved by having some of the trains stored overnight in what the report describes as an ideal location that is simply a bit too small to house all of the trains. The uses of the land surrounding the small site should be described – the properties should be depicted on an appropriately scaled map. Much of the commentary and conclusions drawn in the report in Appendix 3.2-E would be clearer if maps were include showing the properties in question and the location of the facilities in questions. These maps should have labels that tie the visuals to the text. L-047.126

Comment 117.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E should discuss:

1. the amount of parking required,
 2. the size of the maintenance shop,
 3. the activities that will take place in the maintenance shop,
 4. the amount of storage space required for maintenance equipment,
 5. the hazardous and petroleum products that must be stored on the site and the volume of those materials stored.
 6. etc.
- L-047.127

Comment 118.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E states that the amount of site grading is a significant issue to be considered in evaluating alternative sites. To address this issue in a quantitative fashion, a map with site contours should be provided for each of the alternatives considered. The amount of filling and cutting should be estimated and rough cost estimates for this work provided as part of the capital cost estimating effort that will identify the relative capital cost of constructing and operating one facility at each of the locations listed in the report. L-047.128

This analysis should include an estimate of the cost of building site access roads – some sites were dismissed because of the length of the access roadway – and the estimated cost of building the roadway and gaining access to the site. Using logic one might conclude that a parcel that requires a long access road would cost much less to acquire than a parcel that has easy access to public roadways. If the cost of a roadway is going to be used to dismiss a site, the cost of acquiring that site should be taken into account as well. Similarly, Site 4A is laid out on railway owned property yet was dismissed due to grading and the long length of a site access road. If less land has to be acquired to site the yard, the land acquisition cost for that option should be lower. This could in turn save funds that could then be used to do the required grading. The cost of acquiring property to develop the other sites should be compared to the cost of the roadway and the cost of the grading. To contemplate site selection a complete set of economic factors need to be considered – a limited subset of factors will lead to improper site selection. From an economic point of view, a site that is isolated and requires a long roadway should cost less to acquire than a site with ready access to the public road system. In an efficient market the price of the property will be influenced by the cost of building a roadway into the property. The layover site alternatives analysis should be expanded to more comprehensively address the economic and revenue advantages and disadvantages of one site over another. Such an analysis should address capital, operating, and development costs as part of the site evaluation/comparison process.

Comment 119.

The Layover Yard Alternatives analysis study included in Appendix 3.2-E states that Site #5 (ISP) for the Fall River lateral should pass the preliminary screening and be included among the three Fall River based alternatives meriting further study. At the same time the report states that this site requires major grading work and has a long access road. The very same report states that site 4A (Somerset Junction, Fall River) is being rejected because it requires major site grading and has a long access road. The DEIS/DEIR rejects or accepts sites for further study based on economic considerations relating to development costs. Since this is the case, the DEIS/DEIR should include an economic evaluation of all the significant economic factors driving site selection. This involves estimating costs in a consistent fashion. The current screening process does not appear to be based on economic and engineering L-047.129

estimates – it appears to be arbitrary. The site selection process demands a quantitative analysis based on engineering facts and cost estimating principles.

L-047.129

Comment 120.

MEPA and NEPA are processes that are supposed to garner public input. WCE in a letter written to the USACE and MDOT has questioned whether or not adequate public input has been secured in the alternatives study of the layover yards. MDOT has directly responded to these concerns in a letter dated 3/25/2010 with a copy to the USACE. In this letter MDOT stated:

L-047.130

“There is no requirement to notify abutters and the [MDOT] team does not do so directly until there is a preferred alternative, which is not yet the case for South Coast Rail.”

The DEIS/DEIR has now been issued and there is no preferred alternative for the overnight yards and not a single listed site has been identified as a candidate for the midday layover facilities. Before the comment period closes on the DEIS/DEIR, the abutters to each of the overnight rail yard locations should be sent a letter requesting their input. The comment period should be extended until such time as they have had an opportunity to comment.

Comment 121.

Only one or two abutters to the WCE East layover facility site appear to be aware that our property is being considered for a layover yard – and then only because Weaver’s Cove has informed them. Most nearby landowners remain unaware that our site may host an overnight train yard. Public input is essential to a thorough rail yard siting process. The comment period should be held open until such time as abutters to our property are formally notified in writing and provided an opportunity to comment. WCE requests that property owners within 1,500 yards of the boundaries of the layover yard sites as well as those with direct visual views be sent a written notification clearly stating that our site is being considered for an overnight yard.

L-047.131

Comment 122.

The DEIS/DEIR should commission a study to determine what impact a rail layover yard will have on the value and insurance costs of neighboring properties.

L-047.132

Comment 123.

At the open house held in Fall River, the South Coast Rail development team verbally explained that potential sites for the yard in Fall River, near the train station, were eliminated from consideration at the request of the Mayor Correia. The DEIS/DEIR should identify the locations of the sites in Fall River that were “eliminated” from consideration at the Mayor’s request (or at the request of any other political figure). The DEIS/DEIR should include a map of the area near the Fall River Battleship Cove Station that identifies all of landholdings of the City of Fall River and landholdings of other Government agencies with parcel boundaries and ownership shown. The DEIS should document whether or not these sites were considered as part of a layover yard site selection process and if they were dismissed should provide supporting environmental and economic data to support their dismissal.

L-047.133

The DEIS/DEIR should describe the justification for dropping sites off the list at the request of the Mayor. The DEIS/DIR should identify the regulatory authority under which the Mayor of Fall River has the right to remove from consideration overnight yard locations within the City of Fall River. The DEIS/DEIR should describe under what authority the Mayor can exercise veto power over the site selection process. The DEIS/DEIR should describe what other officials have made such requests, when they were made, and how they were handled.

Comment 124.

If owners of the overnight yard and midday layover facilities are not willing to sell their land, the DEIS/DEIR should explain how the project will gain title to the land. The specific steps involved should be described along with the scheduling of those steps. L-047.134

Comment 125.

The DEIS should describe whether or not a reserve funding account will be set aside to guarantee that funding is available to dismantle the overnight yard and restore it to the before build condition should the yard cease to be used for public transportation purposes at some time in the future. The DEIS/DEIR should describe who will pay to restore the layover yard to its original condition. Will a bond be required to ensure restoration of the site at the end of its useful life? L-047.135

Comment 126.

The DEIS/DEIR should address the construction schedule and sequence of construction activities that will be undertaken during the construction of the overnight yard. Construction impacts can only be assessed if a construction plan is provided. L-047.136

Comment 127.

The DEIS/DEIR should identify the storm water controls that will be required if the overnight yard is built on the WCE's East or West sites. How will the project ensure that these controls satisfy the requirements of the Wild and Scenic River Act? L-047.137

Comment 128.

The DEIS/DEIR should explain how the construction activities and permanent structures associated with the in-water aspects of the project will impact the free flowing characteristics of the Taunton River as defined under the Wild and Scenic River act. If the flow of the river will be changed, how will compliance with the act be ensured? L-047.138

Comment 129.

The DEIS/DEIR should describe what the cumulative construction impacts will be if the South Coast Rail project and WCE LNG project are both built at the same time. L-047.139

Comment 130.

The DEIS/DEIR should describe the deep foundations that must be installed during the construction of the overnight yard. If these foundations might impact historical contamination at proposed overnight yard locations, the methods of dealing with this contamination should be described. A similar analysis should be completed for all passenger station locations. L-047.140

Comment 131.

A number of trucks will deliver and remove materials from the Project area during construction and during operation. The DEIS/DEIR should describe the number and timing of these trucking operations. Air quality, noise, and traffic impacts from these trucking operations should be addressed in the DEIS/DEIR. L-047.141

Comment 132.

The DEIS/DEIR should explain how contaminated soils will be handled if encountered during the construction of the overnight yard. If soils will be removed offsite, the DEIS/DEIR should identify disposed sites. The DEIS/DEIR should describe whether or not contaminated soils will remain on the site or will they be removed from the site? If they remain on the site, the methods used to handling the soils should be described. The DEIS/DEIR should describe how contaminated soil handing procedures will comply with regulatory requirements and any restriction imposed as a result of deed restrictions. The methods used for monitoring. And, if required, how will the movements of these soils be monitored to ensure the contamination does not spread? L-047.142

Comment 133.

Rail facilities are known for their contribution of petroleum products, fuel, and waste oil to soil and groundwater. The DEIS/DEIR should explain how storm water from the rail yards be handled and how the interests of adjacent landowners will be protected as oil can migrate from one property to another. L-047.143

Comment 134.

The DEIS/DEIR should identify what material will be used for the ties associated with track construction. Creosote has been identified as a potent environmental pollutant. If pressure treated wood will be used, how will the impact of the treatment chemicals on the ground water be modeled and monitored? L-047.144

Comment 135.

The DEIS/DEIR should identify provisions that will be made to clean up spills of raw sewage as it is transferred from the passenger cars or leaks at a station or along the commuter rail route. The responsibility of South Coast Rail to provide spill response equipment should be discussed in the DEIS/DEIR. L-047.145

Comment 136.

The DEIR/DEIS should address studies that have been performed to investigate the effects of electro-magnetic fields on the neighboring homes, schools and businesses or the Mill River high pressure natural gas pipelines which will run along the track and will include cathodic protection systems. L-047.146

Comment 137.

The DEIS/DEIR should address odor issues. Will any odors emanate from the layover facility? What about the sewage on the trains? Will this sewage be stored at the site and trucked offsite? Where will the sewage be processed? How will odors be controlled? L-047.147

Comment 138.

The DEIS/DEIR should clarify if the project proponent proposes to indemnify the property owners and other potentially responsible parties from any and all environmental impacts, direct and indirect, that the project could have on the existing and proposed environmental conditions at lands taken to develop the Project. L-047.148

Comment 139.

The DEIS/DEIR should address soil conditions along Project lands. The transmission of vibrations through soils is highly dependant on the nature of the soils and rock between the rail yard and sensitive receptors. The nature of the soils and depth to bedrock should be investigated. L-047.149

Comment 140.

The DEIS/DEIR should discuss wetland mitigation plans. If mitigation is required, the commitment of the project to monitoring programs should be detailed as well as the project's plans to ensure the long term survival of replicated areas is assured over time. The commitment of the project to replace mitigation areas that do not survive over the long term should be discussed. The commitment of the project to take corrective actions should mitigation fail should be discussed. L-047.150

Comment 141.

Given that the Transportation Security Administration (TSA) has determined that passenger rail systems are vulnerable to terrorist attacks and in light of the terrorist attacks on mass transit systems (i.e. Madrid, London, Mumbai), the DEIS/DEIR should outline precautions that will be taken to protect the layover yard and the rail line from terrorist attacks. The agencies that will be involved in developing the appropriate security plans should be listed and their role described. Providing security for the rail facilities will be costly. How will these additional funds be secured? Will local municipalities be required to fund the necessary security measures? The funding of security resources that are provided by the local community should be discussed. Payments for equipment, training, overtime and other expenses should be enumerated in the DEIS/DEIR. L-047.151

Comment 142.

Train facilities have a documented history of terrorist attacks. The DEIS/DEIR should discuss the type of response plans that will be required to manage such an emergency. Evacuation plans should be documented. The local agencies and resource that will be available to respond to the plan should be described. L-047.152

Comment 143.

The DEIS/DEIR should discuss how the Project will demonstrate compliance with noise standards through the execution of testing program after the facility is in operation. The criteria that must be met should be described. If the noise standards are not met, the corrective actions that will be taken to bring the project into compliance should be described in the DEIS/DEIR. L-047.153

Comment 144.

The DEIS/DEIR should discuss the electrical requirements to support the operation of the overnight yard (as well as other Project Elements). The environmental impacts associated with installing this electrical capacity should be detailed. The noise of the transformers should be documented and the oil used in the transformers described. The type of spill containment around the transformers should also be described. If the transformers have cooling fans installed, the noise level of the fans and impacts on nearby receptors should be described. The type of fire suppression systems that will be put in place should also be documented. L-047.154

Comment 145.

The DEIS/DEIR should identify and describe the potentially hazardous and flammable materials that will be stored and used at a typical rail yard. The location where the diesel fueled trains will be refueled should be discussed and the amount of diesel fuel stored on the site should be discussed. The trucking activities (or will they be filled by pipeline) associated with the refilling of these tanks should be described. Measures that will be taken in the event hazardous or flammable materials are spilled should be discussed. L-047.155

Comment 146.

The DEIS/DEIR should describe how spilled petroleum products will be cleaned up and how the response will be coordinated with prior landowners if the site is already contaminated with similar materials. L-047.156

Comment 147.

The use of diesel fueled trains is considered in the DEIS/DEIR. The DEIS/DEIR should discuss where the fueling of the trains will take place. The DEIS/DEIR should describe how much fuel will stored at the refueling station. The diesel fuel storage tanks and spill control equipment should be described (footprint, diameter, height). How will stormwater drainage systems be separated form oil spill containment sumps? Safety equipment associated with the diesel refueling station should be described in the DEIS/DEIR. The type of firefighting capacity needed should be described in the DEIS/DEIR? L-047.157

Comment 148.

Diesel fuel will need to be transported from a source of supply to the train fueling facilities discussed in the comments above. How will the diesel fuel be delivered to the train fueling facility? The DEIS/DEIR should describe approximately how many trucks will be required and what route will they travel. The time of day that deliveries of oil will be accepted should be described as well as the air, noise, and traffic impact of these facilities. L-047.158

Comment 149.

A significant amount of electricity is required to run electrified trains. The DEIS/DEIR should discuss where this power will come from and how it will be delivered to the overhead wires. Transformer yards can be unsightly and can consume significant amount of real estate. The DEIS/DEIR should describe where the transformer facilities will be located and a drawing should be prepared to show where all the electric delivery facilities will be located. L-047.159

Comment 150.

Upon receiving a hard copy of the DEIS, WCE also received a brochure titled, "South Coast Rail: A Reader's Guide to the Draft Environmental Impact Statement and Report". The brochure, published by Mass DOT and dated March 2011, is clearly intended to provide summary data to the public. This continues a long trend of such public relations documents. The brochure fails to reference any of the proposed layover facility locations yet includes a map that clearly shows the rail stations and track routes. All future documents (including brochures and permit applications) should clearly identify layover facility locations in detail equivalent to that provided for station and track locations.

L-047.160

Individuals

Page	Last Name	First Name
1	Acheson	Elizabeth
3	Ailes	Melinda
5	Almquist-Olsen	Priscilla
7	Amaral	Ken
8	Anzivino	Barbara
16	Bachman	Glenn
17	Barney	Peter
19	Barros	Christopher
21	Bass	Sue
23	Beal	Richard
25	Bullard	John
27	Castellina	Stephen
28	Chaffin	David
29	Chisholm	Jim
30	Cienniwa	Paul
31	Davis	Steven
33	De Souza	Marianne
34	Deschenes	Peter
35	Dhooge	Lynn
37	Dion	Nicole
38	Dreyer, Jr.	Frederic
41	Edson	Erik
43	Felago	Roseanne
44	Fellone	Joe
45	Fitzpatrick	Paul
50	Ford	Stephen
52	Fox	Jean
53	Fried	Bobbi
54	Fried-Hardy	Aimee
55	Garies	Joseph
56	Gitto	Louis
78	Golden	Mary
79	Goldrick	David
80	Gonzalez	Guillermo
82	Grubb	Linda
85	Hanawalt	Wendy
86	Hardy	David
87	Heald	Candace
88	Heino	Gilbert
89	Herbert	Jim
90	Johnson	Alan
91	Jolliffe	Michael
97	LeBlanc	Jane
98	LeBlanc	Michael
99	Lewis	Heather and Doug
104	Lindwall	Forrest

106	Linhares	Patti
108	Litchfield	Leon
110	Lopes	Antoinette
114	Malley	John
115	Malloy	John
117	Maltby	Trent
118	Martin	S.
119	Marum	Eileen
128	Mathes	James
130	Mazzuca	Michael
131	McDonald	Gerald
135	McSweeny	Lynne
138	Mendillo	Robert
160	Michaud	Donald
163	Morse	William
164	Mullen	Robert
167	Nadeau	Pauline
170	Palmieri	Linda
171	Paquette	Dennis
172	Paré	Daniel
173	Paull, Jr	Peter
174	Petitti	Ken
175	Pezzella	William
176	Plante	Susan
177	Reardon	Brian
178	Reardon	Jennifer
179	Rice	Curt
180	Richwine	Dave
181	Romero	Kathy
183	Roy	T.K.
184	Roy	Tricia
185	Shibli	Abdul
186	Stanton	James
187	Stevens	Eric
189	Sull	S.
190	Sullivan	Joan
191	Swanson	Allen
192	Taylor	Grant
193	Taylor	Victoria
194	Turley	Rebecca
196	Ural	Erdem
215	Van Dyke	Wendy
217	Voci	Catherine
219	Weber II	Joel
223	Wilkinson	Steven
224	Zehntner	Rosemary

Date 25 May 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
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MAY 27 '11 REG DIV

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us
fax: 617-626-1181 or via hand delivery.

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

Thank you so much for moving along the
southeastern rail line project to connect Boston
to New Bedford & Fall River.

I'm in my 80's, so I do not drive into
town on my own very often - probably not again.
The size of my age group is increasing. There-
fore, the number of people from the Southeast who
depend on Boston for their entertainment, financial
guidance, and medical care is diminishing.
We can't get there!

L-046.01

It's sad for us who enjoyed being in Boston and

(over)

can no longer travel there easily. We need
trains to get us into town and back.

L-046.01

I wish you success in your efforts
to "re-train" us. (Many of us remember riding
the train into town in pre-WWII days.)

Sincerely,

Elizabeth Acheson

100 Village Way, Apt 107

Westport, MA 02790

<betsyall@yahoo.com>

I support public transportation. It's so
much more economical & protects (especially electric
trains!) our environment!

L-046.02

Elizabeth Acheson

Signature

Elizabeth Acheson

Elizabeth Acheson

PRINT Name

100 Village Way, Apt 107

Address

Westport, MA 02790

From: Melinda Ailes [mlailes@msbdc.umass.edu]
Sent: Saturday, May 07, 2011 7:58 AM
To: SCREIS, NAE; aisling.o'shea@state.ma.us
Subject: Support for SouthCoast Rail - Stoughton Alternative re: Draft Environmental Impact Statement
 May 7, 2011

Mr. Alan Anacheke-Nasemann
 US Army Corps of Engineers
 696 Virginia Road
 Concord, MA 01742-2751

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

RE: SouthCoast Rail Draft Environmental Impact Statement / Report

Dear Mr. Anacheke-Nasemann:

I am writing to express my strong support for bringing commuter rail to Southeastern MA through the Stoughton "electric" alternative. The Stoughton alternative should be selected because it was identified by the Army Corp. of Engineers as having the least environmentally damaging impact.

E-024.01

As both a citizen of Southeastern Massachusetts and an employee of the Massachusetts Small Business Development Center Southeast Regional Office, I see the profound impact that commuter rail will make on our region's future economic success. At the same time, I recognize that our region's lack of rail is a significant determinant in restricting our ability to attract quality businesses and employees. We have studied the positive effects of commuter rail for too many years and it is now time to act.

As you are well aware, this region of the state has one of the state's highest unemployment rates – as well as being one of few areas of growing population. Bringing commuter rail to Fall River and New Bedford would do at least three positive things. It will allow workers a wider range of employment options by expanding their geographic reach. Second, it will attract business development since employers will have access to a broader pool of employees in a region with lower operating costs and high quality of life attributes. Third it will allow more regional mobility. The economic ripple effect from lower unemployment and new business investment will in turn bolster housing growth and revitalization of these inner cities and neighborhoods.

E-024.02

I believe that it is critically important to vigorously support this SouthCoast Rail project.

Very truly yours,

Melinda L. Ailes

Melinda L. Ailes
17 Grand View Avenue
Mattapoisett, MA 02739

508-758-3417
mlailes@msbdc.umass.edu

Melinda Ailes
Regional Director
MA Small Business Development Center
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PRISCILLA ALMQUIST-OLSEN, ESQ.
59 Seaver Street, North Easton, MA 02356
(508) 238-6577 or (508) 272-3121
www.paolsen1@gmail.com

May 27, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

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

RE: SOUTH COAST RAIL DEIS/DEIR

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

Please be advised that I am writing in reference to the above-captioned matter. I oppose the Stoughton – Easton – Fall River – New Bedford rail alternative for the following reasons:

1. THE RAIL PROJECT IS A BOONDOGGLE. The cost is astronomical in contrast to the small group of riders it would serve. Overall cost is estimated at \$2 billion today which will rise to \$4 billion with the usual cost over-runs at the time of construction. The ridership envisioned is but a vision and a hope. When a bus route was proposed in the recent past, the proponents could not justify it: insufficient number of riders making the trek into Boston. What will change? Will the educated pool of riders for those Boston jobs change? Will riders who are qualified for Boston jobs want to endure a 3-hour round trip every day and deprive their families of their presence? The obvious answer is “NO” to both questions. If the goal is to raise the socio-economic level of Fall River and New Bedford residents, put the money into economic development in those communities so that they can prosper and their citizenry can find employment close to home.
2. THE RAIL PROJECT IS HAZARDOUS TO THE ENVIRONMENT AND TO THE HEALTH, WELFARE, AND WELLBEING OF EASTON RESIDENTS. The train cutting through the environmentally sensitive Hocomock Swamp will wreak havoc and destruction on habitat, wildlife, and the filtering of toxins. The train will adversely impact Town of Easton municipal wells and threaten our drinking water. The train's barreling through North Easton's Historic District will

L-058.01

L-058.02

endanger the stability and edifices of many unique and one-of-a-kind internationally regarded Henry Hobson Richardson buildings. It will interrupt the many residents' (some of whom are a mere 25 feet from the tracks) sleep at 5:30 a.m. with the blaring whistle of the first commuter train. The 37 daily trips will cause enormous and detrimental harm to the health and well-being of Easton residents. There are many seniors (including Housing for the Elderly) along the route who are already battling with insomnia and don't need this additional insult to their environment or to their health.

L-058.02

3. THE RAIL PROJECT CUTS THROUGH THE VERY HEART AND CENTER OF THE TOWN OF EASTON AFFECTING THE DELIVERY OF EMERGENCY SERVICES: POLICE, FIRE, AND AMBULANCE.

L-058.03

I support the bus alternate for the following reasons:

1. The buses can be run on natural gas and other gasoline alternatives and will be more environmentally friendly than the train.
2. The bus trip is faster and can be easily accessed on the street, thus avoiding the cost of constructing bus stations.
3. No costly infrastructure except the designated lane is needed e.g. tracks, bus stations, etc.
4. The bus route can shift in the future with the shift in population whereas the train infrastructure will be a permanent environmental blight. The rail bed would be better served by converting it into bike and walking paths as many communities have done e.g. Orange County, New York.

L-058.04

For all the foregoing I respectfully request that the South Coast Rail Project be wisely scuttled in favor of the bus alternative or better yet no alternative until such time as the numbers warrant such a costly expenditure of taxpayer's monies.

Respectfully submitted,

Priscilla Almquist-Olsen

From: KEAma ral@aol.com

Sent: Tuesday, May 17, 2011 8:21 PM

To: S CREIS, NAE

Subject: Good choice

I think your decision to use the land at the Checkbook and Pine Swamps in Easton and Raynham to support a railway between Boston, Freetown and Fall River is great. I have recently returned from Alaska where I rode the train to Denali and saw little if any adverse effects on wildlife.
Best Wishes;

E-038.01

Ken

May 25, 2011

Alan Anacheke -Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr Anacheke-Nasemann,

The MassDot is asking for a waiver of the wetlands protection act by claiming it is for the common good.

They are arguing the economic development of the south coast region can only be gained by transit-oriented development. This reasoning is flawed and therefore the waivers should not be given for the following reasons.

1. Commuter rail has not delivered on this promise not only on the lines already constructed in Massachusetts but in other parts of the country. L-059.01
 - a) Denver's Regional Transportation District has made a mess of the multibillion-dollar, tax-funded project, making promises it couldn't keep and offering estimates that have been dramatically flawed.
 - b) Stoughton already has a commuter rail station. The economic development in this area has not occurred. (See photo's)
 - c) North Easton station site has considerable development without the need for a train station. (See attached photo's)
 - d) Easton center train station site has the shovel shop, which already has a planned housing and retail development planned again with out the need for the train coming through. (See photo's and attached pdf of the final shovel shop)
2. The economic information submitted to the army corps section 4 fails to emphasize the failure of development is mostly due to the lack of water and sewer. L-059.02
 - a. Stoughton achieved rapid growth only after joining the MWRA.
 - b. The town of Easton will not achieve the economic growth argued in the document until water and sewage needs are met. Projects can only be built within the current water and sewage limits. Notice from town web page (**Water Restrictions:** The Water Department would like to remind residents that currently Phase II is in effect. Phase II restricts water on an even/odd address basis.)
3. The amount of congestion it can relieve, at the rosiest estimate, would be only marginal. L-059.03

- a. The corps should fully re-examine the realities of the metro area's vast geography, its real-world travel patterns, our addiction to the automobile and the failure of fixed rail lines to significantly reduce congestion on our roadways.
- b. **The Federal rail highway advises against at grade crossings yet the south coast rail includes many of these** Given the at-grade crossings proposed by the full build-out of south Coast rail (and not including the existing lines), and the frequent train schedules, an opportunity exists for massive traffic snarls.
- c. Minneapolis, a federal transit review found that poorly planned traffic-signal systems subjected drivers to long and unnecessary waits. Some drivers reported commute times that doubled. The federal study found that the problem could never be corrected, meaning the rail line's congestion-relieving benefits were negated by the problems the grade crossings caused for drivers.
- d. The corps should demand that Massachusetts prove that the at-grade crossings won't be an issue. At a meeting for station planning for the North Easton station Comments were recorded about current traffic issues in this area. The plan is for a 500-car parking lot. To illustrate the lack of understanding of the situation the South Coast rail will have two roads existing the parking lot but both feeding unto the same road (rt 138) Currently a Supermarket and office building already exit on to this road creating 20 minute back ups during the evening rush hour. There will be only 3 rush hour trains and at full capacity of the parking lot and assuming some drop off and pick ups, one can conservatively estimate the increase number of vehicles to be 100 per train. If 10 cars can go through the traffic light per cycle then you are increasing the cycles by 10. This traffic will further jam 138 increasing tie ups at lights and intersections further along this route negating much of the CO₂ reductions gains.
- e. The above argument can be repeated at each and every stop.
- f. Frequent trips over long distances tend to dramatically dilute ridership per mile. Less riders per mile means more carbon dioxide pumped into the atmosphere, as diesel is a fossil fuel, and the electrical grid is mostly powered by fossil fuels.
- g. Most passenger cars already emit less CO₂ per passenger mile than an equivalent use of commuter rail. Because the cars are becoming more fuel-efficient so quickly, the divide will only continue to grow.

4. The fanciful assertions about job creation are up for debate.

L-059.04

5. Noise pollution

- a. Currently the trains pulling into Stoughton Station blow their whistles. The town hall is located near this station. The noise from the train whistles causes meeting in the great Hall to be stopped because people cannot hear. This will increase as the number of trains increase. It is interesting to note the Stoughton station area is not mentioned on the table 4.6-5.
- b. There is a theater within 1000 feet of the tracks in Stoughton Center. Currently there is an effort to restore the theater to it's original State. No mention of this theater appears in the report yet will be directly impacted by the noise trains especially the whistles.
- c. The number of crossing in the town Stoughton vs. the distance and the Swift act will cause the trains' whistles to be blown almost continuous from the time the train hits the border until it leaves. I live two miles from the station and am disturbed by the train whistles now. It will only get worse.
- d. The towns with the least to gain will be impacted the most. Please note the diesel Alternative will have less severe impacts as seen in Table 4.6- 21 and Table 4.6 -20
- e. The Diesel alternative also will have less impacts during the constructions period as shown in Table 4.6-30
- f. It is interesting the state is willing to spend 1.4 Billion dollars on a train but when it comes to helping people who are directly impacted and getting no benefit they are limiting what they will spend. It should also be noted the \$5000 seemed arbitrary and not based on current construction cost.

L-059.05

6. Then you can throw in the certainties of a government-sponsored project costing more than estimated, taking longer to build and underperforming the revenue projections. The Massachusetts commuter rail rose 43% from fiscal 2001 to 2008, a \$74.5 million increase as the railroad's operator was asked to open a new line and expand service on 3 others. The Massachusetts transit system is unable to keep pace with cost inflation and falling dangerously behind on repairs needed to keep passengers safe. The cost of the project is not in the public good and the cost to maintain it is also not in the common good.

L-059.06

Arguing the wetlands protection act should be waived because the project is for the common good is not valid. One group of People cannot be valued over another group of people. Massachusetts often seems more preoccupied With politics — most obviously, placating mayors from the cities of New Bedford a Fall River, and Taunton who want to ensure their rail line is built. The wetlands protection act serves all the People. Waivers should not be given lightly and should not be given simply for political reason. The argument for the common good should include all the people not just the “group of the hour”. Further more the greatest harm to the environment is in the towns that have the least to gain.

L-059.07

Yes, rail lines are sleek and attractive. But besides being pricey to install, they are pricey to maintain, and other alternatives exist that would clear clogged roadways (and the air) at least as effectively, if not more so.

Please turn down the request to waive the Wetland protection act and the South Coast Rail Project. It is not for common good since the supposed economic growth is not supported by facts, nor is the improvement to the environment but instead this project will destroy wetlands solely for political aims as confirmed at public hearings by speeches by politicians from towns who want the rails and from politicians who want the train as long as it isn't going through their towns.

I also was disappointed in the fact that only 2 public hearings were held on a billion dollar project yet none of the public hearings were in the towns the had the most to lose, Easton, Raynham, and Stoughton.

L-059.08

Finally all of these impacts will be exacerbated if this track also includes freight.

L-059.09

Barbara Anzivino
25 Ross Ave
Stoughton Ma 02072
Precinct 4 Town meeting Representative

Photo's to go with letter Barbara Anzivino

The current train station does not bring in development in Stoughton

This is one of the many vacant stores located near the current train station



This is a picture empty store fronts and the theater. There is currently a group raising money to restore the historic Theater. The noise from the trains will affect concerts and performances' in the future as the train tracks are located within 500 feet. The whistles will blow as they approach the station and then again as they leave. The trains not stopping at the station will also blow their whistles as they approach the intersections through the town.



Office park already constructed near North Easton Station picture 1



Building 2



It appears a future train will not enhance development in this area by much. The current wait to exit this parking lot onto route 138 at evening rush hour is sometimes as long as 20 minutes. The second office building is built but not occupied. The third is under construction. What will a 500 car parking lot do to the traffic in this area.?

L-059.10

This is the strip Mall already built where the North Easton Station will go .



Waste water treatment for the shopping center site of the North Easton Station



Train station for Easton Center



The picture below is the proposed shovelshop development. It didn't need a train to get going. The economic impacts are over exaggerated.



From: Glenn Bachman [glenn@ravenbusiness.com]

Sent: Tuesday, May 10, 2011 3:09 PM

To: S CREIS, NAE

Subject: <no subject>

Alan,

Can you please tell me the close of comment period date for the south coast rail project. Many thanks. glenn | E-029.01



City of New Bedford
Massachusetts

ASSESSING DEPARTMENT

Peter S. Barney
Administrative Assistant
To The Board of Assessors

THE FOLLOWING IS A TELECOPY MESSAGE FOR:

ALAN ANACHEKA - NASEMANN

FROM: PSB

DATE: 5/2/11 **TIME:** 2 PM

TOTAL PAGES INCLUDING THIS COVER SHEET: 2

MESSAGES & COMMENTS:

LETTER IN SUPPORT OF SOUTH COAST
RAIL.

MAY 2 2011 REG DIV

567 Rockdale Ave
New Bedford, MA. 02740
May 2, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA. 01742-2751

Dear Mr. Anacheke-Nasemann :

I am writing this letter in support of bringing passenger rail service in addition to upgraded freight service to New Bedford and Fall River.

When the railroads were first built New Bedford had one of the earliest connecting lines to Boston which followed the economic expansion of the South Coast region. Today, this area of the state has been disenfranchised from the possibilities of job creation and rapid transportation which was available as late as the mid-1950's from New Bedford to Boston.

New Bedford's expanding economy, especially with the coming wind turbine project, requires the upgrade of the existing track for faster freight service, but we also need to be connected for passenger service both to and from Boston so that our citizens can avoid the long traffic delays on Route 24 to get to job opportunities in Boston.

F-001.01

The Stoughton route offers the most direct and fastest connection to Boston from Fall River and New Bedford.

Since a total rebuild of the raised right-of-way in New Bedford with its old railroad bridges is under way, a major step has been taken to prepare for expanded freight service, and with the possibilities of coming passenger trains.

This project should be speeded up as fast as possible, so the cities of New Bedford and Fall River can fully join in the economic expansion of the eastern Massachusetts metropolitan area.

Sincerely,


Peter S. Barney

Cc: Kristina Egan

MAY 2 2011 REC DIV

From: Christopher Barros [kaleeki6905@hotmail.com]
Sent: Friday, May 27, 2011 1:06 PM
To: S CREIS, NAE
Subject: MY FEELINGS ABOUT THE SOUTHCOAST RAIL PROJECT

DEAR MR. ALAN ANACHKA-NASMANN: I fully support the article that was run in our local newspaper (the Standard Times) today, May 27th, 2011 on page A4. It was written by Dr. T. K. Roy, Professor Emeritus @ UMASS Dartmouth. Everything he wrote about our future here in the Southcoast for rail transportation Most notable in Professor Roy's article was the fact that the rail completion..."will save millions of gallons of gasoline yearly used CURRENTLY in traffick back and forth to Boston, REDUCING pollution and dependence and foreign oil." I have the development site as well monitor the ongoings on the projects website. As an environmentalist, I know our CHILDREN deserve a clean, bright and prosperous future. We owe to them. Future generations of this whole region, sir, will be looking to you. Thankyou for your time and your consideration pertaining this matter.

E-057.01

Mayoral Candidate for the City of New Bedford, Massachusetts.

U.S. Army Sergeant (Ret.) Christopher John Barros

Combat Veteran

Disabled American Veteran

861 Tradewind Street, New Bedford, MA 02740-1852.

P.S. At the time of this letter, I have still not pulled nomination papers for office.

From: Christopher Barros [kaleeki6905@hotmail.com]
Sent: Friday, May 27, 2011 1:18 PM
To: O'Shea, Aisling (EEA)
Subject: Secretary Sullivan, sir.....

Dear Secretary Richard K. Sullivan, Jr. :

Sir, our local newspaper ran an article today that I hope you have taken into strong consideration for the future welfare of we South Coast residents. Our commuter rail project will..."save millions of gallons of gasoline yearly used currently in traffic back and forth to Boston, REDUCING pollution and dependence on foreign oil." This is one quotation from the writer of today's article, Professor Emeritus Dr. T.K. Roy of UMASS Dartmouth. Actually, everything that was written in this article...."Comment today on South Coast Rail Project", I am in FULL agreement. It is logical and pertinent the future generatinos of this whole region. Thankyou for your time...and your consideration to this matter. Sincerely,

Mayoral Candidate for the City of New Bedford,

Massachusetts

U.S. Army Sergeant (Ret.) Christopher John Barros
Combat Veteran Disabled American

Veteran

From: Sue Bass [henrysuebass@gmail.com]
Sent: Tuesday, May 17, 2011 4:54 PM
To: SCREIS, NAE; aisling.o'shea@state.ma.us; Anacheka-nasemann, Alan R NAE
Cc: Heidi Ricci; Julia Blatt
Subject: Re: Missing words in South Coast Rail filing

Sorry for a false alarm. Apparently this was a computer problem. I downloaded the Wetlands chapter again and all the words were there.

Sue Bass

On Tue, May 17, 2011 at 11:32 AM, Sue Bass <henrysuebass@gmail.com> wrote:

I hadn't gotten very far in reading the Wetlands section of the South Coast Rail EIR/EIS (which is the section where I started) before I started finding gaps in the text.

E-039.01

For example, on the first page, in section 4.16.1.1 RESOURCE DEFINITION, at least part of one sentence is missing. The text reads, "Under Massac [a line and a half of blank space] marshes, swamps, bogs, areas where groundwater, flowing or standing surface water or ice provide"

The very next section, REGULATORY CONTEXT, has a similar gap: "Section 404 of the Clean Water Act requires a Department of the Army permit for the discharge of [long blank followed by the superscript 2] including adjacent wetlands."

I don't know how this happened or how common it is in the text, but it is serious. While I can mentally fill in references to such things as the Massachusetts Wetlands Protection Act, I have no way of knowing what else was omitted. After fixing all the errors, I suggest you re-notice this and extend the comment period.

Cordially,

Sue Bass
530 Concord Ave
Belmont MA 02478
[617 489 4729](tel:6174894729)

Sue Bass

530 CONCORD AVENUE, BELMONT, MA 02478
617 489 4729 • E-MAIL: HENRYSUEBASS@GMAIL.COM

May 27, 2011

Alan Anacheke-Nasemann, Project Manager
Army Corps of Engineers
New England District, Regulatory Division
696 Virginia Road
Concord, MA 01742

screis@usace.army.mil

Secretary Richard K. Sullivan, Jr.
Executive Office of Energy and Environmental Affairs (EOEEA)
Attn: Aisling O'Shea, MEPA Office
100 Cambridge St., Suite 900
Boston, MA 02114

aisling.o'shea@state.ma.us

Dear folks,

I write to comment on the Draft Environmental Impact Statement (NAE2007-00698) and Report (EOEEA 14346) on the proposed South Coast Rail project.

Although I'm a supporter of rail transportation, I must oppose South Coast Rail, at least using the route the proponents have selected. When Governor Patrick and others made a campaign promise to push it through, they were probably ignorant of the enormous cost per rider and the enormous environmental price it would impose. This project does not make sense on either ground.

Purely on environmental grounds, to slice through the state's largest freshwater wetland, the Hockomock Swamp, is absurd. Though a track did once run through the swamp, the rails have long since been removed; the scar they left is nearly erased. Constructing a new track would mean bulldozing many thousands of trees and wetlands. At least 12 acres of wetlands would be directly altered by this project, and more would be affected. Sixty-six streams would be crossed, on average about twice each. This is a lot of environmental "alteration."

In *The Song of the Dodo*, David Quammen describes cutting a fine Persian carpet into "Thirty-Six Persian Throw Rugs." Each one is worth much less than 1/36th of the original carpet. Similarly, chopping up the Hockomock into smaller pieces will devastate the entire swamp. Do not do this.

Cordially,

Sue Bass

L-060.01

MAY 14, 2011

FROM: RICHARD A. BEAL

10 BEECH TREE LANE

SOUTH EASTON, MA 02375-1520

PHONE: 508-238-2175

TO: ALAN ANACHEKA-NASEMANN

ARMY CORPS OF ENGINEERS

696 VIRGINIA ROAD

CONCORD, MA 01742-2751

SUBJECT: STOUGHTON ALTERNATIVE

CONCERN: DEPOT ST. AND PURCHASE ST. GRADE CROSSINGS IN THE
"SOUTH" EASTON SECTION OF TOWN

BECAUSE OF THE SHORT DISTANCE BETWEEN THE TWO GRADE CROSSINGS ($\frac{1}{4}$ MILE) BOTH THE NORTH AND SOUTH BOUND TRAINS WILL BE REQUIRED TO SOUND THEIR HORN FOR $\frac{1}{2}$ MILE IN BOTH DIRECTIONS WHICH MEANS THOSE LIVING IN THIS AREA WILL RECEIVE TWICE A LONG HORN BLASTS AS OTHER GRADE CROSSINGS IN TOWN.

L-028.01

ALSO THE SHORT ST. GRADE CROSSING IS LESS THAN $\frac{1}{2}$ MILE NORTH OF DEPOT ST. AND PROSPECT ST. GRADE IS ABOUT $\frac{3}{4}$ MILE SOUTH OF PURCHASE ST., WHICH MEANS FOR ALL INTENTS AND PURPOSES WITH TRAINS SCHEDULED EVERY 22 MINUTES BETWEEN THE

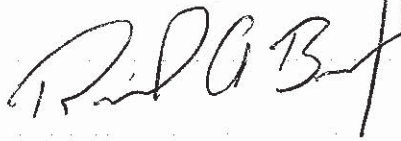
HOURS OF 7AM AND 10PM AND GOING 70MPH, THE HORN WILL BLOW ALMOST CONTINUOUSLY THRU THE SOUTH EASTON SECTION OF TOWN. TO ME AND MY NEIGHBORS THIS IS A QUALITY OF LIFE ISSUE AND IS "UNACCEPTABLE."

L-028.01

THE SOLUTION IS OBVIOUS. THE TRAIN HORN SHOULD NOT BE BLOWN IN THIS AREA OF TOWN. THE GRADE CROSSINGS SHOULD HAVE DOUBLE WIDE GATES WITH LIGHTS AND BELLS WITH FENCES SO NO VEHICLES OR PEDESTRIANS CAN CROSS UNTIL THE TRAIN HAS PASSED,

"COMMON SENSE SHOULD APPLY"

SINCERELY,



RICHARD A. BEAL

COPY TO TOWN OF EASTON SELECTMEN AND TOWN ADMINISTRATOR

THERE IS MORE TO THE TOWN THAN NORTH EASTON.

THIS IS A QUALITY OF LIFE ISSUE AND MY EXPECTATIONS ARE YOU "WILL" TAKE THIS SERIOUSLY AND ACT UPON IT.

John K. Bullard
19 Irving Street
New Bedford, MA 02740

May 9, 2011

Mr. Alan Anachecka-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 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:

As a long time advocate for the need to expand commuter rail to New Bedford and the South Coast, going back to my time as Mayor of the City of New Bedford, I would like 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.

L-019.01

I also have acted as Chair of the Southeastern Massachusetts Commuter Rail Task Force for nearly ten years, but I would like to stress that while this experience has expanded my familiarity with this project, these comments are made in my capacity as a citizen of New Bedford and of the South Coast.

I believe that the thorough analysis in the DEIS of both the transportation and environmental factors associated with the alternatives is unassailable and leads to some very obvious conclusions. The report clearly demonstrates that the Stoughton Route provides the best service to Taunton, Fall River and New Bedford as measured by travel time and ridership. The Corps' analysis of the operational obstacles associated with both the Attleboro and Rapid Bus Alternative make it clear that these alternatives are not feasible.

L-019.02

MAY11'11 REG DIV

The analysis of environmental factors including wetlands, air quality and water resources also supports the conclusion that the Stoughton route performed best on the measure of environmental impact. The fact that the Stoughton route follows rail beds that were in service as recently as 1958 is an obvious factor in minimizing any negative impacts. The DEIS conclusion that the wetlands impact will be limited seems accurate, but I would support mitigation to repair any degraded areas of the ACEC.

Considerable time and effort has been invested to address the smart growth benefits of this project and I want to re-emphasize the importance of this issue. Likewise, the significant reduction in vehicle miles traveled and subsequent greenhouse gas reductions resulting from this project have not been given much attention but need to be emphasized in any environmental analysis.

L-019.02

I believe that based upon the information presented in the DEIS that the Least Environmentally Damaging Practicable Alternative (LEDPA) should be determined to be the Stoughton Alternative, the Commonwealth's preferred alternative. I also support the electric alternative with its lower carbon footprint and faster travel time between South Coast and Boston.

I urge the Army Corps and its partners to complete the review and make the determination of the LEDPA as expeditiously as possible. The region has been working on the restoration of commuter rail service for more than two decades and we are anxious for the Corps to complete its review so that MassDOT can proceed with a financial plan and other aspects of this project.

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

Sincerely,



John K. Bullard

Cc: Kristina Egan, MassDOT

From: steve.caste lina@comcast.net

Sent: Thursday, May 19, 2011 4:29 PM

To: S CREIS, NAE

Cc: aisling.o' shea@state.ma.us

Subject: South Coast Commuter Rail Project-DEIS/DEIR-Opposition

I attended and spoke at the public hearing concerning the DEIS/DEIR on May 4th in Mansfield MA. That night , I spoke as Chairman of the Berkley Board of Selectmen expressing some of our thoughts and concerns on this issue and also aired some of my own opinions that night. I oppose the spending of public money on the extension of commuter rail to New Bedford, Fall River and Taunton.

I called this project a 2 billion dollar boondoggle for may reasons that night. Just yesterday, May 18th 2011, The Boston Globe wrote about the state of the MBTA and pointed out that ridership of commuter rail from 2008 to 2010 was down 6.8%. Granted there could be various reasons for this but one may be one that I had pointed out at the Mansfield meeting, that being that more people are now and will in the future be working from home.

E-041.01

Something else that I said in Mansfield also has to be reiterated , that is that any Route 24 traffic initially removed by commuter rail will be quickly filled in by others who see the road as a little less traveled and then we will quickly be in the same initial situation again. Solving nothing but spending billions.

E-041.02

If any transportation project is to be done then it should be the least costly alternative which is improved bus service. The money spent on this project to date could have already paid for this and it is a shame that the MBTA continues to press on with this irresponsible costly project in hopes of enlarging their empire of commuter rail.

E-041.03

Needless to say, commuter rail is never self supporting and drains the public resourses. I would never believe the MBTA's estimate of future ridership. It is completely self-serving.

The fairness doctrine for New Bedford and Fall River is childish. Just because others have commuter rail doesn't mean that everyone should. This project should be decided on it's merits and not that all cities within 60 miles of Boston should have commuter rail. As I said in Mansfield, everyone would be better served if just a fraction of the money to be spent on this project was used to encourage/promote industry and businesses to locate in Southeastern Massachusetts. Then no one would have to travel for an hour or two to get to work. This is the best environmental solution.

E-041.04

It is inconceivable to me that going thru a precious environmentally sensitive area such as the Hockomock Swamp has the least environmental impact. It's not inconceivable to me to hear that the MBTA says that this is the one that would have the least environmental impact. The MBTA makes statements and just hopes that no one questions them. If that happens, then they "win". Please do your due diligence and check everything.

E-041.05

Sincerely,
Stephen Castellina
141 Padelford Street
Berkley, MA 02779

E-041.06

THE SOUTH COAST RAIL

If we are supposed to be living in a democracy, where the majority rules
Then all people of voting age should be allowed to vote on the South Coast
Rail.

People from the Northern part of the state, Eastern and Western part of the
state will most likely never use the south Coast Rail and should not have to
pay for it for the rest of their lives.

It should be put on a ballot

Anyone who ***votes for it*** should be ***taxed for it*** for the rest of their lives.
People who vote against it should not have to pay. ***TAX New Bedford***
And ***Fall River***, if they want it let them pay for it.

The Right defination is: If you ***don't want it*** you ***shouldn't have to pay***
For it, like it or not. The wrong is whether you ***don't like it*** or want it we
will ***make you pay*** for it?

How about if you're not going to use it at all!

L-050.01

JIM D. CHISHOLM
113 Crooked Lane
Lakeville, Mass. 02347

MAY26'11 REG DIV

From: Paul Cienniwa [pcienniwa@gmail.com]
Sent: Saturday, May 07, 2011 5:20 PM
To: SCREIS, NAE; aisling.o'neill@state.ma.us
Subject: South Coast Rail

Dear Mr. Anacheke-Nasemann and Mr. Sullivan,

I am writing you to voice my strong support for South Coast Rail. I have been a Fall River homeowner since 2006.

While I would typically use the train only once a week, I would look forward to the economic prospects that rail would bring to the region. One concern that I have not seen in the media is that of social justice. Why is it that so many other metropolitan areas within an hour of Boston (if not all) have rail while the South Coast doesn't? Even Providence has rail to Boston. This, for me, is an equity issue. A Fall River resident pays \$38 for a round-trip ticket on the Peter Pan Bus line. Introducing South Coast Rail will help keep the "M" in the MBTA.

E-026.01

There are many, many more reasons why South Coast Rail is good and necessary for the region. Please help to make this happen!

Sincerely,

Paul Cienniwa
<http://paulcienniwa.com/>

From: Lynne Davis [lynne.davis@verizon.net]
Sent: Wednesday, May 25, 2011 10:31 PM
To: S CREIS, NAE
Cc: aisling.o' shea@state.ma.us
Subject: South Coast Commuter Rail - Comment
 May 25, 2011

Alan Anacheke-Nasemann
 Army Corps of Engineers
 696 Virginia Road
 Concord, MA 01742-2751

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

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

I am writing to provide comments on the South Coast Rail Draft Environmental Impact Statement/Report. I oppose construction of the proposed Stoughton Alternative.

I am very concerned about the following issues:

- | | |
|--|----------|
| 1. There will be two grade crossings for me to cross should I choose to board the train at Roche Bros. Plaza. These crossings will not only create traffic for me and other residents but the entire town, which already has traffic problems due to rapid growth, will be subjected to continual traffic jams. The crossing of Rte. 106 is ill conceived as traffic to and from Five Corners already backs up significantly in both directions. | E-047.01 |
| 2. One of those crossings is approximately 200 yards from my front door. These grade crossings will disturb my current peaceful and quiet surroundings. I value these surroundings highly. The resale value of my home, essentially my life's savings, will depreciate considerably. A neighbor who lives a bit closer to the crossing has already told me he will rent his house out to Stonehill College students if the train comes through. | E-047.02 |
| 3. The water table in our neighborhood is very high. Virtually every home has a sump pump and a new or aging septic system. It is unclear to me what the impact to the already flood prone Black Brook will be. | E-047.03 |
| 4. There are quite a few children in the neighborhood. I am concerned for their safety if the train comes through. There have been accidents elsewhere. | E-047.04 |
| 5. The area is abundant with wildlife, e.g., deer, rabbits, fox, coyotes and turkeys among others. The train will undoubtedly diminish the population of wildlife. | E-047.05 |
| 6. I have ridden the Commuter Rail from Stoughton and more recently Brockton for eighteen years. I find either of these stations equally convenient to get to. However, I question the MBTA's ability to manage another fleet of trains given their apparent inability and unprofessionalism in managing the existing fleet. | E-047.06 |
| 7. There are existing lines which extend much further south which could be used to transport | E-047.07 |

residents of the Southcoast to Boston. There is also the option of express busing. I do not understand why we need to lay track all the way from Stoughton to Fall River and beyond. If you must lay track, the commuter rail already passes through Attleboro on it's way to Providence. New Bedford could be reached by extending the Middleboro-Lakeville line.

E-047.07

8. Finally, I am concerned about the economic feasibility of laying more track. It will be a very expensive undertaking requiring more borrowing and operation of another train line at a loss at the expense of the taxpayer.

E-047.08

I appreciate your consideration of my concerns. Please forward me a copy of the Final EIS/EIR addressing each of my concerns. Thank you.

Sincerely,

Steven P. Davis
49 Prospect Street
South Easton, MA 02375

Cc: Kristina Egan
Project Director
Massachusetts Department of Transportation
Ten Park Plaza
Suite 4150
Boston, MA 02116-3973

Marianne B. De Souza
1027 Ivers Street
New Bedford, MA 02745
Mbd5544@yahoo.com

May 27, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
E-mail: SCREIS@USACE.army.mil

Dear Mr. Anacheke-Nasemann,

I am writing to submit my thoughts regarding the proposed Southcoast Rail Draft Environmental Impact Statement / Report. I regret that I was unable to attend the hearing held in New Bedford due to the recent death of a family friend.

First of all, I wish to have my opinion accepted and considered as decisions regarding the future of New Bedford and surrounding communities in the Southcoast hang in the balance. I wish to be on record as strongly advocating in favor of the extension of the Southcoast Rail to the City of New Bedford.

L-067.01

As a public health professional, taxpayer, and a parent, I believe that linking the City of New Bedford to Greater Boston and other communities south of Boston via rail will benefit public health and economic development. I support the alternate route through Stoughton because it is more direct and will reduce commute time which will offer of social benefit by increasing time for family and recreation beyond the work day. People who use the rail will increase their physical activity helping to reduce the epidemic of obesity that currently exists by frequent walks to and from rail access points. Increased pedestrian activity also promotes safer neighborhoods.

L-067.02

A major benefit from the rail will be to reduce fuel exhaust from the many vehicles that traverse our roads and highways enroute to educational, medical, workplace, entertainment, and cultural mecca in Boston. These exhausts present an environmental health hazard and serve as a trigger exacerbating the risk and triggers for asthma in our general population. Air quality in Massachusetts will improve as a result of the Southcoast Rail. I support the electric rather than the diesel system because it will be faster and more environmentally friendly. It will also be amenable to future technology of solar or wind energy.

L-067.03

Another tangible benefit from the Southcoast Rail coming to New Bedford will be to increase opportunities for employment for New Bedford residents and neighboring communities that cannot afford the costly commutes via motor vehicles which is a matter of Environmental Justice. This will also help to fuel the local economy and provide a source of hope and opportunity that will benefit families and the Commonwealth of Massachusetts by helping to reduce unemployment in an area of the state that has been particularly hard hit for generations.

Thank you for considering my views and allowing me to have a voice in this important matter that will impact future generations.

Marianne B. De Souza

Peter Deschenes
236 Depot Street
South Easton, MA 02375

Friday, May 20, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742

RE: South Coast Rail Stoughton Alternative

Dear Mr. Anacheke-Nasemann,

I write you regarding my concerns about the South Coast Rail Stoughton Alternative.

L-032.01

From a planning perspective I am not against the South Coast Rail Stoughton Alternative. Each alternative has its' pros and cons therefore whichever route the Army Corps chooses is likely the most feasible.

My first concern is that the amount of time given to municipalities and residents to review the DEIS and make comments is woefully inadequate.

L-032.02

In addition to the official mitigation requests of the Town of Easton and surrounding communities, I am particularly concerned with how the grade crossings in Easton will infect the town with traffic blight.

L-032.03

Route 123(Depot Street) in Easton from Route 106 to Route 138 is a 200+ year old road which has become a cut-through between Route 495 and Route 24. As of 2007, this stretch of road had an average daily traffic volume of 16,975, concentrated during commuting hours. It has several sharp turns and is narrow such that if a large truck is passing through, a pedestrian or biker must move at least a few feet onto the shoulder.

The proposed rail route will cross Depot St., causing major traffic delays. While the crossing is inevitable if the Stoughton alternative is chosen, several mitigation measures would help to minimize the impact on our safety and general quality of life:

1. Drainage, road improvements, and sidewalk installation from Center St. to Route 138.
2. Intersection studies and improvements at Depot St./Center St., Depot St./Short St., and Depot St./Route 138.
3. Signs giving drivers ample notice that there is a train crossing ahead. Given the placement of the road curves relative to the crossing, we will end up with at least some fender benders as people tend to drive fast down the road.

I understand that we cannot fix every road and protect every toad in Southeastern Massachusetts as part of the rail process. We can work together to minimize the impact on our safety and quality of life, particularly in towns like Raynham and Easton with much to lose and little to gain from the project.

Thank you for your time and attention to this matter.

Sincerely,



Peter Deschenes

MAY23'11 REG DIV

27 Linden Street
North Easton, MA 02356
May 17, 2011

Mr. Alan Anacheka-Nasemann
Project Manager
US Army Corps of Engineers
New England District
Regulatory Division
696 Virginia Road
Concord, MA 01742

Dear Mr. Alan Anacheka-Nasemann:

My name is Lynn Dhooge and I live on Linden Street in North Easton which is right near the proposed Stoughton Alternative of the South Coast Rail Project. I am writing to voice my objections to the Stoughton Alternative on several grounds. First of all, the quality of life which I moved to Linden Street for will be greatly diminished. My family and I moved to Linden Street because of its close proximity to the YMCA, the library, the Main Street area and the NRT Sheep Pasture. Not only that, this area is very quiet and family-oriented. We enjoy hearing the birds sing and the other various sounds of nature. I am not looking forward to have multiple trains passing my house every day with both the air and noise pollution which will result. As I am right near Elm Street and Oliver Street is the next street over, I am assuming the trains will be blowing their whistles at each crossing. I am sure I will be able to hear the Main Street one as well. I grew up across the street from the commuter rail and Amtrak tracks in Jamaica Plain and I moved away from them as quickly as I could. Where I grew up I was not nearly as close to the tracks as I will be with the Stoughton Alternative. However, when those trains went by they shook the house and their whistles were quite loud. This brings me to my next grievance with the proposed Stoughton Alternative. My house is a little over 100 years old. Can I be assured that in no way will the vibrations and pollution that will be emitted by the trains not destroy or in some way adversely effect my home? The homes in this area were built by the workers of the Ames Shovel Company and as stated in the US Army Corps of Engineers report, they are simple wooden structures. In addition to the effects the trains will have on the homes themselves, the trains would destroy the historic district of North Easton by slicing through the very heart of the district. One could argue that there used to be trains that went through the area and that is accurate. However, unless I am mistaken, those were freight trains. It is my understanding that freight trains do not travel at the same speed as passenger trains and I do not believe that the freight trains ran as frequently as proposed by the Stoughton Alternative. My last main concern regarding the Stoughton Alternative is the effect it will have on the safety of my children as well as the other children in the area. As I mentioned previously, I live right near the proposed tracks and right near Elm Street and Oliver Street. One of the benefits of living in this neighborhood that initially attracted my family was the sidewalks. My family and I take walks around the neighborhood all the time. I cannot help but worry about what these trains will mean for the children in the neighborhood. I understand it is the parents' obligation to teach their children these things, but if the cause of concern can be averted, that would be the ideal solution. Thank you for taking the time to read my concerns and I hope that they help you to understand

E-040.01

how the proposed Stoughton Alternative will not only effect the environment which I know has been deliberated often, but also how it will effect our history, neighborhoods, our children, our quality of life and our actual homes. Perhaps, it would be best to start with the rapid bus to gauge public interest as opposed to basing the decision on the politicians' interests. I do not believe that the proposed benefit of these trains in any way supersedes the detriment they will cause to those who live in its path.

E-040.01

Sincerely yours,

Lynn A. Dhooge

O'Shea, Aisling (EEA)

From: Dion, Nicole [NDion@eapdlaw.com]
Sent: Tuesday, May 17, 2011 3:55 PM
To: O'Shea, Aisling (EEA)
Subject: Stop the train through Easton

Secretary Richard K. Sullivan
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling O'Shea], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Email: aisling.o'shea@state.ma.us

RE: SOUTH COAST RAIL PROJECT

E-071.01

This letter is intended to act as notice for the record that for the reasons listed below I am completely against the expansion of the commuter rail and additional freight line proposed by MASSDOT via the proposed Stoughton Alternative.

Cost – the \$2 Billion dollar plus cost of the project fails the cost/benefit analysis.

Feasibility – it's unlikely the line would see enough passengers from New Bedford or Fall River willing to pay \$275 - \$300 plus parking to ride a train for a minimum of 1 hour 15 minutes each way for a job in Boston, or vice versa. Moreover, the ridership analysis is flawed, as it assumes people in Mansfield, Attleboro, Lakeville and Middleborough will take the new line instead of a train that leaves from their own town.

Environment – Trains are an environmentally unfriendly mode of transportation. The Commonwealth should not be investing billions of dollars in a fossil fuel technology that moves people from one point to another. Jobs are moving into the suburbs, and more people are telecommuting. The proposed train will harm drinking water supplies, flood storage, and wildlife habitat, and will bisect a nationally renowned Area of Critical Environmental Concern (ACEC).

Well Water Impact – The Commonwealth's preferred route takes the train within the Zone I of one of Easton's most productive wells. This is an unacceptable risk.

7 traffic crossings – these crossings provide a safety risk for children and traffic and a major noise and vibration disturbance.

Historical Areas and building compromised – the proposed train route will come within less than 25 feet of historic building that are not built to withstand the vibration and will be damaged or destroyed.

Dividing the town impedes Police/Fire/Ambulance access to people in need, and route to closest hospital is severed as well. The MBTA already runs in a deficit in excess of \$130 million dollars, this line would only add to that. There are neighborhoods and businesses along route that come within 25 – 50 feet of train passing.

The bottom line is despite the marketing by the DOT this project is contrary to public interest and the Army Corps of Engineers should not issue the permit for the Stoughton alternative even if ultimately that results in the No Action Alternative. The Rapid Bus is clearly the LEDPA and a more fiscally responsible project.

Name: Nicole Dion
Address: 84 Foundry Street, So. Easton, MA 02375
Phone or Email: noid84@comcast.net

May 7, 2011

Mr. Alan Anacheke=Nasemann SCREIS@USACE.army.mil
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

RE: SOUTHCOAST RAIL SERVICE

Dear Sir:

I am sending copies of this letter to Mayors and state senators and representatives and to the Editor in Chief of GateHouse Media requesting publication in southeastern MA in the hope that I may encourage you and the people of our southeastern Massachusetts region to consider an alternative plan for rail service to our region. My suggestion has been ignored whenever I have tried to suggest it over the past twenty-five years or so. Considering the legitimate protests that continue over the various routes and plans presented over the years, and wishing to propose an idea that could resolve those concerns, and still provide, what I consider, an obvious resolution. Twenty years ago, for three years, I chaired Fall River Mayor Ed Lambert's Transportation Task Force with rail service at the top of our agenda for years. While Chairman of the Greater Fall River Chamber of Commerce and Industry, we met with Governors and legislators to try to promote this needed public transportation service to our south coast region. Promises were made and plans delayed because of funding and justifiable objections by citizens whose property and lives would be compromised by the plans under consideration. E-027.01

In my frequent drives between Boston and various locations of Attleboro, Easton, Taunton, Fall River, New Bedford and the Cape I am frustrated that state and regional planners and engineers have not considered mono-rail or track service at the median areas of existing highways. I remember some legislators saying mono-rail services work fine in warm climate areas like Disney, but would not be functional in ice and snow. I have displayed news articles about mono-rail public transportation services in the North West, which persuades me that inclement weather is not a justifiable objection. Picture it. Monorail services to and from Boston, swishing along overhead next to traffic jammed highways. Consider also the easy access for maintenance or other problems that occur in transportation systems. Consider the safety and security of people traveling along areas easily accessible by police and other public services in these times of terrorist threats and other dangers in our society today. And if mono-rail cannot be considered, rail tracks, which seem so antiquated to me, could be constructed in the same median locations.

Cross-over bridges would need to be reconstructed, and highways widened in some areas, but I feel confident that the cost of this construction would be considerably less than the \$2 Billion cost of current plans, which are unnecessarily complicating the process of accomplishing rail services. Put the rail service (mono or otherwise) along the highway routes that are already there. No marshes. No city or town traffic

E-027.01

intersections. No dangerous crossings. Public parking areas could be developed at places along the road route. Some are already there.

I wish someone, other than me, would feel this idea at least deserves serious consideration, and not summarily discarded for whatever reason. Back twenty years ago, some people who had devoted much effort to the development of plans then under consideration, asked me to back away from this proposal as it was "way out" and that to consider it would cause further delays in getting the project approved and accomplished. Well, twenty years later I'm hearing and reading the same objections I heard back then, and as planners persist on promoting objectionable plans, costs have risen astronomically. I would hope the idea of routing the rail service within or next to, along existing highway routes would be given consideration. If accomplished it could become a model for cities and towns everywhere as new, faster, safer public transportation services are needed more than ever before as an alternative to costly operation of private automobiles and pollution and traffic congestion become more and more a public concern.

Respectfully submitted,

(original signed)

Frederic C. Dreyer, Jr.
President Emeritus and Honorary Trustee
Southcoast Health System
personal mail: P.O. Box 528, North Dighton, MA 02764

May 7, 2011

Lisa Strattan, Editor in Chief
GateHouse Media
eic@tauntongazette.com

Dear Lisa:

I'm a face and voice from long ago (retired 15 years ago) when I was actively involved in hospital, community and regional affairs. Since then rail service service to our region has continued to be a central issue and concern to people throughout our region. Reading the "Easton Protests Rail Plan at Hearing" article in this morning's Taunton Gazette I decided to come out of hiding long enough to express, what I consider a viable solution. It is an idea I feel could interest readers, and hopefully considered by some as an idea "whose time has come"--a viable political and practical alternative for those who continue to raise legitimate concerns about trains racing through their towns and neighborhoods endangering the lives and peace of families and communities while providing a way to proceed with the development of a much-needed public rail service for the people of our region.

As directed at the conclusion of the Gazette article, I've addressed a letter to the individual representing The Army Corps of Engineers. But, I would hope my proposal would not be limited to engineering considerations.

Respectfully, I request that my attached letter appear in the "Opinion & Editorial" section of you southeastern Mass newspapers in the form of an Editorial or "Letter to the Editor."

Sincerely,

("Rick")

Frederic C. Dreyer, Jr. (cell: 508 642 2481)
P.O. Box 528
North Dighton, MA 02764

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:05 AM
To: S CREIS, NAE
Subject: FW: Photos in the South Coast Rail DEIR (UNCLASSIFIED)
 Classification: UNCLASSIFIED
 Caveats: NONE

From: Erik Edson [mailto:eedson@skyword.com]
Sent: Thursday, March 31, 2011 12:34 PM
To: Anacheke-nasemann, Alan R NAE
Subject: RE: Photos in the South Coast Rail DEIR (UNCLASSIFIED)

Thank you Alan, and thanks for all the work you put into this report.

Good Day!

Erik Edson | Gather Program Manager
Skyword | the leader in Search-Driven Media™
 234 Congress St., 4th Floor | Boston, MA 02110
 617-720-4000 ext. 1039
eedson.gather.com

From: Anacheke-nasemann, Alan R NAE [mailto:Alan.R.Anacheke-nasemann@usace.army.mil]
Sent: Thursday, March 31, 2011 11:27 AM
To: Erik Edson
Cc: SCREIS, NAE
Subject: RE: Photos in the South Coast Rail DEIR (UNCLASSIFIED)

Classification: UNCLASSIFIED
 Caveats: NONE

Most of the figures are in Volume II of the report. Here's the link to the Visual Chapter:
<http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/DEIS/Vol2/4.5%20Visual%20Resources-.pdf>

Please let us know if you need any further assistance.

Alan R. Anacheke-Nasemann, PWS
 Sr. Project Manager/Ecologist, Regulatory Division
 New England District, U.S. Army Corps of Engineers
 696 Virginia Rd.
 Concord, MA 01742-2751
 978-318-8214/8303 (FAX)

In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

From: Erik Edson [mailto:eedson@skyword.com]

Sent: Thursday, March 31, 2011 11:22 AM
To: Anacheke-nasemann, Alan R NAE
Subject: Photos in the South Coast Rail DEIR

E-005.01

Hey, I was wondering if you could point me to where the photos (or figures) mentioned in the South Coast Rail DEIR are displayed. In particular I was looking for all the figures mentioned in the "Visual" section of the report: |

<http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/DEIS/Vol1/4.5%20Visual.pdf>

Thank you for taking the time to respond!

Good Day!

Erik Edson | Gather Program Manager
Skyword | **the leader in Search-Driven Media™**
234 Congress St., 4th Floor | Boston, MA 02110
617-720-4000 ext. 1039
eedson.gather.com

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: bookmood@aol.com

Sent: Thursday, April 28, 2011 3:01 PM

To: S CREIS, NAE

Dear U.S. Army Corps of Engineers:

I live in Stoughton and am against the plan to run train service from Fall River and New Bedford to Boston. These trains won't even stop in Stoughton, so are of no benefit to us residents. These trains will only tie up traffic even more in a busy area.
I'm for the No-Build Alternative.

E-018.01

Roseanne Felago
Stoughton, MA

From: Joe F [joef271@yahoo.com]
Sent: Friday, May 13, 2011 12:48 PM
To: S CREIS, NAE
Subject: Southcoast Rail

To Whom it May Concern,

I am an Easton resident who strongly opposes the train to route through Easton. I have lived in Easton for 27 of the last 30 years. I grew up here. I lived in Bridgewater briefly for 3 years, and although not extremely close to the train, within a few miles. My experience in Bridgewater has brought me to learn that the train is not good for suburban communities. Not just the noise, but whenever children are out to play it becomes an extremely dangerous situation in which is not necessary. Also in Bridgewater, it has become a constant issue about emergency service access. I implore you to chose another route that is more suited and away from residential neighborhood. Thanks you for your time.

E-031.01

Sincerely,
Joe Fellone

May 25, 2011

48 Pond Street
North Easton, MA

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
email: SCREIS@USACE.army.mil
fax: 978-318-8303

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us
fax: 617-626-1181 or via hand delivery

Re: South Coast Rail Proposed North Easton Village Train Station Comments

Dear Mr. Anacheka-Nasemann and Mr. Richard K. Sullivan, Jr.

I am writing this letter express my dismay regarding the proposed train station in North Easton village as shown on the attached sketch.

L-051.01

There are many aspects of the proposed plan that are flawed. The first and foremost flaw is the very concept of a "dropoff station" in New England. For many years my wife worked in Boston. As my career developed, I would drive her to various commuter stations (rail - Mansfield, Sharon, Canton, MBTA Redline - Quincy Adams, Quincy) and then pick her up at night. Given the variability of New England weather, rare was the day that she would be willing get out of the car and go and wait at/on the platform. The vast majority of the time it was raining, snowing, sleeting, too windy, too cold, too hot, too humid, etc, etc for her to get out of the car until the last minute. I was typically surrounded by others whose significant others would also resist leaving the comfort of their car until the last minute. A dropoff station without idling vehicles lining both sides of the adjacent streets is totally unrealistic in New England.

The narrow configuration of Sullivan Street will only compound the problem. As a result of the foreseeable economy, the local police force will not have the staff to patrol and enforce any imposed parking restrictions. More importantly, the police want to create an atmosphere of cooperation with the local citizens, not to be forced into what would be perceived as a confrontational situation to harass and antagonize them by having them continue to circle the block (adding to the traffic issues).

L-051.02

To suggest that commuters will bicycle to a non-urban train station is only slightly less absurd. Both my wife and I regularly use our bicycles for recreation. Neither one of us would consider using a bicycle for commuting to work. First, it is totally ridiculous to consider riding a bicycle in the cold weather, ice and snow for painfully obvious reasons. During the summer heat and humidity, no one will want to ride a bike, or walk any significant distance in these conditions simply because they probably will not have access to a morning shower at their place of employment. Subtract the rainy and other weather related days from those days remaining and the actual number of days that a bicycle would be an attractive and viable alternate to a vehicle results in too few days to be considered a significant design element.

L-051.03

Furthermore, the new train station is proposed to be located in the historic North Easton village area, an area established back in the late 1700's, early 1800's. Thus, the streets in the surrounding area are narrow and not at all conducive to creating a dedicated bicycle lane or establishing the other features of a bicycle friendly environment. In fact, due to the location of and the activities at the popular Children's Museum (not identified on the attached

South Coast Rail sketch), there was consideration a few years back to make narrow Sullivan Avenue a one way street to provide a safer environment for the number of children attending the daily events at the Museum.

If the project proceeds, the "reconstructed parking area" shown on the sketch should be eliminated in its entirety. This parking lot would not only encourage "parking" but would also increase the risk of pedestrian and vehicle encounters due to the very limited maneuvering space available. I would certainly expect that a traffic study would be conducted of the surrounding streets prior to the start of any further engineering plans and that a realistic estimate of vehicular traffic and the South Coast Rail projected pedestrian and bicycle rider count would be accounted for in the study.

L-051.04

At the recent 2011 May Town Meeting, the Town of Easton approved the creation of a 48 acre public Governor Ames Park, literally in direct line of sight of the proposed rail station. Although I would not expect the new park to draw the majority of its visitors and children during the peak commuting hours, any traffic studies for this proposed station should include the projected visits to this new park.

I attended a public hearing for the proposed train station adjacent to the Roche Bros supermarket. At the hearing, the consultant who had developed the plans stated that he was instructed by the South Coast Rail staff "to make the renderings of the new station area (Roche Bros station) look attractive and cool". He did not include the words efficient, practical, or realistic in his response. It would appear that a similar instruction was issued by the South Coast Rail staff to develop the design concepts at the proposed station in the North Easton Village location, again without the primary design goals of being efficient, practical or realistic.

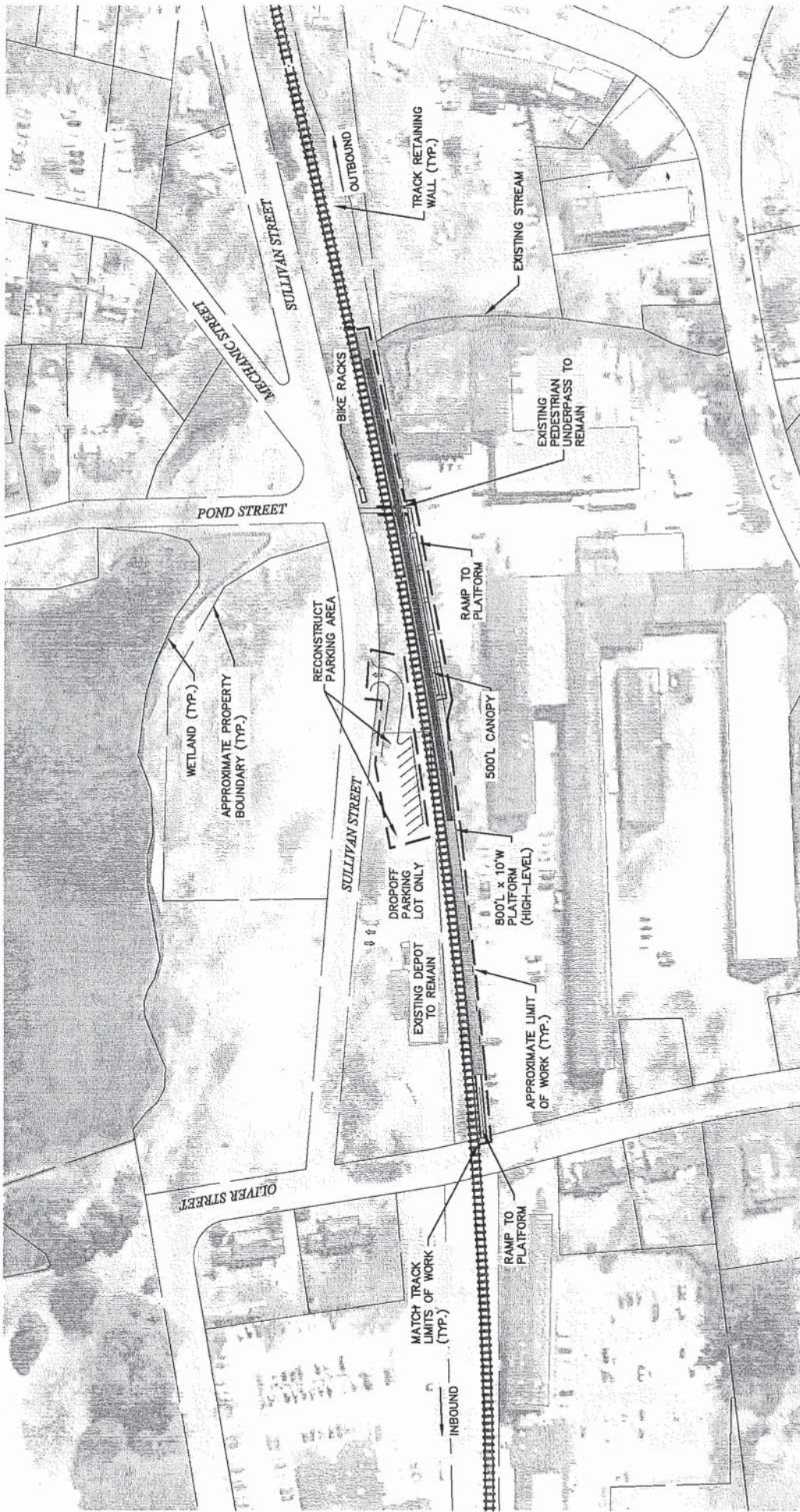
L-051.05

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Fitzpatrick". The signature is stylized with a large, looped "P" and a cursive "Fitzpatrick".

Paul Fitzpatrick

Cc: Easton BoS



May 25, 2011

48 Pond Street
North Easton, MA

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
email: SCREIS@USACE.army.mil
fax: 978-318-8303

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us
fax: 617-626-1181 or via hand delivery

Re: South Coast Rail Proposed Rail Line Ridership

Dear Mr. Anacheka-Nasemann and Mr. Richard K. Sullivan, Jr.

I am writing this letter to comment on the anticipated ridership being used to justify the proposed South Coast Rail extension from Stoughton to the Fall River/New Bedford area.

I have worked in Boston for many years, alternating between driving, riding the train and taking the "T" as the frustration level for each mode ebbed and flowed. If the existing rail service lived up to a convenient, comfortable and reliable service, it would be in demand and considered to be a desirable alternate, not the result of an evaluation to determine the least painful alternative to a commute into Boston.

I have never witnessed nor participated in any survey conducted onboard the train or at any of the train stations that I have used (including South Station) regarding the proposed South Coast Rail project. Certainly with the current projected cost, a live person survey would not seem to be an exorbitant cost to determine the potential ridership. The survey could provide some important project information. For example, if the survey simply revealed that a commuter would now board the train in Taunton versus Stoughton, that person should not be defined as a "new" rider boarding the train in Taunton to help justify the project.

I have not seen survey forms in the Boston Globe, the Brockton Enterprise or any of the local newspapers along the proposed rail line, which the public could fill out and send in to justify the ridership.

I have not seen billboards, illuminated signs or any other invitation to a survey on the side of Route 24 that would allow the South Coast Rail staff to arrive at a determination of how many drivers would opt for the rail or other alternative to the daily drive on Route 24.

I have not seen a web based survey on the South Coast Rail website or elsewhere to determine the potential ridership.

Although I live within a one mile radius of the proposed rail line, I am not aware of any door-to-door survey conducted by students at Bridgewater State College or Stonehill College, for example, to determine the actual interest of local residents to utilize the proposed rail and if they did, would it be at a loss to another mode of public transportation instead of not driving on Route 24.

It would seem that the South Coast Rail management does not want to see the results of a real life survey that would conflict with or require an explanation for why the survey is not applicable.

L-052.01

What I have seen, is the projected ridership developed by consulting firms in an attempt to justify the development of the rail extension. One of the main goals of a consulting company is to truly understand the wants and needs of its clientele and the clientele's desired results and then provide them with the backup information and justification to continue their work. This approach frequently encourages future work contracts and assignments for the consulting company. I worked for just such a consulting company in the past.

L-052.01

The first and foremost goal for the MBTA should be to achieve the status of "desired mode of transportation" on its present existing routes. Only after this goal is achieved, and I emphasize "only", should the MBTA be allowed to expand. If the proposed South Coast Rail project is allowed to proceed, it is virtually a given that more commuters will be further alienated and frustrated as the service on the existing lines continues to deteriorate due to lack of funds. The cost liability for construction, upkeep, maintenance and repair for this project will soon have the citizens of Massachusetts forget the Big Dig project as this rail extension will set a new bar height for out-of-control project costs.

Respectfully,

A handwritten signature in dark ink, appearing to read "Paul Fitzpatrick", written in a cursive style.

Paul Fitzpatrick

Cc: Easton BoS

263 Depot Street
Easton, MA 02375

May 18, 2011

Secretary Richard K. Sullivan
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling O'Shea], EEA No.14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Richard K. Sullivan,
Subject: South Coast Rail Comments

I am writing to outline my concerns with the proposed “Stoughton Alternative” rail project, with a particular focus on the section through Easton MA. There are two topics that I would like to address. The first being the various deleterious effects of the surface grade crossings in Easton. The second being the noise impact to residents. The following will describe my concerns and highlight some areas in the DEIS/DEIR which I believe are lacking.

E-058.01

I have studied at length the traffic volume and average delay times for all streets in Easton, MA. My major concern is the impact of train traffic on emergency response vehicles, which was not included in the DEIS/DEIR. There are two heavily travelled roads (Route 123 and Route 106) that connect the west side (where the police and fire stations are located) to the east side of Easton. The rail will also separate the west side of Easton, MA from the two major hospitals in the area (Brockton Hospital and Good Samaritan Hospital). This concern is supported by the data presented in table 4.1-56. There is an expected total of 950 feet (475 feet each direction) queue length estimated at Route 123, and 550 feet (275 feet each side) of queue length for Route 106, rating these roads now at the Class E Level of Service (LOS). It is assumed there will be freight trains used on this rail, which these traffic numbers do not reflect. Freight trains can consist of 100 cars or more, and their considerable length and slower speed will very likely affect traffic simultaneously on both Route 123 and Route 106. With both major routes blocked, the route through the center of North Easton would be the only alternative, but the high pedestrian concentration and number of connecting streets (about 12) make this alternative fraught with potential delays or hazard to pedestrians. In addition, there is no mention in the DEIS/DEIR that the project has any targets to keep the LOS under a specific level, especially where public safety will be negatively impacted by the emergency response time to businesses and residences.

The second major gap in the DEIS/DEIR is the failure to mention the potential impact to the safety of young kids that play, live, and attend schools where the rail will be running. The rail through Easton, MA will be passing at street grade directly along the YMCA main building, as well as across the two access roads (Elm Street, and Oliver Street). The rail will also cross at the Southeastern Regional Vocational Technical School on Route

E-058.02

106 and near the Center School on Route 123. All these areas are frequently used by young children and present a high risk of injury or death.

E-058.02

Lastly, I want to outline the noise concerns. The noise tables within the DEIS/DEIR indicate Route 123 will be the most significantly affected in regards to noise level (>65dBA level). This level is rated as severe. The DEIS/DEIR states a barrier will reduce the level by 10dBA, but this may not bring the noise level out of the severe classification. There is no mention if the project will or will not be bringing all severe noise areas to or under a specific noise threshold. The reason this concerns me further is the statement mentioning that these mitigations would only be done “if cost effective”. This statement implies that the South Coast Rail Project will be making this call and I suspect that due to tight budgets these barriers will be the first to be cut, especially where these barriers don’t resolve the high noise levels.

E-058.03

In conclusion, the impact to emergency response times, the safety of young children in our town, and the significant noise levels warrant a need for improved passage through Easton, MA. I request further analysis and details in these areas, especially along Route 123. I would like to propose that a non street grade crossing be considered for Route 123. Route 123 is the highest traffic route, the noise level is the greatest, and the central location through Easton, MA makes it the most ideal option to alleviate several issues. I would not only like to see an improved plan to address these concerns, but I think it will be important to have the South Coast Rail make its guarantees clear and legally binding. I recently read a news story regarding the Lakeville rail line and I was shocked to hear that Bridgewater, MA was promised “everything from not exceeding certain speeds as they crossed at-grade streets to installing quad gates to reduce unauthorized access and prevent injuries and accidents, *but were not given anything*”. I do not want to see these mistakes repeated on this rail project.

E-058.04

Sincerely,

Stephen Ford

cc: David Colton, Easton Town Administrator
Mary Southworth, Executive Assistant/HR Assistant
Brad Washburn, Easton Planning Director
Kristina Egan, South Coast Rail Project Director
Alan R. Anacheke-Nasemann, PWS Sr. Project Manager/Ecologist

May 2, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2754

Re: Comment on South Coast Rail Draft Environmental Impact Report

Dear Mr. Anacheke-Nasemann:

Please accept this letter as my support of a commuter train operating along the Stoughton route. Although more expensive, an electric train is environmentally preferable. This recommendation stems from a review of the U.S. Army Corps of Engineers' Draft Environmental Impact Statement (DEIS) and the state's Draft Environmental Impact Report (DEIR). I am wholly supportive of this alternative in light of the economic benefits as well as the long-term environmental implications.

The DEIS for the South Coast Rail project was adopted by the Massachusetts Department of Transportation (MassDOT) as the state-required DEIR. MassDOT identifies the Stoughton alternative as the preferred route for providing optimal transportation service while heeding environmental priorities and offering smart growth benefits for the region. This route also keeps commute times to a reasonable minimum, thus providing a convenient, reliable, and feasible commuter option for the South Coast.

As a selectman in the Town of Freetown and a workforce development professional, I am pleased with the level of effort undertaken by the Army Corps of Engineers in this comprehensive DEIS. In addition, I appreciate the commitment of MassDOT in working with the 31 corridor communities to identify pitfalls, propose options, encourage constructive commentary by all stakeholders, and undertake a forward-thinking strategy of transit-oriented design and development to help steer those communities toward smart growth options and plans.

With the advent of South Coast Rail, estimates peg economic growth at about \$500 million annually, with some 3,500 long-term employment opportunities by 2030. Rail construction jobs will provide an additional 7,000 – 8,000 well paying jobs. The South Coast urban hubs, in particular, have struggled with significantly higher levels of unemployment and lower growth rates in recent years; as a result, these jobs and the rail will infuse much-needed energy into the local economy. The connection to Boston and other areas in the Commonwealth will serve to join a growing, vibrant region to the rest of the state, significantly bolstering the human resource potential of Massachusetts. In addition, the 70 priority preservation sites will receive the attention they deserve as a result of this important project.

I thank you for the significant and comprehensive effort expended on behalf of South Coast Rail and the people and economy of the region. I can be reached at 508-965-2161; 11 Jeffrey Lane, Assonet, MA 02702; jeancfox@comcast.net; jfox@gnbwib.org.

Sincerely,

Jean C. Fox
Freetown Selectman
Youth Council Director, Greater New Bedford Workforce Investment Board

E-020.01

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:09 AM
To: S CREIS, NAE
Subject: FW: South Coast Rail (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

From: Bobbi Fried [mailto:bobbiele@comcast.net]
Sent: Saturday, April 02, 2011 9:36 AM
To: Anacheke-nasemann, Alan R NAE
Cc: timmermann.timothy@epa.gov
Subject: South Coast Rail

Dear Alan,

Given that the DEIS on the South Coast rail is over 2,500 pages, we respectfully request more time to review it and submit comments. Specifically, we ask for an additional 60 days. A total of 63 days (including weekends and holidays) is simply not sufficient time to digest this document and provide meaningful comments. Thank you for your consideration.

E-007.01

Sincerely,

Bobbi Fried
11 Olde Farm Road
South Easton, MA 02375

Classification: UNCLASSIFIED
Caveats: NONE

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:07 AM
To: S CREIS, NAE
Subject: FW: south coast rail (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

From: Aimee Fried-Hardy [mailto:afriedha@skidmore.edu]
Sent: Friday, April 01, 2011 2:35 PM
To: Anacheke-nasemann, Alan R NAE
Subject: south coast rail

Dear Alan,

Given that the DEIS on the SouthCoast rail is over 2,500 pages, we respectfully request more time to review it and submit comments. Specifically, we ask for an additional 60 days. A total of 63 days (including weekends and holidays) is simply not sufficient time to digest this document and provide meaningful comments. Thank you for your consideration.

E-011.01

Sincerely,

Aimee Fried-Hardy

Classification: UNCLASSIFIED
Caveats: NONE

From: Joseph Garies [gcg@fullchannel.net]
Sent: Wednesday, May 04, 2011 11:33 AM
To: S CREIS, NAE
Subject: south coast rail

Alan

I have an opportunity to purchase a parcel of land located at 775 Davol St Fall River MA, my question to you, Is the south coast rail project 100% approved ? will this property be part of the project ? will it be taken in emanate domain ? or if property is needed for project they give you fair market value ? Please answer any questions you can, and if there is a question you can not answer please direct me in the right direction, Thank You

E-019.01

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Thank You
Joseph Garies
Global Consulting Group LLC
401-426-9711

Alan Anacheka-Nasemann,
US Army Corps of Engineers, New England
District,
696 Virginia Road,
Concord, MA 01742-2751

1261 West Street
Stoughton, MA 02072
May 25, 2011

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900,
Boston, MA 02114
email: aisling.o'shea@state.ma.us

**Re: Comments Re South Coast Rail
Permit Application # NAE-2007-00698 EEA # 14346**

Let me begin by pointing out some major inconsistencies between the MassDOT's South Coast Rail (SCR) Project preferred option and the AMTRAK concept of what is needed in the future to allow Boston, which is the principal economic engine of Massachusetts, to be connected by rail to the rest of the Northeast Corridor. The AMTRAK concepts are found in two reports available on the AMTRAK website under the heading "Northeast Corridor Vision and Plans"

<http://www.amtrak.com/servlet/ContentServer?c=Page&pagename=am%2FLayout&p=1237608345018&cid=1241245669222>

- Northeast Corridor Infrastructure Master Plan, June 2010 (cover indicates date MAY 2010)
- A Vision for High Speed Rail in the Northeast Corridor, September 2010 (September 27, 2010)

These inconsistencies call into question the useful life of the SCR project when measured against cost and expected service. These reports show that project success relies on passing along future costs (from about 2030 onward) to other entities (most likely AMTRAK) to solve a public problem that should be addressed cooperatively rather than competitively.

I will show that there are remarkable parallels between the long range planning for this project and planning done by predecessor Massachusetts Transportation planners when they created the Quincy Bottleneck on the Middleboro Route (taking a four track system and making it a single train track system when the MBTA Red Line was extended).

It is important to highlight that the two AMTRAK reports referenced in this letter became available in 2010, over a year after the deadline for public comments on the SCR ENF. The information in these reports is very relevant to the options to be considered in the final determinations of the Corps of Engineers. Had the information been available earlier, more of the options that Mass DOT rejected should have been included in the DEIS. The AMTRAK documents indicate that the system capacity of the Northeast Corridor, which the MassDOT's preferred option relies on, will be exceeded by 2030. Thus the useful life of the SCR project would only be about 15 years after it is built at a cost of \$1.88 billion.

I make no apologies for the length of this discussion. I do not expect many readers of this letter to examine - on their own and side by side - the reports noted above and this discussion. Thus, in order to facilitate such side by side review - I have included large segments of the text of these reports. It is this concurrent examination that is needed to evaluate this SCR Project in the context of other's plans and expectations.

ESTIMATES OF NUMBER OF TRAINS AMTRAK NEEDS UNDERSTATED

The AMTRAK - Northeast Corridor Master Plan Final Report June 2010 Part 2 page 2 calls for 10 more Acela trains per day on the NEC line see text below.

L-053.01

L-053.02

Amtrak's 2030 plans call for increases in service between Boston and New York, from 38 daily trains (19 round trips) to 48 trains (24 daily round trips), providing hourly *Acela Express* and near hourly *Regional* services throughout the day. Five additional trains are projected to operate out of Boston over the "Inland Route" through Worcester to Springfield and New Haven. Amtrak is also planning up to 30 minutes of trip-time improvements between Boston and New York by 2030 which will benefit from proposed additional passing capability on this segment to maintain existing levels of reliability for all users.

Compare this to the 2008 SCR ENF (see Chapter 4 – pages 6 & 7 ... sections of text extracted below), where Mass DOT used a 2003 Report and the following assumptions to support the decision to use the NEC line for the SCR project (see yellow highlights added to this text to show the stark difference). You'll note the service difference.

4.2.1 2030 Operating Plan

The Northeast Corridor is the busiest passenger rail line in the United States in terms of passengers and service frequency. As the only corridor offering true high speed rail service in the country, it is a vital component of Amtrak's current and future operation. To protect its interest in the portion of the corridor that it does not own, between the Rhode Island state line and South Station, Amtrak entered into an agreement with the MBTA for the use and maintenance of the corridor. The term of this agreement extends beyond 2030. Therefore, in developing a 2030 baseline operating plan both Amtrak and the MBTA future plans for the corridor needed to be considered, consistent with their agreement.


- **MBTA - Northeast Corridor:** The April 2008 schedule was used as a baseline. One additional train was added during each peak period to the all of the commuter lines operating on the Northeast Corridor between South Station and Providence with the exception of the Framingham/Worcester service. This resulted in an additional four trains operating in the peak periods.
- **MBTA - Old Colony Railroad (OCRR):** The April 2008 schedule was used as a baseline. It was found that the current operating plan on the OCRR mainline could not support additional trains. Alternatives involving the OCRR could only be extensions of existing service unless major infrastructure improvements were to be constructed, so no additional service was added as part of the 2030 "No Build" to the OCRR.
- **Amtrak – Northeast Corridor:** The April 2008 schedule was used as a baseline and then a plan formulated by Amtrak as part of a previous study in 2003 (MTA/LIRR East Side Access Project and the Metro-North/ConnDOT New Haven Line Traction Power Study) was used resulting in the following changes: add one AM departure, add one PM departure, and two PM arrivals, and subtract one AM arrival.

The above information does not address the technological change to allow for a 220 mph train system proposed by AMTRAK, which will require major structural changes noted in the report below.

ESTIMATES OF AMTRAK SYSTEM NEEDS NOT ADDRESSED

The AMTRAK Report A Vision for High Speed Rail in the Northeast Corridor September 2010 indicates that AMTRAK proposes to link Boston to Washington DC with a 220 mph train system **with increased train frequency** ... to compete with short range air travel within the NEC. Portions of this report are shown below. *I have included my comments in the report. To distinguish between the two, I'll indent and use smaller font for my comments.*


Introductory Letter from



AMTRAK

We are pleased to present this initial look at how Next-Generation ("Next-Gen") High-Speed Rail service could be successfully developed in the Northeast with sustained maximum speeds of 220 mph (354 kph), three-hour trip times between Washington and Boston, and an increase in the number of train frequencies to get passengers where they need to be, when they need to be there fast, safely and efficiently. It is a vision of a realistic and attainable future that can revolutionize transportation, travel patterns and economic development in the Northeast.

As America's intercity passenger rail service provider and only high-speed rail operator, Amtrak has a vital, leading and necessary role to play in expanding and operating high-speed rail service across the country. In this role, it is incumbent upon Amtrak to put forward a vision for a next-generation, financially viable network along the Northeast Corridor (NEC). It would provide tremendous mobility benefits to the traveling public and support the growth and competitive position of the region by investing in a vital transportation necessity whose time has come.



Page 7 of this September 2010 report highlights a major flaw in the overall rail plan, represented in the following quote.

"The 2010-2030 NEC Master Plan developed by Amtrak, in consultation with states, commuter rail and freight operators, and other agencies, calls for \$52 billion in investments to cover needed system repair and upgrades and some capacity enhancements to help handle the projected 60% increase in intercity and commuter trips in the corridor by 2030 alone. Unfortunately, whatever added capacity is realized under this plan would be exceeded by 2030, limiting Amtrak's ability to add service, especially higher-speed Acela trains which utilize more track capacity due to their higher speeds." (Note that the Northeast Corridor Master Plan Final Report June 2010 is referred to here as "The 2010-2030 NEC Master Plan".)

Pages 10 and 11 of this September 2010 report provides a conceptual alignment that parallels the line from Boston to the Route 128 Rail Station and then turns on a new route to Woonsocket RI and on to Hartford, CT and on to NYC. I have included the entire text of the introduction to this section along with the entire text of the New York City to Boston discussion and highlighted the portion from just "South of Route 128 to Boston".

The Mass DOT's discussion of its preferred option in the February 2011 SCR DEIS expresses what appear to be extremely high costs and enormous social challenges along this portion of the South Coast Rail route (operated by AMTRAK) if more traffic is added to this route (see detailed discussion further on). Yet the MassDOT seems to be helping to increase this traffic by selecting any Northeast Corridor option. Mass DOT could take a longer view and help AMTRAK to solve a problem rather than exacerbating one that it knows will occur.

Pages 10 and 11 of the Amtrak September 2010 Report follow:

3.0 Next-Gen High-Speed Rail — Possible Alignments

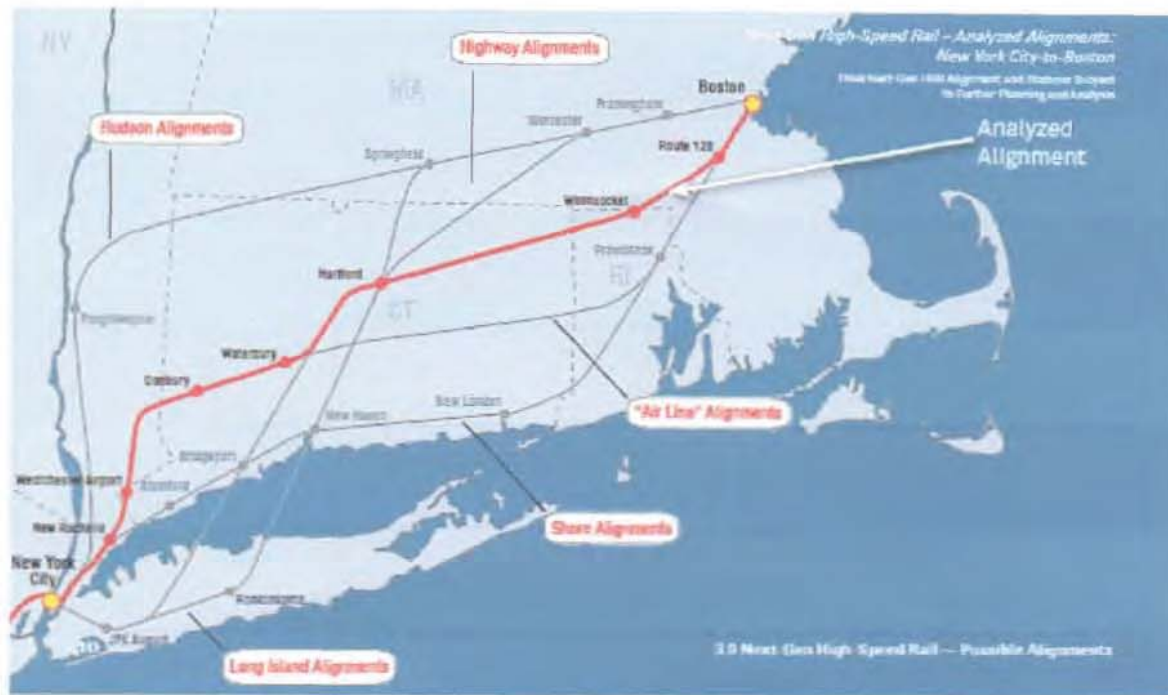
The study team needed to develop a highly conceptual alignment with sufficient detail to allow capital costs, travel times, ridership and other factors to be estimated. The potential alignment goals were to:

- Provide service to key market areas and enable travel time goals to be met,
- Connect to local and regional train services,
- Be constructible and phased with existing NEC systems,
- Provide a separate two-track high-speed rail alignment, following existing corridors where possible,
- Limit impacts on existing development and sensitive areas (e.g. parks, wetlands, etc.), and
- Minimize capital costs where possible.

A number of possible alignments were initially analyzed for their potential to meet these goals.

New York City to Boston In the New York City-to-Boston segment, the study team examined a variety of potential alignments (see figure at bottom of page), including a "Shore Alignment" paralleling the existing NEC; a "Long Island Alignment" heading east of out New York and traversing Long Island Sound; and "Highway" alignments paralleling all or portions of major interstate highways, including I-84, I-90 and I-91, through Connecticut and Massachusetts. It is important to note that virtually all of the alignments considered pose a variety of construction and environmental challenges. It was beyond the scope of this study to analyze all potential alignments in significant detail. However, a representative alignment was chosen for analytical and costing purposes. This "Analyzed Alignment," as shown in the figure, parallels the existing NEC from New York to just north of New Rochelle, then follows a combination of highway, rail and overland routes through Connecticut and Massachusetts, before rejoining the existing NEC south of Rt. 128 in Massachusetts and paralleling it into Boston. A route substantially paralleling the existing NEC between Boston and New York was not chosen for initial analytical purposes because of a combination of capacity constraints on Metro-North's New Haven Line between New Haven and New Rochelle. Curvature restrictions and design requirements to meet environmental concerns on the Amtrak-owned "Shore Line" from the Massachusetts state line to New Haven would make it extremely difficult to meet the travel time targets of approximately one hour and 30 minute service.

A map of this conceptual alignment is shown here.



This ends the text taken from the AMTRAK September 2010 Report.

MBTA LONG TERM SYSTEM EXPANSION NEEDS NOT ADDRESSED

Remember the 2008 SCR ENF (see Chapter 4 – pages 6 & 7 ... sections of text extracted below)? The planning assumptions relating to system expansion are shown below - in yellow - and by the opportunity to double-deck the trains and perhaps add two cars.

4.2.1 2030 Operating Plan

The Northeast Corridor is the busiest passenger rail line in the United States in terms of passengers and service frequency. As the only corridor offering true high speed rail service in the country, it is a vital component of Amtrak's current and future operation. To protect its interest in the portion of the corridor that it does not own, between the Rhode Island state line and South Station, Amtrak entered into an agreement with the MBTA for the use and maintenance of the corridor. The term of this agreement extends beyond 2030. Therefore, in developing a 2030 baseline operating plan both Amtrak and the MBTA future plans for the corridor needed to be considered, consistent with their agreement.

- **MBTA - Northeast Corridor:** The April 2008 schedule was used as a baseline. One additional train was added during each peak period to the all of the commuter lines operating on the Northeast Corridor between South Station and Providence with the exception of the Framingham/Worcester service. This resulted in an additional four trains operating in the peak periods.
- **MBTA - Old Colony Railroad (OCRR):** The April 2008 schedule was used as a baseline. It was found that the current operating plan on the OCRR mainline could not support additional trains. Alternatives involving the OCRR could only be extensions of existing service unless major infrastructure improvements were to be constructed, so no additional service was added as part of the 2030 "No Build" to the OCRR.
- **Amtrak - Northeast Corridor:** The April 2008 schedule was used as a baseline and then a plan formulated by Amtrak as part of a previous study in 2003 (MTA/LIRR East Side Access Project and the Metro-North/ConnDOT New Haven Line Traction Power Study) was used resulting in the following changes: add one AM departure, add one PM departure, and two PM arrivals, and subtract one AM arrival.

Think about a SCR system that should provide service for the foreseeable long-term future, yet according to **currently available** planning information the system will be at capacity by 2030 (15 years and \$1.88 billion from the completion of construction). Unless the Back Bay to Forest Hills bottleneck is broken (at an estimated \$2.4 billion cost) the MBTA **forever** will be constrained from adding more than one train during rush-hours to 4 lines, no more trains to a 5th line and will provide a total of no more than 3 trains each during rush hour for the two cities (Fall River and New Bedford) it is being built to serve. The SCR system planners appear to have missed AMTRAK's requirements. So it seems that the real SCR cost will be much higher (estimated to increase by \$2.4 billion), the real construction timeframe will be much longer, and the disruption severe. This assessment does not even take into account the AMTRAK needs for increased trains or high speed service.

L-053.04

The problem with the Mass DOT analysis is that Mass DOT did not have (or use) the 2010 information available to determine the overall future impacts on its systems or the AMTRAK system in terms of useful system life, cost and likely future disruption during the planned life of the SCR project. And apparently Mass DOT did not plan its system beyond 2030.

L-053.04

THE BACK BAY TO FOREST HILLS BOTTLENECK

The SCR DEIS section, **1.4.6.2 PRACTICABILITY MEASURE**, describes significant disruption of the Orange Line service, disruption of some park land and permanent removal of other park land an increase in construction time of several years and an increase in cost of \$2.4 billion if the Attleboro Alternative is selected. **According to the SCR DEIS - all of this is caused by the need for 6 more trains inserted into the NEC system.** This section also indicates that the Federal Railroad Administration (FRA) reviewed this alternative and considered it infeasible and sent an email to that effect to the Army Corps on March 3, 2010. **Note that this email was received prior to either AMTRAK reports noted above.**

L-053.05

The expected bottleneck between the Back Bay and the Forest Hill Stations is described on pages 23 and 24 of the SCR DEIS Executive summary a portion of which appears below (with highlights added).

1.4.6.2 PRACTICABILITY MEASURE

The Stoughton and Whittenton Alternatives perform well across the board on the practicability measure. The Rapid Bus alternative does not perform well on the practicability measure, particularly on the cost per rider, which has the Rapid Bus Alternative at a cost of close to \$100 per rider. The Attleboro Alternatives perform poorest overall on the practicability measure. The network simulation analysis indicated that the Attleboro Alternatives are operationally infeasible as they do not meet the MBTA on-time standard in the morning peak and would experience even worse on-time performance during the evening peak commute. The Attleboro Alternatives would also contribute to a cascading negative impact on the on-time performance of the entire southerly commuter rail system, including Worcester, Franklin, Needham and Providence commuter rail lines.

In order to address the operational infeasibility of the Attleboro Alternative, capacity on the NEC would have to be increased through construction of a fourth track along the NEC between Forest Hills Station and Back Bay Station. An analysis was conducted of the construction costs and schedule implications as well as key property and other impacts associated with the construction of a fourth track. Between Readville Station and Forest Hills Station the fourth track would be constructed on the north side of the NEC within existing real estate. Between Forest Hills Station and Ruggles Station/Massachusetts Avenue the fourth track would be constructed on the south side of the NEC requiring demolition of the existing southern retaining wall and expansion of the existing cut section. Several Orange Line stations would need to be reconstructed in this area to accommodate the addition of the fourth track on the north side of the NEC. In addition to the multiple overhead bridge crossings, this section of the corridor contains a large amount of area where the existing track cut section is covered with parks or other recreational spaces. In these sections, the existing parks on the roofs would be removed and then replaced after the cut section has been widened. This includes Southwest Corridor Park, a 4.7 mile, 52-acre linear park stretching from Forest Hills Station to Back Bay Station that opened in 1987 and is owned and maintained by the Massachusetts Department of Conservation and Recreation. Permanent impacts to Southwest Corridor Park would result from the loss of 2.85 acres of parkland, and temporary impacts would include the loss of 8.54 acres of parkland throughout construction, for approximately 3-6 years at each construction zone. Existing utilities located along the corridor, including Southwest Corridor Park, on the south side of the existing tracks would need to be relocated in order to extend the cut section to the south. Between Ruggles Station/Massachusetts Avenue and Back Bay Station the corridor enters a cut section with a structural cap that runs under the Southwest Corridor Park north towards Back Bay and along a dense urban setting with many residential and commercial buildings, including high-rise structures, in the South End abutting the right-of-way. To avoid displacement impacts to the large number of business owners and residents, the fourth track would be constructed within the right-of-way of the Orange Line. This would avoid the need to widen the cut section and demolish numerous residential and commercial properties. The MBTA Orange Line service would be relocated to a new tunnel extension under the NEC approximately two miles from just east of Back Bay to just east of Ruggles Station. This would require the reconstruction of two Orange Line stations (Massachusetts Avenue and Back Bay). In order to construct the new tunnel underneath the existing Orange Line tracks and connect in to the existing tracks at the ends, Orange Line service from Tufts Medical Center to Forest Hills would need to be suspended and replaced with bus service for two years.

The length of time it would take to complete the fourth track would be approximately 10 to ~12 years. Even considering that some of the fourth track construction activities could coincide with other construction activities for the Attleboro Alternative, the total construction period would be more than double that of any of the other alternatives under consideration, for which construction is estimated at 4 to ~5 years and would far exceed the four-year construction schedule outlined in Governor Patrick's South Coast Rail, A Plan for Action.

There are several substantial cost items associated with the construction of the fourth track, including a 1.4-mile new tunnel extension of the Orange Line and retrofitting the existing Orange Line tunnel to accommodate commuter rail trains (with new ventilation), shuttle service for two years to replace the Orange Line during construction, reconstruction of Orange Line stations and construction and reconstruction of bridges, pedestrian overpasses, cut section roofs and retaining walls, and property acquisition costs. Construction of a fourth track to avoid the above delays would result in an additional construction cost for the Attleboro Alternative of more than \$2.4B. This places it far above the other alternatives and even above the Middleborough Alternative, which was eliminated from further consideration earlier in the screening process, partially due to cost.

The potential impacts, construction costs and construction schedule and other aspects of the fourth track along the NEC would render implementation of this infrastructure requirement infeasible. In a previous study, the FRA (a cooperating federal agency) also explored the option to expand capacity of the NEC north of Canton Junction Station. However, due to substantial constraints, it was proposed that such capacity expansion end at Forest Hills in Jamaica Plain. In reviewing the RAILSIM capacity simulations conducted for the Attleboro Alternative, the FRA has indicated to the Corps that it considers this alternative infeasible and appropriate to delete from any further environmental review/ consideration. (Email correspondence from FRA to Army Corps, March 3, 2010.)

There are remarkable parallels between the lack of long range planning shown by the Mass DOT on this project and planning done by predecessor Massachusetts Transportation planners when they created the Quincy Bottleneck on the Middleboro Route (taking a four track system and making it a single train track system when the MBTA Red Line was extended).

SYNOPSIS OF IMPACTS OF PLANNING INCONSISTENCIES – AND REQUESTS FOR ACTION

Based on the three factors noted above, underestimation of the number of trains AMTRAK needs, AMTRAK structural needs, and long-term expansion requirements for MBTA system, it seems inevitable that the Back Bay to Forest Hills Bottleneck will occur reasonably soon. This bottleneck is very much analogous to the bottleneck Mass DOT described on the Middleboro line at Quincy Station.

L-053.06

The problem with the Mass DOT analysis is that Mass DOT did not have (or use) the 2010 information available to determine the overall future impacts on its systems or the AMTRAK system in terms of useful system life, cost and likely future disruption during the planned life of the SCR project. It is shocking that a Massachusetts Transportation Agency would be willing to make a similar mistake (create a costly bottleneck) a second time and do it on a project where it already pointed out the past planning error.

L-053.06

Think about a SCR system that should provide service for the foreseeable long-term future, yet according to planning information will be at capacity by 2030 (15 years and \$1.88 billion after construction). Unless the Back Bay to Forest Hills bottleneck is broken (at an estimated \$2.4 billion cost) the MBTA **forever** will be constrained from adding more than one train during rush-hours to 4 lines, no more trains to a 5th line and will provide a total of no more than 3 trains each during rush hour for the two cities (Fall River and New Bedford) it is being built to serve. The SCR system planners appear to have missed AMTRAK's requirements. So it seems that the real SCR cost will be much higher (estimated to increase by \$2.4 billion), the real construction timeframe will be much longer, and the disruption severe. This total cost and timeframe exceeds the Middleboro full alternative.

REQUEST FOR ACTION BASED ON PLANNING CONSIDERATIONS

The Mass DOT continues to recommend its preferred option, which will add trains on the Northeast Corridor line. This will just get the MBTA system to 2030 even while AMTRAK (in its Vision for High Speed Rail in the Northeast Corridor, September 2010 Report) proposes to use the same portion of the route for a much improved service between Boston and Washington DC via NYC. You'll note that AMTRAK chose to analyze an alternative that continued to provide service to Rhode Island (a state that has always had AMTRAK service). Other viable alternatives would have bypassed Rhode Island entirely.

L-053.07

Based on all the above, I request that

- the Corps of Engineers require Mass DOT to perform a more integrated analysis of this project taking account of AMTRAK and other's plans along with a longer project – and system – time horizon,
- that the Corps of Engineers require the Middleboro options (full and partial) to be put back into the group of viable options (because it may not be more costly – when taking a more realistic view of existing plans) and
- that the Corps of Engineers require a re-analysis such that the rapid bus option be considered as at least a short term measure

L-053.08

I further request that Corps of Engineers request the Federal Railroad Administration to review its March 3, 2010 decision in light of the two 2010 AMTRAK reports referenced and provide the Army Corps an updated decision. From all appearances, the FRA's decision was based on a flawed or at least outdated assessment (a 2003 report) of the potential uses and requirements of the NEC line. Please provide me with a copy of the FRA's reconsidered decision when it is received by the Army Corps.

In order to provide this reconsidered letter, it would seem that the FRA will have to weigh the competing requirements and options of Mass DOT and AMTRAK over a longer time horizon and consider and decide if

- the Mass DOT has to develop a system that does or does not include putting further stress on the NEC line between Back Bay and Forest Hills while still providing service to FR&NB and allows or does not allow the MBTA opportunity for current service expansion beyond 2030 on its NEC line
- the AMTRAK will continue to use the NEC line for current and expanded or no expansion for Acela and normal service beyond 2030 ahead of the upgraded high speed rail service
- the AMTRAK will be allowed to develop a 220 mph high speed rail system that does or does not service Rhode Island (use or not use the NEC line)

This letter will determine if

- Mass DOT has to reopen options for service to FR&NB

- AMTRAK can rely on continued use of its line to provide the kind of service it has provided with expansion of capabilities/service short of 220mph high speed rail service until the 220 mph high speed rail service is available
- AMTRAK should plan on or abandon the 220mph high speed rail route through Rhode Island

L-053.08

If the FRA determines that the SCR service will not use the NEC line, the Mass DOT will also have to reassess its Middleboro Alternative, and hopefully recognize that a rail line can be developed through Middleboro to Boston at a lower total system cost when looking at the planning time horizon available in the current reports.

This concludes the portion of this letter dealing with planning inconsistencies – and the need for further analysis.

THE FOLLOWING ITEMS REPRESENT CONTINUED CONCERNS THAT I HAVE WHICH HAVE NOT BEEN ADDRESSED.

The Mass DOT has not done an analysis of the system taking the trains from the Stoughton line and giving them to the Attleboro line **as was recommended as an analysis that the Stoughton Board of Selectmen requested in its letter to the Army Corps of 4-13-2010.** Please require them to provide that analysis.

L-053.09

Without repeating all the information I submitted in my (January 7, 2009) letter responding to the SCR ENF and my (March 15, 2009) letter responding to the Supplemental SCR ENF in the text of this letter, I submit them as attachments for inclusion as part of my response to this DEIS (including two PowerPoint files – named “STOUGHTON CONCERNS” and “just for fun, let’s design a year 2000 transportation system” that were included in the January 7, 2009 letter.

The “STOUGHTON CONCERNS” PowerPoint presentation continues to show the severe impact the preferred option would have on the Town of Stoughton.

The need to depress the rail is very high. I don’t fault the Commonwealth’s willingness to spend a great deal for upgrades in Fall River and New Bedford, but take great offense to Mass DOT summarily setting aside the needs of Stoughton.

I request that these concerns be addressed immediately by Mass DOT – well in advance of the FEIS – so that Stoughton can review the response to these concerns and make sure that these concerns have been adequately addressed.

L-053.10

Here are other points that need to be considered:

- As a start, not having added time to review a 2500 page DEIS beyond 60 days is hard to accept.
- According to some analysts, the cost of gasoline may reach \$5 this year, and consumer pressure on the global market will likely raise the price much higher before the project is built. The effect of these cost shifts on the use of the roadway system (increased car-pooling and bus use) may decrease traffic to the point that travel times on the Route 24 roadway system will drop dramatically. **This scenario should be modeled and evaluated critically as part of the bus alternative.**
- The cost of the roadway improvements and the environmental impact of these improvements include the cost of bringing the Route 24 Interchanges up to Federal highway standards. It is my understanding that the State wants to bring the Route 24 Interchanges up to Federal highway standards anyway. **These costs and environmental impacts should not be attributed to the South Coast Rail Project.** Instead they should be part of what the State will plan to do anyway. These improvements should become the baseline evaluating the bus alternative rather than the cost of the alternative. The bus alternative should be analyzed and evaluated in this fashion.
- The State has been and is considering many options for improving its roadways and getting increased revenue to do this, including open road tolling (a method now used in other states and other countries) in recognition that the public pays a high cost for peak traffic during rush-hours. One of the effects of open road tolling would be to increase car-pooling and bus use, getting people off the

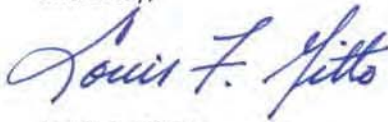
road and thus decreasing travel-time for the bus alternative. **This scenario should be modeled and evaluated critically as part of the bus alternative.**

- Construction cost per rider is huge. The Capital Cost of the Stoughton Route is \$1,884,465,000; the number of round trip riders (even including those that may switch from bus to rail) is 4790 (those called inbound riders). This computes to \$393,416.49 per rider. I believe that the DEIS indicates on a **per trip basis** the cost per rider on the Stoughton Electric Route is \$45.76 where SCR-DOT counts a trip as a one-way ride. On the basis of a 22 day work month and 2 way ridership, this would amount to a cost of $22 \times 2 \times \$45.76 = \2013.44 {See Chapter 3, page 131, table 3.3-11}. That's a pretty high monthly cost to get one car off the road. And it is an 87% subsidy given that the zone 9 fare is \$265/month. There are better ways to use our existing transportation system at a much lower cost and environmentally beneficial manner. See note on increased car-pooling based on likely open road tolling.

L-053.10

Thank you for your careful attention to these comments and for allowing me the opportunity to participate in the process.

Sincerely,



Louis F. Gitto
Stoughton Representative to the SCR Task Force
Town Meeting Representative
Stoughton Redevelopment Authority Member
Former Selectman

Attachments: Letter from Louis F. Gitto dated January 7, 2009 with two power point presentations
Letter from Louis F. Gitto dated March 15, 2009

Alan Anacheke-Nasemann,
US Army Corps of Engineers, New England
District,
696 Virginia Road,
Concord, MA 01742-2751

1261 West Street
Stoughton, MA 02072
January 7, 2009

Re: Comments Re South Coast Rail Project NAE-2007-00698

Dear Mr. Anacheke-Nasemann,

I write in opposition to the selection of the Stoughton Route and offer several alternative routes that are less environmentally harmful and provide better service to the South Coast and Southeastern Massachusetts in the longer run, when considering projects to solve needed train service upgrades for the State and AMTRAK. I purposely say "in the longer run", because the South Coast Rail (SCR) project should not be looked at as an isolated decision when pitted against environmental resources that, once lost will not be regained. I believe that "the longer run" decision making is likely to be about 2 to 8 years from now, not 50 to 100 years away.

AMTRAK is now engaged in a planning process that will have to solve the capacity problem from Boston to Providence by putting in another track in at least the same area that SCR recognizes will need to be upgraded. And along the Middleboro route, the Quincy bottleneck – created by poor State Transportation planning – must be broken in order to solve the need for the increase in service if ridership on the three existing routes south of the bottleneck (Middleboro, Plymouth and Greenbush) comes to fruition and if service to Wareham and the Cape is added¹. Note that solving either the AMTRAK or the Quincy bottleneck will provide service to Fall River and New Bedford (FR/NB) and either will serve a much greater total population than the Stoughton Route. My estimate for breaking the bottleneck in Quincy is that a population of about 1.2 million people (the South Shore, Cape and FR/NB) would have adequate service. I have not estimated the population served by the commuter system along the AMTRAK route (Providence, Needham, Forge Park, Stoughton, and FR/NB), but it is comparably to the South Shore, the Cape and FR/NB. By comparison, the Stoughton Route would serve a population of about 400,000, including FR/NB.

PROJECT PURPOSE AND THE LEDPA

Project Purpose

There appear to be conflicting project purposes between the US Army Corps of Engineers (the Corps) and The Massachusetts Executive Office of Transportation (EOT).

The Corps' purpose: to more fully meet the current and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts.

The Mass EOT purpose: to more fully meet the current and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities.

¹ Note that the Middleboro line is already over current capacity according to the SCR ENF (see page 4-18, table 4-3 "Ridership on Providence, Stoughton and Middleboro Lines").

I was/am a member of the Vision 2020 Task Force² and support the concept of “smart growth planning and development strategies” that were proposed many years ago when then Secretary of Environmental Affairs, Robert Durand, helped to establish the “Section 418” development process, that provided aid to all communities to evaluate their “build out” potential under their then-current zoning and assisted them in implement different zoning strategies so communities could develop in ways that took account of existing and proposed infrastructure, and protect areas that should not be developed. The smart growth concept is (a) not new, (b) not dependent on the South Coast Rail Project for it to be implemented, and (c) not assured to be implemented if the SCR project is developed.

Smart Growth and Green Project are terms that have been liberally sprinkled throughout the written and verbal SCR project description. As I indicate, I favor Smart Growth. Furthermore, prior to retiring from Federal Service I had been the Air Pesticides and Toxics Division Director of EPA Region 1 (New England Region) for several years, and appreciate the importance of green projects, which use resources wisely and work to reduce greenhouse gas emissions. When I spoke briefly at the Public Hearing in Taunton on 12/3/08, I cautioned that while smart growth and green projects are important concepts, evaluating the environmental impact of the projects relative to these terms and relative to the overall environmental burden must be carefully done³.

The Least Environmentally Damaging Practicable Alternative

It is clear that the current data from the SCR evaluation would score the Rapid Bus Option and any project through Middleboro as less environmentally damaging than the Stoughton Alternative. The question is, are these options “practicable”.

Practicability is defined by EOT as

- o Able to be completed by 2016
- o Costing at or below \$1.4 Billion
- o Travel time less than 90 minutes (all routes meet this criterion)

I will come back to these criteria in a moment to show that they may not be appropriate for making choices that forever affect an environmental resource, when it is clear that this and subsequent longer-term and necessary transportation projects cumulatively will create greater environmental harm if not properly chosen as a package.

Rapid Bus

If practicable means can they work, then let us remember that there are three existing bus lines currently operating without a dedicated lane for HOV/Bus service⁴. It would seem that by increasing the ability for these buses to travel in a dedicated lane during rush hours there would

² See SERPDD web site:

³ From what I have seen and read, the terms smart growth and green project have been used for this SCR project as an advertisement, rather than in a rigorous scientific manner. If the terms are to have credibility in an alternatives analysis, they must be evaluated as to impact on health and the environment and not evaluated just in terms like tons or pounds of pollutants removed from the air and water.

⁴ DATTCO to New Bedford, Peter Pan Bus Lines to Fall River and Bloom Bus Lines to Taunton (see ENF document 4-19)

total environmental impact will be less than building the Stoughton Alternative and then building the AMTRAK expansion separately. In addition to FR/NB, the total Massachusetts population served will be much greater⁸. And the Rapid Bus Option will still be available for bus and HOV service that can provide more service flexibility and regional mobility than the train alone.

Can we close our eyes to the need to break the rail bottleneck in Quincy? The single rail running through that bottleneck serves the South Shore with a very large commuter population to Boston at the present time and must deal with ridership growth, is planned to be used to expand service to Wareham and Cape Cod, and will certainly serve a casino in Middleboro and the development of the South Weymouth NAS into the largest business and residential area in Southeastern Massachusetts. This bottleneck must be broken. And when it is, this line can service FR/NB. I believe Kyla Bennett, from the Town of Easton and a representative of PEER, will submit comments from work she has done showing a short term option (using Cape Rail service) to provide train service to FR/NB over this line. This may be a viable, cost effective, short-term and environmentally sound option while the larger project is designed and constructed.

Is it possible to believe that this project to break the bottleneck in Quincy will not be built? Should we wait while we spend \$1.4 billion on an environmentally damaging project through Stoughton and only then plan to build this project and spend what will be even more than the projected \$3.4 billion?

So with those views as a backdrop, I ask that you keep the Attleboro option and the Full Middleboro option both on the table for the full Federal and State environmental analysis.

IMPACTS OF BUILDING THE SCR PROJECT THROUGH STOUGHTON

Little attention has been paid to the impact of building the project through Stoughton.

Stoughton is considered to "have train service", therefore why spend time looking at the impacts further? Even the presentations of alternatives failed to show the double track construction north of the Stoughton Train Station. I have enclosed a CD that I wish to be part of the record that shows this overlooked expansion, shows pictures and notations of locations in Stoughton and surrounding towns and depicts the concerns that I mention. It also includes some likely mitigation measures.

If the project is built through Stoughton,

- there would be a double track through the entire town, where at present there is one track through only half the town,
- passenger trains that are slowing down to make their last stop at the end of the line would continue, some without stopping, and
- freight trains that are either non-existent or are a very rare occurrence in downtown Stoughton would be a common occurrence and very long.

There has not been through train service for over 50 years – in which time the town has grown from about 10,000 to 30,000, where not every family had a car to now where almost everyone has a car - increasing traffic much beyond the increase in population.

⁸ The service improvements will help the Needham Line, the Forge Park Line, the Providence/Attleboro Line, and the Stoughton Line because all use part of the AMTRAK system.

Yet no attention seems to be paid to the facts that

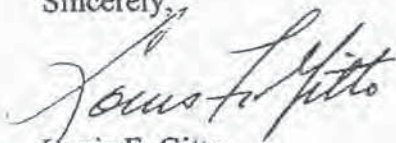
- The train will pass through the center of the town close to and parallel to Route 138 to the south of the Train Station and then close to and parallel to Route 27 to the north.
- There are 8 at-grade crossings in less than 2 miles, 4 of these within about 0.3 miles in the center of the town with little space to stack vehicles when trains come through.
- There currently are significant traffic delays in Stoughton Center; where route 138, route 27 and route 139 all converge and cross within an extremely short distance.
- The track is also near three schools, the West Elementary School, the O'Donnell Middle School and the Stoughton High School.
- There may be significant freight service on this line that has not even been addressed or confronted; yet at the public hearing in Taunton on 12/3/2008, this was a significant topic of interest from the more southern communities in that area looking for commercial expansion.

There are significant safety concerns relating to both vehicular and pedestrian traffic as well as traffic flow issues. There are enormous social concerns relating to the erection of catenary supports and electric wires for electrified trains (that will come either immediately or over the long-term operation of the system). Stoughton is not a rich community; in fact it has environmental justice areas within its borders. Stoughton does have a downtown overlay district designed to create business opportunities and higher density residential development within walking distance of business and transportation. But Stoughton needs an inviting environment in which to prosper. Creating an environment that produces traffic congestion, safety concerns and an uninviting visual effect does nothing positive for the community. Instead it shifts the social overhead costs from a few people who ride the train onto a Stoughton population that is saddled with the disbenefits 24/7.

There are no easy solutions to the traffic, safety and visual problems that this project, if built through Stoughton, would impose on this community. But the solutions may include putting the rail line below the grade of the roadways from south of Plain Street to north of either School Street or Simpson Street. That would solve some of the at-grade crossing problems. It may solve the problems of unsightly catenary towers and electric wires through the down town. There remain many issues of freight transport of materials that are unsafe in a train accident situation, hazardous waste transport, aesthetics, noise, vibration, maintenance of wildlife corridors, Train Station (location, amenities and parking), etc. that must be addressed.

Thank you for your careful attention to these comments.

Sincerely,



Louis F. Gitto

Stoughton Representative to the SCR Task Force
Town Meeting Representative and
Former Selectman

Enclosure: CD with contents to be included in the record



IMPORTANT ISSUES FOR STOUGHTON

- PEDESTRIAN TRACK CROSSING AT OUR TRAIN STATION & AT OTHER CROSSINGS
- PROJECT CAN BE ELECTRIC OR DIESEL
 - (DECISION CAN CHANGE AFTER PROJECT IS BUILT – THERE CAN BE NO GUARANTEES)
- FREIGHT TRAINS & ASSOCIATED HAZARDS QUITE POSSIBLE
- CHILDREN'S SAFETY NEAR SCHOOLS
- **The burden is on Stoughton & the effect on Stoughton is forever**

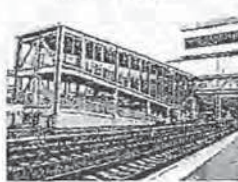
PEDESTRIAN TRACK CROSSING

We can't build Bridge like Sharon
Canton's option is unsightly
Consider the number of crossings close to the Town Center

Sharon Bridge



Canton Overpass



Stoughton & Canton Station Areas



Double Tracks Canton & Stoughton



SLOW FREIGHT - HIGH SPEED NON-STOP TRAINS

Traffic congestion and safety
Unknown materials

**DON'T JUST THINK OF PRESENT –
IN FUTURE WE'LL HAVE MANY
TRAINS**

Let's call out our B Grade Crossings

Central St, Simpson St,
School St, Porter/Canton Sts.,
Wyman St, Brock St,
Plain St, and Morton St
4 DOWNTOWN in about a third of a mile.

School & Cushing Streets

VERY SERIOUS PROBLEMS

Short stacking from Canton Street
Cushing St intersection dangerous -can block traffic.



Porter, Rose & Canton Streets

Congestion & Pedestrian problems Porter Street & In Square
dangers – due to Slow Freight & **non-stop** high speed trains



Wyman, Morton & Summer Streets

Similar congestion and pedestrian problems as Porter
Street



Brock Street - near Rt 138.

No place to stack traffic.
Not as much foot traffic – some school-kids There's
room to depress train line.



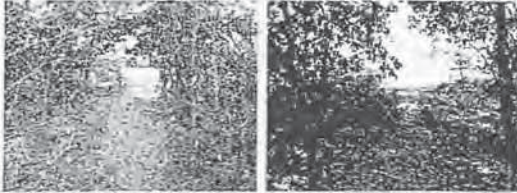
Plain Street

Stacking problems from Route 138
Icing in winter coming down hill on Plain Street There is
sufficient height to depress train line



CHILDREN'S SAFETY

Walking Routes to School Over Tracks
Middle School & HS



The Army CoE will make the environmental
decision on the route based on

THE LEAST ENVIRONMENTALLY DAMAGING PRACTICABLE ALTERNATIVE THE LEDPA

STOUGHTON ROUTE – WHAT SHOULD THE TOWN BE LIKE IN 20 – 40 YEARS

- I'd want the electric option scoped out and planned for – less pollution, quieter, faster, likely in long-run
- Make sure passengers and pedestrians can get across tracks safely (Sharon has bridge – Canton has a monstrosity)
- Make sure train and car/truck traffic can coexist, few or no grade crossings
- Make sure current residents homes are protected – Can almost touch houses on Greenbush line – take the trip

STOUGHTON REQUIREMENTS

The plan for rail in New Bedford calls for the train to be elevated at the downtown Whale's Tooth Station.
STOUGHTON SHOULD GET THE RAIL DEPRESSED

- Depress rail from about Simpson Street to beyond Plain Street
- Re-route Route 27 to avoid cross traffic
- Create (probably) two streets parallel to Rte 138 to develop better downtown development configuration
- AND Bring a large governmental agency to downtown

It was easy to design a system to get people to use public transportation in the 1800's

- The top map shows the Stoughton Train Station in 1890 – note the horse and wagons
- The bottom map shows the North Easton Train Station in 1855 – with the train ending at the Ames Shovel Factory that equipped the gold rush and the Train expansion
- Not hard to get people and goods to use the train – the horses were slow and got tired fast



Not as easy to design a system to get people to use public transportation in the 2000's

- **HERE'S THE COMPETITION**
- People have more choices, demand more.
- Need to get people where they want to go, when they want to go and do it at a price they are willing to pay for the service.
- Public transportation is nice if it stops near your work, if you have a fixed schedule, and if you aren't responsible for dealing with emergencies at home.

The 2009 Nissan Versa Sedan
34 mpg hwy*. Room for five.



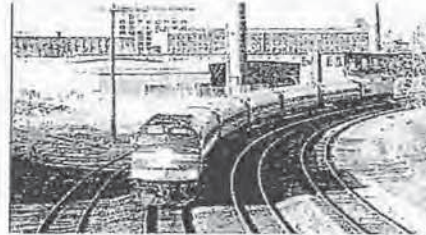
Starting at \$9,990

St. Joseph's Hospital Parking Garage



So what's your 2000's public transportation design?

- In the 1800's, people invested in the Railroad to make money.
- In the 2000's, can we create a system that at least gets a lot of people to use it?
- These numbers are not precise. But they are close enough for demonstration purposes. To the right is **Route 24** with an estimated daily traffic volume of 122,000 (ENF section 2.4.1) and a potential rail ridership estimate of about 4000. Less than a 3.33% capture rate really is not great success.
- Is this the future?



So what's your 2000's public transportation design?

Car-pool, Vans, Acela

FILL IN THE PICTURE SPACES

What ridership segment (%) do you expect to capture?

What will your solution do
to help the Massachusetts economy and the environment?



Secretary Ian Bowles, BEA,
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900,
Boston, MA 02114

1261 West Street
Stoughton, MA 02072
15 March, 2009

Alan Anacheke-Nasemann,
US Army Corps of Engineers, New England
District,
696 Virginia Road,
Concord, MA 01742-2751

Dear Secretary Bowles and Mr. Anacheke-Nasemann:

I write again in opposition to the South Coast Rail (SCR) project. These comments debunk this proposal and show the extravagant waste of public funds to support a political promise. Let us not lose sight of the principal project purpose – to transport people from Fall River and New Bedford to Boston. There is a lot of slight of hand to distract attention – but why propose a rail line if not for this principal purpose?

I apologize to those readers who do not have the Supplemental Ridership Memorandum of 13 February and the undated corrected table #1 in front of them to follow this discussion. It would be too ponderous a letter to repeat the material in those documents. The addressees have this material.

I sent comments on the initial ENF for the South Coast Rail on 7 January 2009. I will not repeat those comments except to say that the train represents a nineteenth century solution to a 21st century problem. In the nineteenth century, the train was competing with the horse and wagon and was a welcome convenience and truly great advance in transportation technology. In our 21st century, the train is competing with cars and trucks, and is neither more convenient, nor an advance in technology. You know that 21st century people in the USA are used to being able to come and go as they choose, defining their own schedule. Most people have responsibilities at home as well as work and have built their lives around their ability to juggle their many responsibilities. I have two married daughters with young children and see firsthand how each parent has to be able to react to the requirements to pick up a sick child at school, to adjust their work schedules to meet the needs of their children to get to "practice", etc. The train does not allow this kind of flexibility, thus it is a poor competitor in the transportation realm. You will see the effect of this reality if you are willing to take an honest look at the traveler numbers shown in the supplemental ENF. These numbers show that there are fewer than 3000 new riders per day that will use any of the train or bus options proposed and of these approximately 3000 new riders, about 1500 will come from those people taking private bus service who will switch to a SCR option (see the attached email communications with Scott Peterson, CTPS planning modeler for the SCR project).

Let me remind you that the proposed project cost is \$1.4 billion. The numbers I will present to you indicate that the Governor is willing to spend about \$1 million (\$1,000,000) per new public transportation rider. To do this, he wants to devote over 10% of his proposed gas tax increase to this project.

I would point out that I am on the MAPC legislative committee, and last month argued strongly that the gas tax needed a greater increase than the Governor proposed because of the deplorable state of our transportation system and because Massachusetts must have a first class transportation system if it is to be economically competitive and provide economic opportunity for its citizens. There were others on the committee who wisely said, 'people distrust the government to spend their tax money wisely and because of this distrust, they do not want their

taxes increased'. As Billy Joel noted, it really is just a matter of trust. And this South Coast Rail project just doesn't measure up on the trust scale.

Table 2 of the Supplemental ENF filed on February 17 shows the "Daily Linked Trips" for various transportation alternatives. A linked trip is a person traveling from point A to point B. There is a separate linked trip for that same person to get from point B back to point A. So for a commuter traveling to Boston (point B) from Fall River, New Bedford or Taunton (points A in this analysis), this would constitute 2 linked trips. And from the email communication with Scott Peterson (referenced above) about 1500 riders (3000 linked trips) are from people leaving the private bus services and choosing one of these public options instead. If we look at table 2 from the perspective of accounting for the definition of linked trips and transfer of riders from private bus to one of the SCR options noted above we would see the new public transit ridership the SCR proposals will attract for the \$1.4 billion dollar expense.

TABLE 2: Daily new public transit riders (not those switching from current regional or private bus service) to and from Boston because of building one of the following options

OPTION	Attleboro diesel	Attleboro electric	Middleboro full build	Middleboro simple	Stoughton diesel	Stoughton electric	Rapid Bus
# New public transit riders	850	1350	950	700	1000	1450	250

The highest number of new riders in this table is 1,450. The project cost of \$1.4 billion represents about \$1 million (\$1,000,000) per new rider. It is disheartening to me that a Governor, who showed such great promise, would be as cavalier with the use of your money as a taxpayer and mine.

But that is not all. The project is being "sold" as an economic stimulus. At the most recent South Coast Rail Task Force meeting, Secretary of Transportation Alioto indicated that the bus route was not an acceptable alternative. It wouldn't provide the promise the Governor made to the South Coast elected officials. It would not generate the kind of economic regeneration of an area around a bus station that would occur around a train station. And at the same meeting, the South Coast Rail project manager, Kristina Egan said, there would be no tunnels or depressed rail as there was in the Greenbush project; the cost would be too great. The other "selling point" is that the train will reduce vehicle miles traveled, and thus reduce air pollution.

Let's look a little deeper into each of these claims.

Remember the principal project purpose - people need to get to Boston quickly from Fall River & New Bedford and the area needs economic stimulus. From the corrected "Service Assumptions" Table 1, the High Speed Bus is faster by about 9 minutes (12%) than the fastest train option. The cost for the bus option is about \$0.5 Billion - the remainder of the \$1.4 billion project cost could be used as a stimulus in the Downtown areas of FR/NB. This is not acceptable to the administration. The Governor indicates - a train is the answer.

Let's look a little deeper into the environmental benefit claim - clean air as the environmental benefit from the project - versus destruction of a large portion of a wetland that is an Area of Critical Environmental Concern. Table 5 of the Supplemental ENF entitled "Changes in Peak Period VMT" (note VMT means vehicle miles traveled) shows a total VMT in 2030 of 57,916,400. The reduction in VMT for the Stoughton and the Attleboro alternatives are roughly the same. The Stoughton alternative shows a VMT reduction from the no build option of 241,900. That is a VMT reduction of 0.418%. Remember at the outset, I said that the train was not competitive with the car. Attracting less than 1500 people and reducing the pollution level from auto traffic from this project by less than a half percent isn't something that dreams are built on. At the same time, this project (if the Stoughton Route is chosen) will pass

through miles of the Hockomock Swamp and destroy a large portion of a shaded wetland, the most productive kind. This will be a tangible and irreplaceable effect. The small reduction in VMT can be obtained through many other, less destructive governmental actions. What environmental analyst would make the tradeoff between a real and irretrievable loss of an ACEC wetland and a small VMT reduction that could be obtained in many ways?

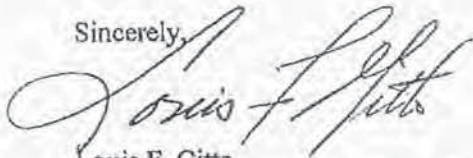
Let's examine the notion that depressing the rail bed in Stoughton would be too costly (if that route is chosen). It seems that there is no concern with the costly use of taxpayer money to satisfy a political promise. It is equally outrageous that the Governor would have callous disregard to the effect that the decision would have on an entire community of 28,000 people. Stoughton has 9 grade crossings, 4 of which are within 0.3 of a mile and in the center of town. The downtown is notorious for its traffic problems, even without the through-train. If the Governor can spend a million dollars per new public transit rider from the FR/NB area, then as a matter of equity – which is a reason for promoting this rail line – he could spend (tongue in cheek) \$28 billion on Stoughton – quite a stimulus indeed. But more realistically, the cost of depressing the line should be the cost of doing business. "The creation of new at-grade crossings is not a preferred approach to addressing highway mobility." This quote is from the Railroad-Highway Grade Crossing Handbook - Revised Second Edition August 2007 by US Department of Transportation Federal Highway Administration. How could the Executive Office of Transportation not know this? The line will be in place forever and will adversely affect the town. To not only dismiss the notion out of hand, but to not have decided to depress the rail line when creating the original design shows how little caring the administration has for the citizens it should be protecting.

As a Stoughton citizen, Stoughton's representative to the South Coast Rail Task Force, someone who has spent extensive time in government at the local, state and federal levels, and a person who has devoted his entire working career to environmental protection, I am extremely disappointed in the disdain of the Administration for the environment, the use of taxpayer's dollars, and the lack of concern for the impact on the Town of Stoughton if this train route is chosen. From the items noted above, any route would be irresponsible, but the Stoughton Route is particularly egregious.

Secretary Alioto indicated at the SCR meeting on Wednesday, 11 March, in Taunton that the administration would listen to the will of the elected State Senators and Representatives and to the Mayors and other elected officials in making its determination of the rail route to be chosen. I believe this to be true. That is precisely why there is another branch of government where the people can be heard. If the Stoughton route is chosen, the train through Stoughton should be depressed to avoid the safety and traffic concerns.

Thank you for your careful attention to these comments and for allowing me the opportunity to participate in the process.

Sincerely,



Louis F. Gitto
Stoughton Representative to the SCR Task Force
Town Meeting Representative and
Former Selectman

Attachment: 10 March 2009 - Email exchange between Lou Gitto and Scott Peterson.

Attachment: 10 March 2009 - Email exchange between Lou Gitto and Scott Peterson,

From: Scott Peterson [mailto:scott@ctps.org]
Sent: Tuesday, March 10, 2009 10:49 AM
To: Gitto, Lou (DEP)
Cc: Egan, Kristina (BOT)
Subject: Re: SCR - Questions re your 2/13/09 Report

Hello Lou,

In response to your questions:

1) A linked transit trip is a trip produced in one TAZ and attracted to another TAZ, regardless of the number of transit modes they take.

An example: If there are 4,700 new linked transit trips for the Attleboro Local Diesel option, for simplicity that could mean 2,350 trips from peoples homes in the SCR study area destined to work in Boston (although their destinations could be other locations) and then 2,350 homebound linked transit trips, with no intermediate stops, just transfers between other transit modes if they were needed to get to their destination.

2) Boardings are counted for each transit mode a person gets on. You are correct in the example you gave, one linked transit trip could have 1 commuter boarding and 1 subway boarding (2 total) to get to their destination. On the homebound trip, it would be the same in reverse. So that would translate into 1 person commuting daily, making 2 daily linked transit trips, accounting for 4 daily boardings on the transit system.

The private bus ridership does get reduced in all of the alternatives to varying degrees. The Bus Rapid Transit option has the existing private buses in the background and their ridership is small.

3) The private bus ridership in the No-build/TSM is about 4,000 boardings daily (2000 in/2000 out). All of the build alternatives have a scaled back private bus service running similar to today's service. In all of the alternatives except the Middleboro options, the private bus ridership goes down to around 500 (plus or minus a few hundred). The Middleboro Full build option has about 500 hundred more private bus riders than the other options and the Simple option has around 2,000 private bus riders.

Hope this helps, let me know if you have any more questions.

Scott

----- Original Message -----

From: Gitto, Lou (DEP)
To: Scott Peterson
Sent: Tuesday, March 10, 2009 7:05 AM
Subject: SCR - Questions re your 2/13/09 Report

Scott,

Here are my initial questions regarding the material in your 2/13/09 report to South Coast Rail Project Manager Kristina Egan..

1. I am confused over the definition of "Daily linked Trips" in Table 2.

o Is a single linked trip a one-way trip to Boston (and other side trips), with the home-bound trip counted as a second trip?

o Or is the round-trip (home to Boston to home ... with intervening stops) one linked trip?

2. I am confused over the definition of "Boardings by Mode" in Table 3.

o Is a "boarding by mode" an event where a person gets on a train as part of a trip to go to work – and if she then gets on a subway is that a second boarding on the same trip? And if the process is repeated in reverse (subway to train to home) does the round-trip consist of 4 boardings? I notice that you only are counting the train and rapid bus boardings, so you are not getting into the details of a trip.

o In this table you show the rapid bus boardings of 6,800. Have you determined if these boardings reduce the boardings for the private bus service? And do the trains decrease the private bus service trips as well – and to a greater or lesser degree?

3. In Table 5 I presume that the "no build option" includes private bus service. In the other options, has (some or all of) that service been switched to the trains? If so how much? If not, why not?

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:07 AM
To: S CREIS, NAE
Subject: FW: Request for more time to review the South Coast Rail DEIS (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

From: Lou Gitto [mailto:lgitto@verizon.net]
Sent: Friday, April 01, 2011 3:50 PM
To: Anacheke-nasemann, Alan R NAE
Cc: timmermann.timothy@epa.gov; George Pucci
Subject: Request for more time to review the South Coast Rail DEIS

Alan,

Given that the DEIS on the South Coast Rail is over 2,500 pages, I respectfully request more time to review it and submit comments. **Specifically, I request an additional 60 days.**

I received a hard copy of the document on Monday of this week. There is simply not sufficient time to digest this document and provide meaningful comments. In reviewing correspondence on this project, I note that Mass EOT requested that the MEPA office defer issuing a Certificate on the ENF and a Scope for the State DEIR on January 29, 2009 and promptly received a time extension on January 30, 2009 in order to provide supplemental information. To require the public, which has less familiarity with the project, to review the document and submit comments in such a short timeframe - on its face - seems unreasonable for such a voluminous document and for a project with such far-reaching implications. Now I know that you have been very meticulous in dealing with this project, and thank you for your effort. It has taken well over 2 years to get to this point. A 60-day extension for public input seems very reasonable.

E-012.01

Thank you for your consideration.

Sincerely,

Louis Gitto
1261 West Street
Stoughton, MA 02072

Classification: UNCLASSIFIED
Caveats: NONE

From: Mary Jane Golden [maryjanegolden@comcast.net]
Sent: Friday, May 27, 2011 11:28 AM
To: S CREIS, NAE
Subject: Comments About the DESI/DEIR-Southcoast Rail Project

Good Morning Alan,

I live in South Dartmouth, MA and have been following the progress of the South Coast Rail project very closely.

I believe that the Southcoast Rail will have tremendous economic implications for the greater New Bedford area, which sorely needs economic relief. People can get and keep jobs in Boston and still live in the scenic Southcoast, where they will spend their wages in local businesses. It will be the lifeblood of this region.

E-059.01

I support the Stoughton Alternative with electric mode to best meet the future demand for public transportation between Fall River/New Bedford and Boston. I believe, after fully reading the study, that this alternative best balances transportation and environmental benefits with environmental impacts.

Thank you.

Mary Jane Golden, 28 Country Way, South Dartmouth, MA 02748
508-997-9381

From: Ca chalot96@aol.com

Sent: Thursday, May 26, 2011 9:58 AM

To: S CREIS, NAE

Subject: South Coast Rail

I am witting to show support for the Commuter rail project. I beliefs that the Stoughton Alternative with diesel and electric engines is the best possible way to keep the environmental impact and greatly adding to the opportunities to Fall River and New Bedford.

E-052.01

The last passenger train left new Bedford in 1959, I was nine. I am now 61, the time for waiting should be over and ending the public review on May 27 th, 2011.

Thank you,
David L. Goldrick
78 Wing rd.
Acushnet, Ma
02743
508-998-2981

Guillermo Gonzalez

74 Hawthorn Street

New Bedford, MA 02740

guillermogonzalezmd@comcast.net

April 28, 2011

Dear Mr. Anacheke- Nasemann and Secretary Sullivan:

The purpose of this letter is to provide you with my personal commentaries regarding the South Coast Rail Draft Environmental Impact Statement Report. I am a 61 year old psychiatrist living and working in the City of New Bedford. I have 35 years of experience in the practice of Community Psychiatry. I have practiced in San Juan, Puerto Rico as well as Brooklyn, New York, and for the past 20 years, here in New Bedford, MA.

It could be somewhat surprising to you hearing about the psychological reasons for my support for this public transportation project. The environmental impact cannot be clearly studied and assessed if the social human environment impact is not properly assessed. My support for this project that will have a very significant psychological impact on the entire southeastern Massachusetts population starts with selfish reasons. Up to this time, everything outside route 495 is perceived as another place; not part of Boston. We rely on private transportation and a few buses to connect to Boston. The main scientific, medical, psychiatric and academic activity occurs in Boston. At my age, I will prefer to delegate the driving part and be able to study while being transported to Boston in an efficient and fast public mode of transportation.

L-009.01


While there is a sense of personal partial disconnect between my professional activity and the one that is happening in Boston, it is also true that on a larger macro-social scale, the same thing happens between the population in Boston and us here in "outside Boston"; New Bedford's population. My intention is not of accusing a lesser priority level for us "outside of Boston" regarding transportation projects, but to encourage the consideration of the improvement of the sense of belonging of the population of New Bedford as part of the state of Massachusetts. The benefits for us are not limited to the ease of transportation,

MAY 12 2011 REG DIV

increased economical activity and increased access to jobs and professional activities, but also the sense of pride of being an integral and important region of Massachusetts.

L-009.01

I hope that in your final report you address the environmental impact of the South Coast Rail project and the psychological benefits to the self-esteem and to the feelings of the South Coastal population of being an integral and important part of the population of Massachusetts.



Guillermo Gonzalez.

May 27, 2011

via Email

Mr. Alan Anachecka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2754
SCREIS@USACE.army.mil

Secretary Richard K. Sullivan, Jr., EOEEA
100 Cambridge Street, Suite 900
Boston MA 02114
Attn.: MEPA Office (Aisling O'Shea)
aisling.o'shea@state.ma.us

Re: Draft Environmental Impact Statement/Draft Environmental Impact Report DEIS/DEIR
South Coast Rail Project

Dear Mr. Anachecka-Nasemann and Secretary Sullivan:

When I accepted the appointment to serve as Lakeville's representative on the Southeastern Massachusetts Commuter Rail Task Force my instructions were to take whatever action necessary to insure the adequate protection of Lakeville's natural resources should the rail extension ever come to fruition. I am pleased to see my Town's natural and cultural resources now more completely recognized by the South Coast Commuter Rail Project. The DEIS/DEIR identifies Lakeville as part of the Southern Triangle. Impacts due to the improvement or reconstruction of the existing tracks in the Southern Triangle will be the same for all rail alternatives. Comments made apply to all rail alternatives. My comments on the combined Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) follow.

In general, for a document the size of the DEIS/DEIR, the comment period was too short. As a result of the timing, my comments deal only with issues in Lakeville. The maps used for resources in the Assonet Cedar Swamp are difficult to read. Inconsistencies or discrepancies in the DEIS/DEIR makes the document difficult to understand.

L-069.01

• *The Executive Summary Page 1-9 Southern Triangle Rail Infrastructure New Bedford Main Line:* states "...single track with three sidings from Myricks Junction to New Bedford." *Page 3-64 New Bedford Main Line Track Infrastructure* states "A short segment of the line would be double track south of Myricks Junction, 0.8 miles. The remainder of the line would be single-track, with the exception of 1.8-mile double-track section in Freetown and a 2.7-mile section in New Bedford." And then on *Page 4.18-10 Table 4.18-5 Non-Tidal River and Stream Crossing - New Bedford Main Line Waterbody:*

L-069.02

Cedar Swamp (River?) Improvements: Expansion to 2 tracks. **Will there be double tracks through the Assonet Cedar Swamp?** L-069.02

- *Page 3-37, Table 3.2-16 Summary of Railroad Bridges – New Bedford Main Line* does not show all bridges that carry the rail line through the Assonet Cedar Swamp, in particular, the stone bridge over the unnamed stream just south of Peirce Brook.

- *Page 4.1-8 Grade Crossings*, a new grade crossing is mentioned for Lakeville. **Where would this new grade crossing be?**

- *Page 4.1-85 (Berkley's) Mill Street and Adams Lane private crossings are proposed to be closed. Page 4.8-12 says "The Pierce (Peirce) and Haskins Cemetery (Map No. La.024), which is located 200 feet east of the Fall River Secondary right-of-way and is accessible from Adams Lane in Berkley, contains approximately 45 slate and granite headstones dating from 1785 to 1892. Page 4.8-38/39 says "specific areas and resources could require sound insulation or barrier mitigation to reduce noise impacts. An elastic mat may be placed under the ballast to absorb or reduce vibration levels" Listed is Adams Lane grade crossing: Peirce and Haskins Cemetery, Lakeville. Will the Adams Lane crossing be closed? If so how will Lakeville access this historic cemetery?* L-069.03

- *Page 4.10-7 Private Open Space* states "1,000-acre parcel...in Lakeville," **The Assonet Cedar Swamp Wildlife Sanctuary crosses the town line into Freetown.** "The Fall River Secondary passes nearby" **Fall River Secondary passes through the western edge of the Sanctuary.** "This property, which is not opened to the public..." Sanctuary does not post No Trespassing signs. Signs posted identify property as Massachusetts Audubon Society and list permitted activities. The issue with public use is access. Very few access points exist. L-069.04

- *Page 4.14-100 "The CAPS analysis shows.....The higher rates of train traffic on the New Bedford Main Line and the Fall River Secondary would result in a slight decrease in connectivity through the Assonet Cedar Swamp area in Lakeville when compared to the existing connectedness." Page 4.1-18 Mass Coastal Freight Operation "New Bedford is serviced two days per week (except during "sludge season", when it is serviced three times per week), typically Tuesdays and Thursdays. Fall River is serviced three days per week (except during "sludge season", when it is serviced two days per week), typically Mondays, Wednesdays, and Fridays." I find it difficult to believe that the planned increase in the number and speed of trains travelling through the Assonet Cedar Swamp will result in only a slight decrease in connectivity. Any fencing will also decrease connectivity.* L-069.05

- *Page 4.16-18/19 Wetlands Along the Rail Right-of-Way Through Lakeville* states "The Assonet River and Cedar Swamp River both flow under the New Bedford Branch of the right-of-way in Cedar Swamp" L-069.06

(Wetland LK-6 and LK-7)." There appears to be some confusion with names of water bodies within the Assonet Cedar Swamp. The river that flows through the Assonet Cedar Swamp is shown as the Assonet River on the 1831 map of the area, the name Cedar Swamp River does not appear until an 1879 map. The Cedar Swamp River is the Assonet River. The perennial stream that crosses the rail line approximately four tenths of a mile south of Malbone Street is Peirce Brook. I have other issues with wetland resources along both the New Bedford and Fall River lines. An Abbreviated Notice of Resource Area Delineation is currently before the Lakeville Conservation Commission; these issues will be addressed there.

L-069.06

In conclusion, it is my belief that the re-establishment of commuter rail service to New Bedford and Fall River will have far greater impacts on the Town of Lakeville, its citizens and its natural resources than the DEIS/DEIR indicates. Those impacts will extend well beyond the footprint of the rail lines. I support public transportation and the South Coast Rail Project. I believe this project can be built in a way that will protect the natural and cultural resources of Lakeville. I don't believe we need to choose between the two. I want to believe we can do both.

L-069.07

Thank you for this opportunity to comment on the combined Draft Environmental Impact Statement/Draft Environmental Impact Report. I would like to extend a special thank you to the U. S. Army Corps of Engineers for preparing the Draft Environmental Statement under what I think at times were difficult circumstances.

Sincerely,

Linda Grubb
22 Pierce Avenue
Lakeville, MA 02347-1801

Cc: Kristina Egan, MassDOT

From: wendy hanawalt [wendyhanawalt@mac.com]
Sent: Friday, May 13, 2011 8:54 AM
To: SCREIS, NAE
Subject: South Coast Rail Comments

E-032.01

I've been an Easton resident for over 20 years. I just wanted to add my voice to the comments about the proposed South Coast Rail planned to go through Easton. You probably don't hear a lot of these comments, but I'd just like to say that I'm IN FAVOR of the rail line.

I live fairly close to where the train will run through town. While I certainly can appreciate the concerns of the residents near the line and hope that you do whatever is possible to mitigate their concerns, I think quick and easy access to Boston by public transportation is absolutely crucial, for a number of reasons. For one, it decreases our dependency on gas and eases the traffic on our highways. But, from a selfish point of view, it dramatically increases the ability of working people to seek employment where it exists: in the metropolitan Boston area. I, for one, welcome the opportunity to seek employment in Boston without having to worry about the expense, time, and trouble of commuting by automobile. While I appreciate people's concern about the historic value of Easton's downtown buildings, I think we have to look forward, not backward, when contemplating such projects.

Thanks for your time.

Wendy Hanawalt
15 Whittier Lane
North Easton, MA 02356

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:06 AM
To: SCREIS, NAE
Subject: FW: Southcoast Rail (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

-----Original Message-----

From: David Hardy [mailto:riverwave@comcast.net]
Sent: Friday, April 01, 2011 2:31 PM
To: Anacheke-nasemann, Alan R NAE
Cc: Timmermann.Timothy@epa.gov
Subject: Southcoast Rail

Dear Sirs,

I have been a resident of Easton for 24 years, raised a family here, and am now retired, ready to enjoy this wonderful land. I and my wife have observed many of the policy issues being developed over time for this region. The Southcoast Rail is by far the most important decision this area has faced, maybe ever.

I struggle with digesting all the materials in the 2,500 page document (like the Federal Budget). and am requesting a delay so residents such as me and my wife can more fully understand the implications and issues.

E-013.01

Given that the DEIS on the SouthCoast rail is over 2,500 pages, I and my family respectfully request more time to review it and submit comments. Specifically, we ask for an additional 60 days. A total of 63 days (including weekends and holidays) is simply not sufficient time to digest this document and provide meaningful comments. Thank you for your consideration,

Sincerely,

David Hardy
11 Olde Farm Road
South Easton, MA 02375
508-238-0281

Classification: UNCLASSIFIED
Caveats: NONE

April 27, 2011

✓ Mr. Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

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

Dear Mr. Anacheke-Nasemann and Secretary Sullivan,

I am writing to comment on the South Coast Rail Draft Environment Impact Report. I read the Executive Summary disseminated from February 2011 with great interest. From my reading, the electric train in the Stoughton pathway seems the clear alternative for environmental impact, population served with the least disruption to domestic and business pursuits.

I live in Mattapoisett and there is this story about Oliver Wendell Holmes, a great jurist and summer resident of the town. It was said that he left his home at 9:00 am, travelled by the "Dude Special" – a train to Boston and ended up at his office in Cambridge by 11:00 am. He started back at 3:00 to repeat the process and was home by 5:00 pm. So, in the late 19th century, it was possible to accomplish a feat that is no longer possible – either by using rail technology, or by the clock with summer traffic. L-008.01

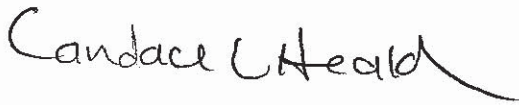
The railroad linkages and the local electric train formed the backbone of the southern coastal communities in the late 19th and early 20th centuries after the age of sail. The local school for advance students closed in 1901 because the electric cars had come to the village and those students were now able to attend the newly built Fairhaven High School – it was an economy of scale and size no longer possible. Local residents took the rail from Marion and Mattapoisett to come into New Bedford to shop and have lunch – again, a connection no longer possible by public transport with the time and directionality of the busses.

The linkages promoted between residents, commerce and cities of all sizes has been fractured over time. We have not seen progress, but regression. The South Coast Rail Project offers a chance to move forward in a climate of environmental concern and economic pressure with the rising prices of fossil fuels.

I would urge this project forward.

My best,

Dr. Candace Heald
PO Box 502
Mattapoisett, MA 02739



MAY 5'11 REG DIV

From: Gil Heino [gheino@comcast.net]
Sent: Wednesday, May 11, 2011 7:56 PM
To: S CREIS, NAE
Subject: RE: South East Rail Line

Dear Mr. Nasemann,

It is with great sadness and concern that I'm writing this letter in regards to the route preferred by the State of Massachusetts for the Southeast Rail line.

First of all I must be up front and state that our home is right on the rail line and probably the worst location of any home in Easton. We are only feet from the line and the crossing is also only feet from our property on Elm Street, so the bells and whistles would be very detrimental to our environment.

You may think that the location of our property is the primary reason that we are opposing the rail, but it is not. Easton is a very small community and the rail will change the entire atmosphere of our town. I am getting to an age where I probably will never see the completion of the line, so my biggest concern is for future generations, generations who will never experience a small historic town because a massive commuter rail will be bisecting the town and polluting our air with diesel fuel exhaust. The impact to the Hockomock Swamp, a major source of water, could be severely compromised with a fuel spillage.

E-030.01

I realize that decisions of this kind are somewhat political instead of what is best for the environment or for the citizens, and it saddens me to say that.

I have faith that the Army Corps of Engineers will base their decision on the facts and will give great consideration to a small historic community that will forever be changed by a commuter rail speeding through our small rural town.

Thanks for you consideration

Sincerely,

Mr. and Mrs. Gilbert Heino
28 Elm Street
North Easton, MA.
02356

gheino@comcast.net

DEAR ALAN,

I AM WRITING YOU FOR ANY MAPS OR INFORMATION ABOUT THE SOUTH COAST RAIL GOING BY MY HOME AT 156 PLAIN ST. TAUNTON, MASS. 02780. THERE ARE CURRENTLY TWO TRACKS BEHIND MY HOUSE IS THAT GOING TO STAY THE SAME, IS THERE GOING TO BE ANY SOUND PROOF WALLS PUT UP ETC!! I CAN'T MAKE THE DATES OF THE TWO MEETINGS, SO ANY INFO YOU CAN PROVIDE ME WILL BE GREATLY APPRECIATED. ALSO A STATION IS PROPOSED NOT TOO FAR FROM MY HOME IS THIS GOING TO IMPACT OUR AREA ON PLAIN ST.

THANKS AGAIN,

JIM HEBERT

L-005.01

HEBERT
156 PLAIN ST
TAUNTON, MA 02780

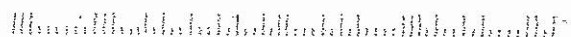
PROVIDENCE 01820
04 APR 2011 PM 2 L



MR. ALAN ANACHEKA - NASEMANN
ARMY CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASS. 01742

APR 5/11 REG DIV

01742+2751



From: alan johnson [cru2404@hotmail.com]
Sent: Wednesday, June 01, 2011 4:49 PM
To: SCREIS, NAE; aisling.o'shea@state.ma.us
Subject: Southcoast rail

I live in the town of Acushnet and I am strongly opposed to the southcoast rail project. The idea of creating a railroad through protected areas is not what should be done.

The cost is not something the tax payers should be burdened with at this time. The idea that the railroad

would be turned over to the one of the biggest on going deficit bodies in the commonwealth, (MBTA) is even worse.

Please do not build or continue this project.

Thank you,
Alan Johnson

E-069.01

Michael Jolliffe
P.O. Box 1884
Mattapoisett MA 02739

Tel-508-758-1346

e-mail- randmi@verizon.net

26 May 2011

Dear Mr. Anacheke-Nasemann and Secretary Sullivan,

I am enclosing comments on the Draft EIS and EIP on the South Coast Rail project proposed by Mass DOT presented by the U.S. Army Corps of Engineers - New England Division dated February 2011. I have been interested in this project for several years and believe its implementation is of critical importance to the welfare of this area. As a civil engineer, I consider my overall experience and a close relationship with planners who have extensive experience with high-speed rail in Europe justifies the comments and observations and ideas I attempt to convey in the documents I am enclosing with this letter.

I support the Stoughton Electric approach, which is a good beginning to the access we need, assuming the terminus-to-terminus speed can be significantly improved. As conveyed in my comments, there are opportunities that exist which can be simply and economically applied and lead to very favorable environmental outcomes. These are not only for the fauna and flora that occupy the earth but also for the Homo sapiens who travel on its surface and choose to protect it.

L-094.01

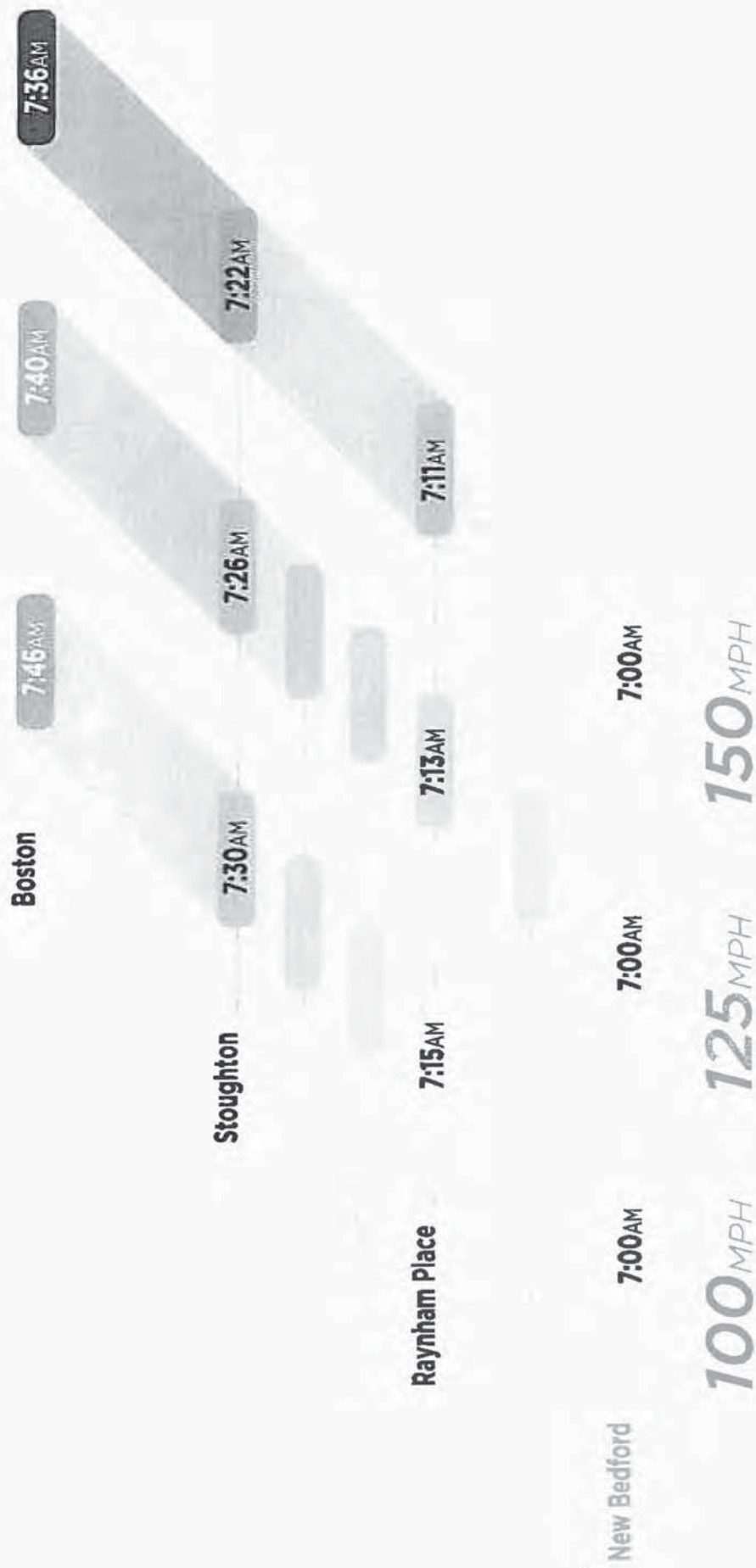
I am hopeful that the Final EIS/EIR will recognize that refinement of the Draft will advance its value.

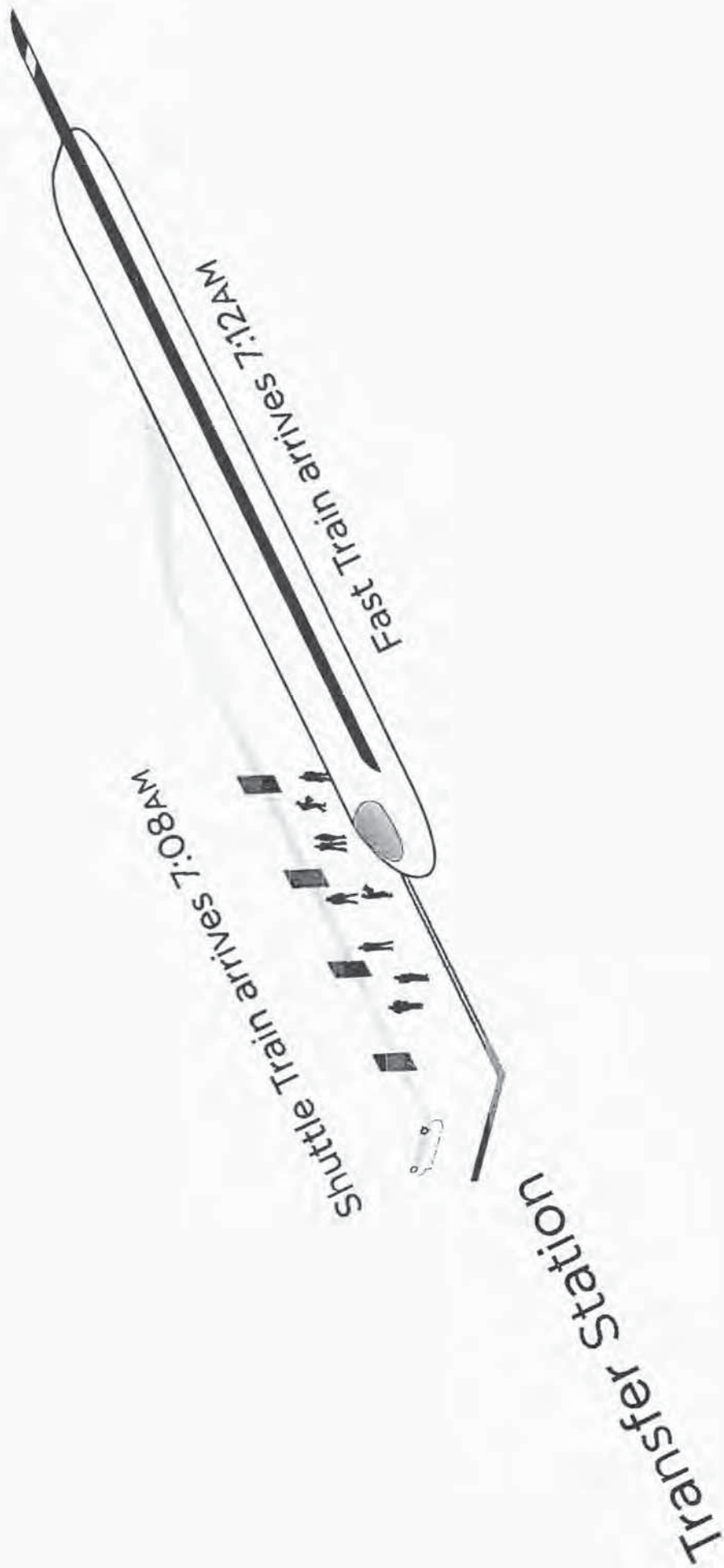
Yours Sincerely



Michael J A Jolliffe

cc: Kristina Egan
Nancy Durfee





SOUTH COAST RAIL CORRIDOR

COMMENT ON ENVIRONMENTAL IMPACT STATEMENT

Michael Jolliffe B.Sc(Eng.), A.C.G.I, D.I.C Imperial College, London

I am a Civil Engineer, living on the South Coast and familiar with the highway and traffic situation from the Coast up to Boston particularly on Rtes 140 and 24 as well as Interstate Highways 195, 495 and 93 and I have studied the potential impact of SCR for the last 3 years and have attended meetings, including the meeting on March 5,2011 in New Bedford.

I spoke within the 3 minutes that were allowed for each presentation. My comments were focused on the excessive time that the planned passenger train between New Bedford and Boston will consume in its passage. There is no reason why this journey should not occur in considerably less time than the projected 76 minutes for the electric powered locomotion on the Stoughton Corridor, which I and the majority of potential riders favor. It is evident from the analyses based on the choice of diesel or electric traction that the more rapid transport of the electric power will increase ridership despite its relatively slow pace compared to current Global expectations and adoption.

L-094.02

In accordance with the experience of my professional associates in Europe and other parts of the Globe, it is evident that one of the deficiencies in the current plans for operation of the Stoughton Line is the number of stations (10) on the passage from origin to destination. We know that each stop on a route, for a train that travels at 100 M.P.H, delays the transit for at least 4 or 5 minutes. This occurs because the train has to slow, drop off and pick up passengers and then accelerate to its permitted speed. The delay of the train is likely to be nine times five minutes or up to 45 minutes for those travelling from one end of the track to the other.

There is a way to provide much faster transport that reduces every passenger's travel time. By providing only two primary stops and by

NON-STOP
STATION

TRANSFER
STATION

NON-STOP
STATIONS

TRANSFER
STATION

6.55

7.10

6.55

7.11

7.26

7.14/7.16

7.30/7.32

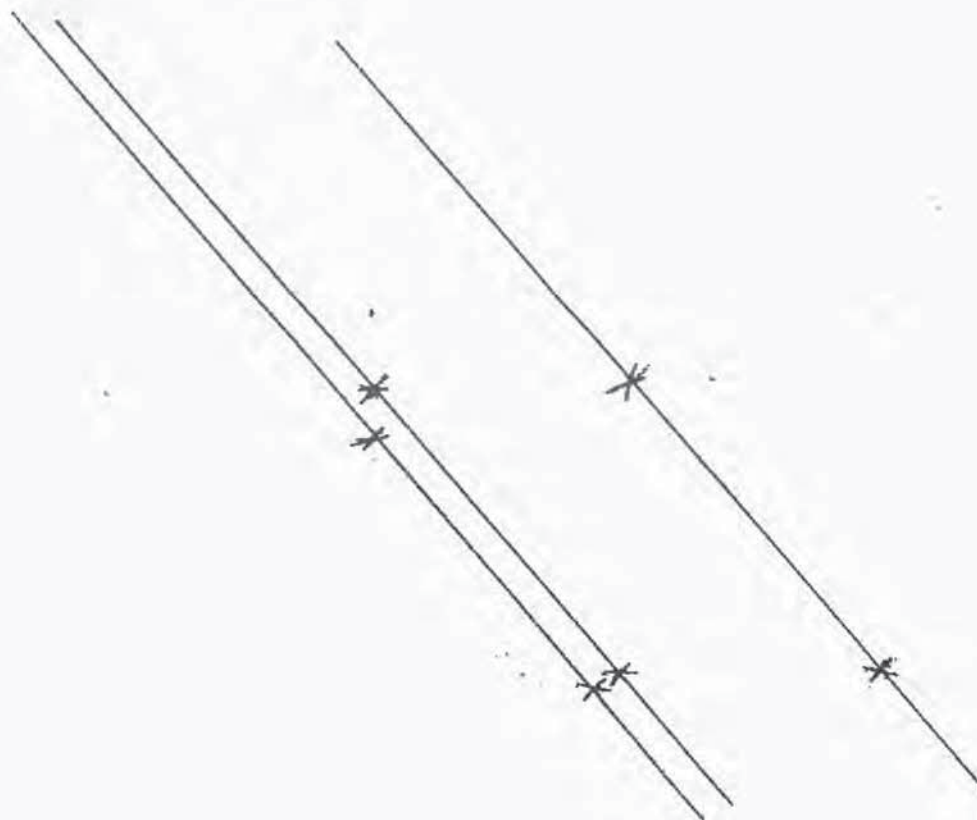
7.12/7.14

7.26/7.28

7.12/7.12

7.22/7.24

NO AM TRAIN CAN RETURN TO NEW BEDFORD TO BE 9:40 TRAIN WITHOUT IN-
ITH. FALL RIVER OR SOUTH BEND NEW BEDFORD TRAIN.
THIS COULD SAVE TWO TRAINSETS
RANGE OF STATION TO SOUTH STATION @ 100 MPH MAX. 50 MINUTES - RAN
NING WILL CONSIDERABLY INCREASE ATTRACTION.



From: Jane LeBlanc [janeleblanc@verizon.net]
Sent: Wednesday, May 25, 2011 11:49 AM
To: SC REIS, NAE
Subject: Southcoast Rail Project
 Alan Anacheka-Nasemann,]

South Coast Rail project

This letter is intended to act as notice for the record that for the reasons listed below I am completely against the expansion of the commuter rail and additional freight line proposed by MASSDOT via the proposed Stoughton Alternative.

Cost – the \$2 billion dollar plus cost of the project fails the cost/benefit analysis.

Feasibility – it's unlikely the line would see enough passengers from New Bedford or Fall River willing to pay \$275-\$300 plus parking to ride a train for a minimum of one hour 15 minutes each way for a job in Boston, or vice versa. Moreover, the ridership analysis is flawed, as it assumes people in Mansfield, Attleboro, Lakeville and Middleborough will take the new line instead of a train that leaves from their own town.

Environment – Trains are an environmentally unfriendly mode of transportation. The Commonwealth should not be investing billions of dollars in a fossil fuel technology that moves people from one point to another. Jobs are moving into the suburbs, and more people are telecommuting. The proposed train will harm drinking water supplies, flood storage, and wildlife habitat, and will bisect a nationally renowned Area of Critical Environmental Concern (ACEC).

E-048.01

Well Water Impact – The Commonwealth's preferred route takes the train within the Zone I of one of Easton's most productive wells. This is an unacceptable risk.

Seven traffic crossings – these crossings provide a safety risk for children and traffic and a major noise and vibration disturbance.

Historical areas and building compromised – the proposed train route will come within less than 25 feet of historic building that are not built to withstand the vibration and will be damaged or destroyed.

Dividing the town impedes police/fire/ambulance access to people in need, and route to closest hospital is severed as well. The MBTA already runs in a deficit in excess of \$130 million dollars, this line would only add to that. There are neighborhoods and businesses along route that come within 25 – 50 feet of train passing.

The bottom line is despite the marketing by the DOT this project is contrary to public interest and the Army Corps of Engineers should not issue the permit for the Stoughton alternative even if ultimately that results in the No Action Alternative. The Rapid Bus is clearly the LEDPA and a more fiscally responsible project.

Jane LeBlanc
 South Easton, MA

From: Michael LeBlanc [michaelleblanc@verizon.net]

Sent: Wednesday, May 25, 2011 11:52 AM

To: SCREIS, NAE

Subject: Southcoast rail project

Alan Anacheke-Nasemann,

South Coast Rail project

This letter is intended to act as notice for the record that for the reasons listed below I am completely against the expansion of the commuter rail and additional freight line proposed by MASSDOT via the proposed Stoughton Alternative.

Cost – the \$2 billion dollar plus cost of the project fails the cost/benefit analysis.

Feasibility – it's unlikely the line would see enough passengers from New Bedford or Fall River willing to pay \$275-\$300 plus parking to ride a train for a minimum of one hour 15 minutes each way for a job in Boston, or vice versa. Moreover, the ridership analysis is flawed, as it assumes people in Mansfield, Attleboro, Lakeville and Middleborough will take the new line instead of a train that leaves from their own town.

Environment – Trains are an environmentally unfriendly mode of transportation. The Commonwealth should not be investing billions of dollars in a fossil fuel technology that moves people from one point to another. Jobs are moving into the suburbs, and more people are telecommuting. The proposed train will harm drinking water supplies, flood storage, and wildlife habitat, and will bisect a nationally renowned Area of Critical Environmental Concern (ACEC).

E-051.01

Well Water Impact – The Commonwealth's preferred route takes the train within the Zone I of one of Easton's most productive wells. This is an unacceptable risk.

Seven traffic crossings – these crossings provide a safety risk for children and traffic and a major noise and vibration disturbance.

Historical areas and building compromised – the proposed train route will come within less than 25 feet of historic building that are not built to withstand the vibration and will be damaged or destroyed.

Dividing the town impedes police/fire/ambulance access to people in need, and route to closest hospital is severed as well. The MBTA already runs in a deficit in excess of \$130 million dollars, this line would only add to that. There are neighborhoods and businesses along route that come within 25 – 50 feet of train passing.

The bottom line is despite the marketing by the DOT this project is contrary to public interest and the Army Corps of Engineers should not issue the permit for the Stoughton alternative even if ultimately that results in the No Action Alternative. The Rapid Bus is clearly the LEDPA and a more fiscally responsible project.

Michael LeBlanc
South Easton, MA

Heather and Doug Lewis
97 Kennedy Circle
South Easton, MA 02375

May 27, 2011

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
New England District, Regulatory
696 Virginia Road
Concord, MA 01742-2751
Fax: 978-318-8303
Email: SCREIS@usace.army.mil

Dear Mr. Anacheka-Nasemann,

We write this letter in regards to our review of the DEIS/DEIR for the South Coast Rail Project. **First and foremost, we request that a Supplemental DEIS/DEIR be required prior to the release of the FEIR. After our review of the DEIS/DEIR we still have many questions and feel additional data and corrected data is necessary for the public's review prior to the FEIR.** Our concerns and questions fall into two main categories; whole project and neighborhood/town specific.

L-072.01

Many of our concerns are related to the project as a whole. We have highlighted those specific concerns below and ask that the Army Corps review them carefully.

As stated in our comment letter after the ENF, we continue to have the same concerns about project purpose, cost vs. benefit and return on investment of the project. We ask that the following questions be answered in this regard.

- There is a major difference between the Army Corps' project purpose and MassDOT's project purpose. MassDot is including smart growth in their project purpose and the Army Corps is not. This is a difference which will sway the cost vs. benefit, so we ask that the Army Corps continue to leave the smart growth component out of the equation. Also, we believe the state should be required for public review to include the "costs" of the smart growth component for their data and outline who will be responsible for those costs.
- One major goal of both the Army Corps and MassDOT is to "support economic development" in the cities of New Bedford and Fall River. We ask the Army Corps to require evidence that proves the economies of Lowell and Worcester improved once rail was provided to those communities. We believe this information will highlight the ability or inability of the rail to provide this "economic development."

L-072.02

L-072.03

- We believe MassDOT continues to grossly underestimate the cost of the South Coast Rail project and ask that the #s be revisited and revised to be accurate and up-to-date. The cost estimate of 1.4 billion for the Stoughton Alternative has been the number for numerous years. Homes and neighborhoods along the Stoughton Alternative were missed in earlier reports when this 1.4 billion amount was determined. The addition of these homes and neighborhoods will directly impact the costs. Inflation and fuel prices have skyrocketed since then and these increases need to be taken into account, #s adjusted and reported correctly up-to-date in the upcoming documents. L-072.04
- In addition, we believe the ridership numbers continue to be skewed. It appears from the documents that current MBTA riders who will CHANGE their train station once the new stations are open are being counted as NEW riders, when in fact they are not new riders. We would ask that the ridership #s be closely examined and only true NEW riders are included in the estimate, with a separate category for riders changing stations. Not only do we believe the ridership numbers to be skewed, we believe they are overinflated. As a point of reference, the state originally estimated the Greenbush line to be 4,200 riders. In a recently published article from the Boston Globe, the ridership after three years is averaging 2,100 riders or 50% projection; and the numbers are declining. We have every reason to believe the state is overinflating the ridership numbers on the Stoughton Alternative, as well. L-072.05
- Lastly, we would ask that a more specific funding plan be in place prior to the publication of the next document. It seems irresponsible to proceed so far down the path of this project without a specific funding plan, one which apparently will rely heavily on being subsidized by taxpayers. L-072.06

Our next area of whole project concern revolves around environmental issues:

- In order to complete this project a special permit will be required. This permit, pursuant to Section 404 of the Clean Water Act, would allow the state to “discharge fill materials into waters of the United States, including adjacent wetlands.” It is our understanding that what the state wants to do in order to complete this project is not allowable by law therefore this special permit is required. It seems that a law is in place to protect our waters, why would we break the law? L-072.07
- We question how the Army Corps can consider allowing the Hockomock Swamp, an Area of Critical Environmental Concern, to be bisected by a train? We ask the Army Corps to provide specific justification as to how this project is permissible. L-072.08
- In addition, we would ask that further review be given to protecting the safety of town’s drinking water supplies along the Stoughton Alternative. Portions of Raynham and Bridgewater’s drinking water are from the Hockomock Swamp. As well, the train will run within 400’ of Easton’s most productive drinking well. L-072.09

We are concerned about direct and indirect impacts to drinking water supplies both during construction and operation.

Our next group of questions is more town and neighborhood specific; Easton and the neighborhood on Kennedy Circle in Easton. We can deduce that residents in other neighborhoods and towns would have the same questions and concerns; so while the questions may seem about a small population we know they apply to a much larger population of impacted homes and residents along the various alternatives.

- We would like further review to be given to safety both during construction and operation to families who live directly beside the rail line. First, we found it challenging to locate safety information in the DEIS/DEIR and second, we are not satisfied with some of the answers we struggled to find. It came to our attention that during construction and once the train is up and operational there is no commitment made in the DEIS/DEIR to provide fencing between properties beside the railbed and the train. We do not understand this complete disregard and lack of commitment for safety and ask the Corps to consider this and consider the need for mitigation for this added safety. L-072.10
- We have been unable to determine how fast the train will travel behind Kennedy Circle and would like the Corps to require MassDot to provide an answer. Specifically what is the speed while traveling south and then north, as well? The speed of the train directly relates to the noise and vibration impacts to homes and without this clear data we cannot be sure the state is correctly showing which homes along Kennedy Circle will be impacted, to what degree homes will be impacted and what types of mitigation would be expected. L-072.11
- We ask for further review about vibration impacts to homes along the railbed in Easton. From the Volume II figures almost no homes are listed as impacted by vibration, homes within feet of the railbed! How can this be?
- We would like further clarification on the MBTA's Right of Way. Specifically, we would like to have the accurate widths of the Right of Way listed. We learned that the width ranges from 40' – 80', with the majority being 60'. We would like further review of the exact widths and further data reported in the upcoming documents. As well, we would like further information provided on the locations of the "staging areas" for equipment and materials used during the construction process. L-072.12
- We would like further review and disclosure on the water flow that can be found at different times of the year on the stretch of abandoned railbed between Purchase Street and Prospect Street in Easton. We learned that when the original freight trains ran along this abandoned railbed, the train tracks were elevated in the center with a ditch on either side to collect the run off and then the water would travel to the nearest wetlands or body of water. We understand that L-072.13

<p>MassDOT believes that over time those ditches have filled in and therefore water is flowing over where the tracks were originally and not in the ditches. The plan is when the ditches are rebuilt that they will once again function as years ago. We would submit to you, as we have in the past, that yes, substantial water flow (measuring up to 10” deep and moving steadily south) along where the old tracks were originally exists today. However, the difference we see on the Right of Way is that the ditches may have filled in slightly, but there are still deep ditches and when the water is flowing over the old area of tracks the ditches are filled with standing water. We would ask the Corps to continue to review this concern since what we see on the Right of Way is different than what MassDOT believes is occurring. Specifically, our concerns are what will happen to this water flow along the abandoned tracks and this sitting water in the ditches during construction and operation.</p>	<p>L-072.13</p>
<ul style="list-style-type: none"> • We would like further review and clarification on certain figures in Volume II. We will use the figures 4.6-7b through 4.6-7d as examples. The yellow line showing Electric Severe Impact and Electric Impact change in width throughout these figures and we would request an answer as to why the width changes? What factors create the differences? 	<p>L-072.14</p>
<ul style="list-style-type: none"> • We would also like additional review and clarification about double tracking between the station in North Easton and Taunton. At a public meeting with MassDOT we were told double tracking would end just south of that North Easton Station. In the DEIS/DEIR (4.4-40) it states “New FRA Class 5 single or double track would be placed on the out-of-service railbed from the Stoughton Station to Winter Street in Taunton.”. We would like further review of this and clarification of exact locations of any areas for doubling tracking in this stretch. 	<p>L-072.15</p>
<p>We have worked diligently to be informed citizens and participate in the public review process. We have listed above many specific concerns in regards to our own neighborhood and town. We have also outlined our overriding project concerns. We would like the Army Corps to address both categories of our concerns. We will reiterate our concern about the entire premise of this project and the exorbitant cost for the return on investment. We do not believe the Army Corps is justified in permitting this project via the Stoughton alternative under the Clean Water Act. If a transportation system is to be considered we continue to believe that the Rapid Bus Alternative should be determined to be the LEDPA.</p>	<p>L-072.16</p>
<p>In addition, we ask that a Supplemental DEIS/DEIR be published prior to the FEIR.</p> <p>Thank you for your consideration.</p> <p>Heather and Doug Lewis</p>	

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:08 AM
To: S CREIS, NAE
Subject: FW: extension for South Coast Rail Review (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

From: Lewis [mailto:dhlew@comcast.net]
Sent: Friday, April 01, 2011 3:55 PM
To: Anacheke-nasemann, Alan R NAE
Subject: extension for South Coast Rail Review

Dear Mr. Anacheke-Nasemann,

We write this email asking for an extension to the current review period for the DEIS on the South Coast Rail. We are residents of Easton and do not believe a total of 63 days (including weekends and holidays) is enough time to read through and examine closely the over 2,500 pages of material. We intend to submit our comments and ask for additional time. Specifically, we ask for an additional 60 days.

E-014.01

Thank you for taking the time to read our email and consider our request.

Sincerely,

Heather and Doug Lewis

Classification: UNCLASSIFIED
Caveats: NONE

May 23, 2011

U.S. Army Corps of Engineers
Alan Anacheke-Nasemann, Senior Project Manager
Regulatory Division, Permits and Enforcement Branch
696 Virginia Road
Concord, MA 01742-2751
Phone: 978-318-8214
Fax 978-318-8303
SCEIS@usace.army.mil

Executive Office of Energy and Environmental Affairs (EEA)

Attn: MEPA Office
Aisling O'Shea, EEA No. 14346
100 Cambridge Street, Suite 900 (9th Floor)
Boston, MA 02114
Phone: 617-626-1024
Fax: 617-626-1181
aisling.o'shea@state.ma.us

First and foremost I sincerely appreciate this opportunity to comment on the South Coast Rail Project Draft EIS/EIR. And as a native of Taunton and a Transportation Engineering Consultant for the past forty years I believe that this project offers tremendous opportunity for the economic revitalization of the cities of Taunton, Fall River, and New Bedford as well as establishing a model for "Smart Growth" throughout the south coast region. L-036.01

With respect to the alternatives analysis presented in the draft EIS/EIR, it is quite evident to me that the extension of the line through Stoughton is the most appropriate alternative and offers the greatest potential for Smart Growth along its corridor and therefore I support the implementation of extending the Stoughton line subject to further refinement of it's physical, socio-economic and environmental impacts in the design phase. L-036.02

As a Stoughton resident, my major concerns are the station design as presented on Figure 3.2-40. and the potential impact that electrification of the line will impose on community aesthetics and public safety.

With respect to the station design, it is obvious that it is a minimalist approach that offers no improvement over the present station. Parking is scattered about in five (5) separate surface lots owned by the T with more than 70% of the spaces extending 125 feet to 980 feet from the northerly end of the proposed platform. Clearly, the occupation of several acres of prime downtown Stoughton real estate by five separate surface lots with up to 50% of the spaces being a much further walk than desirable is not a formula that will promote Smart Growth. L-036.03

It would also appear that, when a train is stopped in the station, the Wyman Street crossing gates would be down, thereby perpetuating a major source of traffic congestion in downtown Stoughton during commuting hours. Further, there are no apparent accessibility accommodations for the Outbound line. In summary, the Stoughton Station design as presented fails to address several previous comments offered by Stoughton residents to the project designers at public meetings and offers no apparent impetus for Smart Growth.

L-036.03

As for electrification of the line, although enticing from a long term cost/environmental benefit, its negative impact on community aesthetics and public safety far outweigh those benefits. Obviously, major segments of the line traverse dense residential and commercial/retail centers through Canton, Stoughton, North Easton and on to the larger cities in the south coast. The erection of overhead stantions, electrical wires and safety fencing along the right of way will create a substantial negative aesthetic that will decrease adjacent property values and introduce an industrial presence throughout the entire corridor.

L-036.04

As for public safety, the MBTA's track record in maintaining its facilities, such as security fencing along its right of ways, is essentially non-existent and the location of the stantions along miles of residential neighborhoods and several schoolyards is a very tempting invitation for the young to climb and explore. It simply is not a prudent alternative to the use of diesel powered trains.

In closing, I would reiterate my support for the South Coast Rail Project's Stoughton Alternative and strongly suggest that 1) the design of the Stoughton Station needs to be re-visited with more community input and 2) that the electrification of the line be omitted from further consideration.

Very truly yours,



Forrest C. Lindwall
175 Swanson Terrace
Stoughton, MA 02072
Cell: (617)-697-1142

From: Patti Linhares [linhairesp@comcast.net]
Sent: Monday, May 23, 2011 5:42 PM
To: SC REIS, NAE
Subject: Railroad

To whom it may concern,

Where as I do see the need for the railroad to progress, I am very leery of the fact it will be
be coming through my back yard. The tracks are literally 10 feet from behind my garage.

I understand that concessions will be made like sound proof walls and or new windows
would be supplied for me to keep my house sound proof from all the noise and that's wonderful,
in the winter. But what happens in the summer when after a long day at work and my family and I

would like to relax on our deck .How do you cut that noise off??? How can we enjoy the outdoors

with trains going by all the time. I would be more that willing to sell my properties to the state.

Would that ever be an option? What kind of value will my property hold with a train constantly
going by. It's bad enough property values have plunged of late. What will this do. There has got


to be a way you can help us out here. Would you like to live like that? I truly doubt it!

Patti Linhares
96 Almy Street
Fall River, MA. 02720
linhairesp@comcast.net

E-042.01

E-042.02



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From: Leon Litchfield [Leon.Litchfield@umb.edu]
Sent: Friday, May 27, 2011 6:19 PM
To: SCREIS, NAE
Subject: Commuter Rail Extension Comments

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheke-Nasemann:

I am writing to express my strong opposition to extending the commuter rail to New Bedford/Fall River using the Stoughton alternative. I am opposed to this for the following reasons:

E-060.01

1. Safety - as a resident of Easton, I feel that the rail line will significantly impact the traffic flow in a section of town that is already very congested. Trains crossings at road level will snarl traffic and create traffic hazards.

E-060.02

2. Environmental - despite the finding that this alternative will cause the least harm environmentally, I feel that it will cause irreparable damage to the environment. This is especially true with respect to endangered (as well as other wildlife) in the Hockomock Swamp. I am also concerned that there will be negative effects on the water supply within the town of Easton, a town with water that has always been rated among the best in the Commonwealth.

E-060.03

3. Cost - if anything was learned from the Big Dig fiasco, it was that cost estimates escalate considerably. From the first time that this project was discussed, it has escalated a great deal. The current cost estimate that is rapidly approaching two billion dollars is not cost effective for the number of people that are estimated to use this commuter rail extension.

E-060.04

4. Anti-Family - Finally, and most importantly, it does not make sense to me that this amount of money would be used to transport individuals away from their families for several hours per day. When considering the time that would be needed to travel to and from commuter rail stations, take the train, and travel to a job location, it is not unreasonable to estimate that employees would spend two hours or more each way (or 4+ hours round-trip) to work in Boston.

E-060.05

While the funds (both state and federal) that are earmarked for this project are probably set aside for transportation purposes only, it would make a great deal more sense to use even half of what it will cost to extend this rail line as incentives and support for businesses in the New Bedford/Fall River area. If funding was used to encourage

businesses to develop and provide jobs in these towns, employees would be able to not only make a living but to spend time with their families and friends.

E-060.05

Thank you for your consideration of these comments!

Sincerely,

Leon Litchfield

30 Pond Street

N. Easton, MA 02356

e-mail: leon.litchfield@umb.edu

From: Antoinette Lopes [a_lopes_73@hotmail.com]

Sent: Wednesday, May 25, 2011 11:57 PM

To: SCREIS, NAE; aisling.o'shea@state.ma.us

Cc: kristina .egan@state.ma.us

Subject: South Coast Rail (DEIS/DEIR) Comment

May 25, 2011

Alan Anacheka-Nasemann
 Army Corps of Engineers
 696 Virginia Road
 Concord, MA 01742-2751
 email: SCREIS@USACE.army.mil
 fax: 978.318.8303

Secretary Richard K. Sullivan, Jr., EOEEA
 attn: MEPA Office (Aisling O'Shea)
 100 Cambridge Street, Suite 900
 Boston, MA 02114
 email: aisling.o'shea@state.ma.us
 fax: 617.626.1181

Dear Mr. Anacheka-Nasemann and Secretary Sullivan:

I am writing to you to provide my comments on the South Coast Rail Draft Environmental Impact Statement.

Let me first explain who I am a bit. I was born and grew up in New Bedford. In 1991, at seventeen years of age, I left to make my way in the world. But by 1999 I knew it wasn't panning out and that I would probably have to come home. When I called my mom and told her this, she told me that it would be okay because there was going to be a train going back and forth between here and Boston. Well, as it turns out, it was not okay.

I read the sections of the Environmental Impact Statement comparing the different options and the estimates of ridership. I think it's clear that there is only one sensible option which is the Stoughton Electric option. But in my opinion, and I'm just a person (I haven't done any studies), the ridership was lower than I expected. I understand that there are formulas that they use to come up with these numbers. I gather that they use the numbers of people who already commute to Boston on a daily basis. That makes sense. It's called Commuter Rail. But what I'd like to add to the argument is really not about commuters. It's about normal folks who rarely if ever go to Boston, who I believe would *if* there was a train available to them whatever it's called.

E-049.01

Let me tell you a story. About a year ago, I was sitting on a local city bus (I don't drive at all), and I overheard the bus driver say that she was going to take her daughter for tests in Boston. She was afraid because she would be taking the train from Lakeville and was worried about getting lost. Even though I live here and it shouldn't be a surprise to me, I was still shocked. Someone who has been working in public transport for well over a decade was afraid to take public transportation to Boston because it was that foreign to her. I don't know why she had to take the train that day, maybe her husband had the car or hers was in the shop, but it was clear that this was the very first time she would be taking the train.

I tell you this story because I think it provides a backdrop for why I think bringing the commuter rail to New Bedford will have an enormous impact on people who would never even think to contact you letting you know that they support the rail. They may not even think it's for them. Or they may have heard

before, as I did, that it was coming and believe that it's just a bunch of malarkey.

New Bedford is downtrodden. Her citizens do not know to fight for something like this and they probably think they don't deserve it anyway. They just put up with "how things are". It's easier to not want things to get better. It's less risky. If you don't try, you can't fail. And it's better not to fail. They talk about the old days if they're old enough to remember when the city had more. If not, they just accept less as a fact of life. People here are very isolated. In that isolation their worldview becomes even more limited. They worry about today's problems, maybe the price of gas, what's happening with their family, the Red Sox if they have an extra minute. For the most part, their minds never leave their own backyard. They may be decent citizens of New Bedford, but it makes them horrible citizens of the world. They're not the green thinking recycling do-gooders you might hope. There is a small percentage of those people here but that's not who I'm talking about. I'm talking about the majority of residents. They don't care who is President because it doesn't matter anyway, so why vote? If we get wind power or keep enslaving ourselves to big oil, what difference does it make? There's nothing they can do about it. They're the little guy. Because of that lack of power, the future is bleak. At least they think so.

It's that attitude that makes New Bedford a lousy place to live. It can look really pretty, and often does, but the attitude is monochrome. I probably shouldn't be admitting that but it's true. When I was a kid, there was supposed to be nothing here and now there is even less. I know that people within our local government have worked very hard to make something of the festival season that we have in the summer and the downtown historic area. They've done their best to make it a cool place for cool people, attempting to capitalize on the number of college students in the area. And there has been something of a resurgence of nightlife. So that's something.

But that has not spread up to where most of the population of New Bedford lives. Those people have little to do with Chowder Fest. Those people are the ones who drive to and from work everyday trying to eke out a living if they are lucky enough to have a job. Their cost of living continues to go up while their quality of life goes down. And they "can't do anything about it". In my opinion, it's the attitude more than the situation that keeps it that way. But the situation doesn't inspire anyone to change anything.

This leads me to the hidden benefit I believe the South Coast Rail could really bring to New Bedford. And that is the promise of a new day. Proof that it isn't true that they are powerless. The believe that there is a world out there and they are part of it. That there are still possibilities for everyone, young and old.

That requires movement. That requires cultural exchange. That requires going places and doing things that you haven't before. I believe a train is essential for this. We have buses. I take the Dattco bus up to Boston when I can. But I can't do it often. It's twenty four dollars round trip. After that I don't have a lot to spend so I just basically go to get out of here for the day. It's inconvenient. The schedule doesn't allow for any sort of night out in Boston. If concerts and shows start at eight o'clock, a last bus leaving promptly at nine does little for you. So you only have the possibility of a matinee. Limited again. As for those who have the ability to drive up, they don't, except for on the rare occasion. It's too much of a hassle and an expense (gas/parking). Boston might as well be outer space. And most of those people would cut off their right arm before they'd leave their beloved automobile in a park and ride to take a (*gasp*) bus!

I know. I know. This is commuter rail. The trains probably won't come back to New Bedford later than the buses do now or maybe not even that late and not on the weekend. I get it. But my hope and my belief is that the commuter service would be the beginning. The beginning of a door opening wide. Once the train is there, once people, more people than are estimated, take it on a regular basis, I believe it will show that people want to go back and forth between our two cities and eventually that will bring more service. And not only will it allow people to go to Boston when they like, without the burden of inflated gas prices or inflated bus fares based on gas prices, but it will also allow tourists from around the world the ability to come here. New Bedford is and always has been tourist ready. It's just a matter of getting them here. A direct connection to and from Boston will entice train-friendly Europeans and other world travelers to stop by and say 'Hi!'. The new beginning that the rail would provide would fertilize the work that has already been done to make the Whaling City a tourist friendly place. I can imagine New Bedford blooming into a kaleidoscope of colorful of people from everywhere walking along the working waterfront on any given afternoon. Maybe there'll be someone in a Manchester United jersey asking a Toronto Maple Leafs fan which way it is back to the station after an afternoon stop off during their week

E-049.02

in New England. Perhaps they'll decide to walk back together and pass a Scandinavian baby who lets go of his balloons when a seagull steals his fries. This is the kind of scenario I can imagine when I think of the future of a New Bedford with commuter rail. It's a bright happy future full of people coming together in a way that they don't do now that will put New Bedford back on the map.

Is that future possible without the commuter rail? I actually don't think so. I think it's necessary. I think New Bedford needs it to connect back to the rest of the world again. The people of New Bedford need it whether they know it or not. And who knows maybe someday the world will need us too. Whatever negative impact bringing the rail here might have will already be made up for by an electric train. The oil issue will be obliterated by an electric train. People not using up what's left driving back and forth contaminating the air and not spending money on it will be able to put that money back into the economy in other ways. Maybe they'll buy an electric car. Maybe they'll put solar panels on their house. Maybe they'll do both. If the electric train creates some unforeseen environmental issue perhaps it will be one of those future forward thinking New Bedford natives, enriched and molded by years of cultural exchange, who will be the one to solve it.

Thank you for your time,

Antoinette Lopes
190 North Street
New Bedford, MA 02740

From: John Malley [john@hrhatch.com]

Sent: Thursday, May 26, 2011 12:14 PM

To: Stoughton CREIS, NAE

Cc: brian.a.joyce@masenate.gov ; louis.kafka@mahouse.gov; william.galvin@mahouse.gov

Subject: South Coast Rail

Hi, my name is John Malley and I am a resident of Stoughton, MA, and I do not live near the railroad tracks. However, I want to express my opposition to the proposal for an increase in rail service through Stoughton, to New Bedford.

E-054.01

First, the increase in rail traffic would be a serious detriment to the town, which is essentially split in half by the rail line. The line would need to be double tracked along the entire route through the town and there would be high-speed trains on the tracks. The line runs near the O'Donnell Middle School and is along the walking route for students going to the middle and high schools. The increased traffic and speed along the line will create a hazard to the children going to and from the schools.

E-054.02

Second, with the addition of the second track and given the fact the rail will end at a port, the line will also become a significant freight line, hauling stuff from New Bedford all the way through to Readville.

E-054.03

Stoughton and towns along the South Coast Route would see 24/7 train traffic (not just commuter rail service) along a densely populated route, where houses and businesses are located near, and in some cases on the old rail bed.

I believe the State has significantly over-estimate the potential use of the commuter line and underplayed what is going to be a more significant impact, which is the addition of a significant amount of freight traffic from the New Bedford port.

Please rethink this plan and at the absolute least, provide mitigation in the form of underground tracks from Central Street in Stoughton through to at least the Stoughton/Easton line.

E-054.04

Sincerely,

John Malley
21 Stoughton St
Stoughton, MA
781-344-2951

May 27, 2011

Mr. Alan Anacheke-Nasemann
Army Corps of Engineers
896 Virginia Road
Concord, MA 01742-2751

Sec. Richard K. Sullivan
Exec. Office of Energy and Environmental Affairs
Attn: MEPA, Aisling O'Shea
Suite 900
100 Cambridge Street
Boston, MA 02114

Re: South Coast Rail
DIER/DEIC Comment Letter
Opposed to the Stoughton Alternative

Dear Sirs,

I am writing as a concerned citizen and as a resident of Stoughton, MA. I attended the meeting held recently in Mansfield, MA regarding the proposed project. I am concerned and have been since the outset regarding the cost and efficacy of the project – The Stoughton Alternative. L-073.01

For nearly a decade I worked in southeastern MA. For two years prior, I worked for a Boston based hospital which opened a satellite facility in southeastern MA with the hope of generating referrals for diagnostic and treatment procedures at its larger facility in Boston. The intended outcome for that speculated investment, opening the satellite office, never materialized.

What I learned while working for the Boston based hospital and later as the agency head of an agency located and providing services to communities in southeastern MA was that the folks living in the southeastern MA area do not "think" Boston for employment, medical, recreational, sports or entertainment needs. They "think" Providence because it is closer. That has not changed and extending the railroad to that area is a very expensive, nearly two billion dollar effort, will not change the culture of thinking anytime soon. L-073.02

I seriously challenge the validity of the ridership projections for the project. Moreover, particularly at this time when every dollar spent needs to be carefully evaluated so as to have the greatest impact on the economy, the cost of the project could be more prudently spent in Fall River and New Bedford to improve the economy by bringing jobs to the area and by improving the area's regional transportation infrastructure. L-073.03

There is already existing bus service from Fall River and New Bedford to Boston. If the current demand for more of the existing transportation service were evident by a steadily increasing ridership that would suggest evidence for a greater consideration in revisiting the transportation needs of Fall River and New Bedford. But that is not the case.

MAY31'11 REG DIV

Please carefully evaluate the impact of this initiative as it moves forward both on the apparent environmental impact and the claimed need for the project.

Thank you for accepting my comments.

Sincerely,

A handwritten signature in black ink that reads "John Malloy". The signature is written in a cursive style with a large, stylized "J" and "M".

John Malloy
1821 Washington Street
P.O. Box 312
Stoughton, MA 02072-0312

From: Trent Maltby [tmaltby711@gmail.com]

Sent: Wednesday, May 25, 2011 4:23 PM

To: S CREIS, NAE

Subject: Opposition to South Coast Rail

To Whom It May Concern:

I wanted to write to you to let you know of my opposition to the South Coast Rail Project. I live in Easton and know that this debacle will have a truly detrimental effect on our town and the other towns along the route. However, my main objection comes as a Massachusetts tax payer. Regardless of which route is chosen, this project makes absolutely no financial sense and this is going to be the South Coast's "Big Dig." Based upon the current estimate of \$2 billion (which will obviously grow), I cannot understand how this is still being considered given the miniscule number of passengers who will take the trip from New Bedford all the way to Boston. The special interests and politicians in New Bedford/Fall River seem to have done an exceptional job lobbying because no one seems to be looking at the basic facts. It's too expensive and we simply don't have the funds given the current economy. The MBTA is currently running in a deficit. Please tell me how it will be able to build this line and also maintain it's current lines, when it's unable to do so now. This seems to be Beacon Hill politics at it's worst and I hope that, somehow, this disaster never comes to fruition.

E-050.01

Sincerely,

Trent Maltby

21 Kennedy Cir

Easton, MA 02375

Fax to:

617-626-1181

978-318-8303

I'm trying to submit comments regarding the South Coast Rail Project but I am unable to email the contact person indicated on the website. F-003.01

Secretary Richard K. Sullivan

Executive Office of Energy and Environmental Affairs

Attn: MEPA Office [Aisling O'Shea], EEA No. 14346

100 Cambridge Street, Suite 900

Boston, MA 02114

Email: aisling.o'shea@state.ma.us

RE: SOUTH COAST RAIL PROJECT

Can you email me at smartin@fitcorp.com with the correct email address?

I am a resident of Easton and would like to submit comments. Thank you.

Eileen J. Marum
SouthCoast Rail Project

Eileen J. Marum, MPP
1 Acushnet Road Apt 28
Mattapoisett, MA 02739
508-758-9751
u_emarum@umassd.edu

May 24, 2011

U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751
Attn: Alan Anacheke-Nasemann

Dear Mr. Anacheke-Nasemann and Secretary Sullivan,

Thank you for coming to the Keith Middle School Auditorium at 225 Hathaway Boulevard in New Bedford, MA on Thursday, May 5, 2011 to solicit comments related to the Massachusetts Department of Transportation SouthCoast Rail Project. I support enthusiastically an electric railroad travelling through the Stoughton route and the Hockomock Swamp.

L-043.01

Introduction

The Hockomock Swamp, contained within parts of Bridgewater, Easton, Norton, Raynham, Taunton, and West Bridgewater, is not as pristine an area as some opponents of the train might have you believe. Although the swamp acts as a natural flood control mechanism for much of the northern part of southeastern Massachusetts, it is crossed by a number of roads—including heavily travelled Route 24 and Route 138—as well as an old railroad bed. Dirt bikes also frequently use trails within the swamp.

The proximity of Routes 24 and 138 and Interstate 495 to the Hockomock swamp and their associated wetlands and water bodies is a direct and imminent threat to these resources and their environmental values. Toxic runoff from these roadways [gasoline, oil, and antifreeze, brake fluid, salt and sand] percolate through the soil and find their way into groundwater and household wells threatening the quality and overall viability of these water resources. I agree that maintaining high water quality is important not only to preserving the surface and groundwater system as a source of public drinking water, but also for sustaining the interdependence of vegetation, wildlife and water resources. For these reasons, road traffic on Route 24 and 138 and Interstate 495 should be reduced and train service established.

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Regional growth trends indicate that residential, commercial and industrial development will continue, and will be located in proximity to major transportation routes. Rail service would mitigate the detrimental effect from the incessant highway noise on those people who live in close proximity to the major highways--route 24, 138 and Interstate 495. Rail service would decrease the number of motorcycle crashes, auto crashes, truck crashes, and wildlife crashes, and save lives, property, and the cost of insurance. Southeastern Massachusetts needs an intelligent transportation system that incorporates a quick efficient rail system.

L-043.01

Expansion of transportation capacity in the South Coast region is limited

Expansion of transportation capacity in the South Coast region with the existing transit services (bus, taxis, park-and-ride and vanpool) is limited as they use the same roadway system and are thus subject to the same roadway congestion. Transportation system solutions based on highway improvements are limited due to policy considerations and constraints imposed by the physical conditions of the SouthCoast area, where such highway improvements would need to be implemented to be effective in addressing capacity and congestion issues. However, while highway expansion and utilization of existing transportation services do not provide long-term solutions to the transportation problems, public transit connections--in terms of travel time, service frequency, capacity and geographic availability--does provide opportunities to improve transportation between New Bedford/Fall River and Boston and between the South Coast cities of New Bedford, Fall River, and Taunton.

L-043.02

Southeast Expressway congested

Both Route 128 and the Southeast Expressway are heavily congested roadways, particularly during peak periods. Traffic volumes on Route 128 are approximately 135,000 vehicles per day north of Route 24 (towards I-95) and 167,000 vehicles per day to the south (towards I-93/Route 3). Traffic volumes on I-93/Route 3 are as high as approximately 191,000 vehicles per day. On Route 24, the major north south corridor in the South Coast region, the average daily traffic ranges from 26,700 vehicles per day in Fall River to over 115,000 vehicles per day in Randolph. Traffic congestion and long delays are common on the northern segments of this highway during weekday peak commuting periods.

L-043.03

As the population in the South Coast region and employment in the Boston area have grown, the demands on the roadway system linking Southeastern Massachusetts to the rest of the region have increased. Traffic volumes on the limited-access state routes linking the South Coast region to the employment centers of Boston have been growing over the past decade.

Traffic Volumes Grow Rapidly in some Areas.

Generally, traffic volumes on the roadways in the SouthCoast region have grown at an annual rate of two to three percent over the past decade. The largest increases in traffic volumes have been on Route 24 in Raynham and Taunton, where traffic volumes increased 4.1 percent in Raynham and 5.0 percent in Taunton. Traffic volumes on Route 140 in Taunton increased at an annual rate of 2.2 percent. Route 128 and I-93, the Southeast Expressway, exhibited fairly stable traffic volumes, considering they are some of the most congested highways in the state and traffic volumes on these roadways are at or near capacity for long portions of the day. Moreover, these roadways have limited capacity for further increases in average daily traffic volumes leading to further congestion with continued population growth.

The increases in traffic volumes on the principal highways linking the SouthCoast region to downtown Boston have led to a deteriorating level of service on these roadways, especially during peak periods. Delays on these roadways are now common and have become worse over the past decade, particularly, on Route 24 as it approaches Route 128/I-93 in Randolph.

Increases to peak-hour volumes of up to 3,500 and 4,000 vehicles per hour on Route 24 and on I-93/Route 128 in Braintree and in Randolph, respectively, have led to deterioration of Level of Service on these major roadways, which are intended to relieve the local roadways from regional traffic. Several mitigation measures have been implemented on I-93 to reduce congestion (high-occupancy vehicle lanes, improved MBTA Red Line service, and Old Colony Commuter Rail service). However, this highway continues to operate at poor levels of service, resulting in substantial congestion and decreased safety. There are no roadway alternatives to the use of Route 24 and I-93, and to my knowledge no mitigation measures are planned to reduce congestion.

The lack of adequate capacity of the roadway system and the resultant reduction in level of service is anticipated to become even more problematic with the increased demand for transportation resulting from the growth of the SouthCoast region as commuters living near Boston are moving away to areas further from the metropolitan core. Southeastern Massachusetts has been one of the fastest growing areas in the Commonwealth. Between 1960 and 2000, this area experienced a growth rate of 31 percent. Between 1960 and 1990, this area had an annual growth of over 2,500 people per year from a base population of 343,353 to its 1990 population of 430,846. Growth slowed somewhat between 1990 and 2000, to an annual growth of approximately 1,950 people per year. These figures translate to a growth of 4.5 percent between 1990 and 2000. For every 10,000 new residents moving into the area, it is expected 3,500 new residential units will be needed. This influx is predicted to generate 27,650 new vehicle trips per day. This will further degrade the level of service provided by the regional transportation system

L-043.04

connecting the SouthCoast region to Boston resulting in a concomitant increase in congestion, accidents, travel time and air pollution; not only on the highways themselves but potentially also on nearby local roadways that may absorb the traffic spillover from nearby congested highways.

L-043.04

Motor vehicles predominant sources of ozone precursor emissions

Motor vehicles are the predominant sources of ozone precursor emissions within the SouthCoast region, which has been classified as a Severe Non-Attainment Area for ozone. In other words, the region does not meet one or more of the National Ambient Air Quality Standards for the ozone, one of the criteria pollutants designated in the Clean Air Act. Automobiles also emit carbon monoxide through the partial combustion of carbon-containing compounds in gasoline. Reducing greenhouse gas emissions from motor vehicles and fuels should be a priority for the Commonwealth. These emissions can be reduced through several initiatives: (1) promote public transit, (2) multi-modal systems and (3) transit-oriented development [smart growth].

L-043.05

Air Quality

The highways serving the SouthCoast region convey high volumes of automobile traffic, and have high levels of congestion both of which increases vehicle emissions. Transportation alternatives for SouthCoast commuters that would reduce the mobile-source emissions of greenhouse gases are limited due to the inadequacy of the transit system. A shift in travel from automobiles to public transit could reduce vehicle emissions and improve regional air quality.

Vehicle Miles Traveled (VMT) measures the extent of motor vehicle operation or the total number of vehicle miles travelled within an area on a given day. It is an important gauge for air quality and Greenhouse Gas (GHG) emissions, as emissions of air pollutants and greenhouse gases are related to the distance traveled by automobiles (and to a lesser degree congestion). Regions with high VMTs per capita have a greater potential for poor air quality and GHG emissions compared to regions with lower VMT per capita. One of the reasons for the relatively high VMT in the SouthCoast region is the much greater proportion of transportation by car versus rail or bus, as compared to other regions.

Demand for Transportation Services

Southeastern Massachusetts experienced a 4.5 percent population growth between 1990 and 2000. As the affordable housing market has moved further from the Boston metropolitan area,

L-043.06

SouthCoast has become one of the fastest growing areas in the Commonwealth. Many people relocating to the area are retaining their jobs in the Boston market and thus increase the demand for transportation services between the area and Boston as well as within the South Coast region. The number of commuter trips between the SouthCoast region and Boston was 8,000 in 2000 and is expected to increase by 1,200 to 9,200 in 2030. Most of the commuter trips from the region to the Boston market are in single occupant vehicles and public transit accounts for a minor proportion of work trips in the service area. This trend will continue in absence of improved public transit connections between Boston and the SouthCoast region.

L-043.06

Inadequate Transit Services

The inadequacy of public transit service in the SouthCoast region is reflected in several aspects: The availability of public transit service in absolute terms and compared to other regions, especially those that have a large commutation segment to downtown Boston, and the quality of transit service as expressed in travel time and frequency of service, especially during the peak hours. The geographic availability of transit service to people in the region is also relevant in terms of access to employment opportunities and services, including education and healthcare. In addition to transit services between the SouthCoast region and Boston, transit services within the SouthCoast region are also relevant. An indicator of quality of transit service is the MBTA's Service Delivery Policy. This policy identifies minimum frequency of service levels that provides the guidelines by which the MBTA maintains accessibility to the transportation network within a reasonable waiting period. For Commuter Rail and Commuter Bus minimum frequencies should provide three trips in a peak direction during the morning and afternoon to evening peak periods.

L-043.07

Existing transportation in the SouthCoast region is predominantly auto-oriented and transit services within the SouthCoast region are limited to bus and demand-response services operated by regional transit authorities and private carriers. Most of the commuter trips from the SouthCoast region to the Boston market are in single occupant vehicles and public transit accounts for a minor proportion of work trips in the service area. To a large extent, this can be attributed to the lack of public transit alternatives other than privately-operated bus service. Many communities in the SouthCoast region lack public transit facilities other than private bus services and major population centers are as much as 25 miles from existing commuter rail stations. All commuter rail stations are located outside the SouthCoast region and are already nearing capacity. Present modes of transportation include:

1. Bus Service

Bus service to Boston from the SouthCoast region including the cities of Taunton, Fall River and New Bedford is limited to private carriers. Private carriers also connect Fall River, New Bedford, and Taunton with each other and with Providence, Newport, and points beyond. Bus service from the South Coast region to Boston uses the regional roadway system and is thus subject to the same congestion and safety problems on the highway system as other vehicles, resulting in long and unpredictable travel times. The bus service is also substantially more expensive than MBTA commuter rail services over similar distances, creating an additional constraint on usage of bus service, especially for lower income travelers. Some bus service exists to commuter rail stations outside the South Coast Area; however the transfer between two transit services increases overall travel time, rendering it less attractive. The private express bus service is subject to the same congestion. While the current bus service plays an important role, especially as it is the only regular transit service between the SouthCoast region and Boston, its use is limited, reflecting constraints related to travel time, service frequency and cost.

L-043.07

2. Vanpools/Carpools

Vanpools in communities of the SouthCoast region are provided through MassRides. Although relevant as a complementary service vanpool and carpool travel times are severely impacted by slow travel speeds on the expressway and secondary roads.

3. Park-and-Ride

Park-and-ride facilities and carpool/vanpool services are offered along the primary regional travel corridors in the SouthCoast region. Park-and Ride lots are associated with car-pooling, van-pooling or private bus service to Boston. There are nine public park-and-ride lots located in the SouthCoast region, of which five are located along the primary roadways from the region to the Boston metropolitan area and four not in the immediate vicinity of the primary access routes to Boston. In addition, three private park-and-ride lots in the South Coast region are available exclusively for customers using the private bus services to Boston.

4. Commuter Rail

No commuter rail service is offered within the SouthCoast region. The nearest commuter lines (MBTA's Providence Line and Middleborough Lines) terminate northwest and northeast of the South Coast region. More importantly, the three major cities in the South Coast region; Taunton, Fall River, and New Bedford are the only cities within 50 miles of Boston that are not served by passenger rail. The closest commuter rail stations to the SouthCoast region are Middleborough/Lakeville (MBTA Middleborough Line), and Attleboro Station and Providence Station (MBTA Providence Line). The Middleborough Line serves areas east of the South Coast region and southeast of Boston, with stations in Lakeville and Bridgewater, while the Attleboro/Providence and Stoughton lines serve communities to the north and west of the SouthCoast region. The Attleboro and Mansfield stations are the primary access points on the Attleboro/Providence Line. The Stoughton Station serves as the primary access point on the Stoughton Line. All communities in the heart of the SouthCoast region are outside a six-mile access radius of these stations, and some – including the major population centers such as New Bedford and Fall River (combined population approximately 182,000) - are more than 20 miles and up to 25 miles from the nearest train station. Due to their distance to the nearest commuter rail station the existing commuter rail lines to Boston are difficult for residents to access. Please see chart below.

L-043.07

Community	Closest Station	Proximity ¹ (miles)
Acushnet	Middleborough/Lakeville	15.7
Berkley	Middleborough/Lakeville	10.7
Dartmouth	Middleborough/Lakeville	20.9
Dighton	Middleborough/Lakeville	13.7
Easton	Stoughton	5.1
Fairhaven	Middleborough/Lakeville	22.5
Fall River	Middleborough/Lakeville	19.6
Freetown	Middleborough/Lakeville	10.8
Lakeville	Middleborough/Lakeville	3.3
Mattapoisett	Middleborough/Lakeville	19.4
New Bedford	Middleborough/Lakeville	20.8
Norton	Mansfield	5.7
Raynham	Bridgewater	7.5
Rehoboth	Attleboro	8.8

Rochester	Middleborough/Lakeville	13.7
Somerset	Providence	19.4
Swansea	Providence	15.5
Taunton	Middleborough/Lakeville	9.7
Westport	Middleborough/Lakeville	28.3

Travel to these stations is also limited to local secondary roads, which further increases travel time. Moreover, for those commuters in the SouthCoast region who live closer to commuter rail stations outside the SouthCoast region, constraints to the usage of the existing stations are posed by station parking and system capacity issues. Commuter rail services are currently approaching capacity and system capacity is limited due to the lack of adequate parking at these stations. Commuter rail parking lots in Attleboro, Mansfield, Stoughton, and on the Middleborough Line are already heavily utilized.

L-043.07

Conclusion

Poor or limited transportation opportunities limit access by SouthCoast residents to important Boston destinations, including education opportunities provided by numerous private and public colleges and universities, the highest concentration of medical facilities and specialties in the Commonwealth, cultural facilities, and sporting events. Existing highway congestion, extended travel times, and limited and often expensive parking affect the ability of many area residents to access these destinations.

The City of Boston continues to provide substantial employment opportunities at all levels, and also contains a substantial employment labor force. Many of the SouthCoast region communities, particularly in the towns of Easton, Raynham and Taunton, have a substantial work orientation to Boston. Access between SouthCoast communities and downtown Boston is constrained by the limited, overloaded highway system and the lack of alternative transit modes. The ability to park in Boston is constrained by the limited space available to provide parking, high demand for parking resulting from new development, the high cost of parking, and the metropolitan area parking freeze. Residents of SouthCoast communities would benefit substantially from improved employment access and reduced cost of commuting and parking.

Currently, commuter rail service does not extend into the SouthCoast region, making access to commuter rail difficult for area residents. Commuter rail service is critical to the vitality and viability of the SouthCoast region, the health of the Hockomock Swamp, and the water and air quality of all Commonwealth residents residing in proximity to Routes, 24, 138, 106 and 495. Rail service to the SouthCoast region would protect the Hockomock Swamp and its groundwater system and sustain the

interdependence of vegetation and wildlife by reducing motor vehicle traffic on major roadways traversing the Hockomock Swamp. It is imperative that we stop discharging contaminants directly or indirectly into this resource area.

Finally, the following summarizes the need for the project and aspects that relate to regional mobility and quality of service:

- Inadequate capacity of the existing transportation system to downtown Boston

- Congestion of the roadway system

- Lack of regional mobility

- Safety issues associated with the existing roadway system

- Air quality issues associated with the existing transportation system

- Demand for transportation services

- Inadequate public transit services

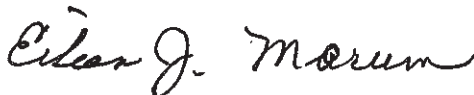
- Absence of other regional transportation improvements to address the identified transportation needs

- Smart Growth considerations

Please send me a copy of the final EIS/EIR

L-043.08

Thank you,



Eileen J. Marum

CC Kristina Egan

Nancy Durfee

James H. Mathes
303 Brownell Avenue
New Bedford, Massachusetts 02740

May 5, 2011

Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2754

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

Kristina Egan
MassDOT
Ten Park Plaza
Room 4150
Boston, MA 02116

I offer my strongest possible support for the extension of commuter rail service to New Bedford and Fall River – specifically, for the South Coast Rail Project. Additionally, when you reach the appropriate point in the process, I urge you to select the so-called Stoughton Route, as it will provide the fastest commuter trip time, and is the most environmentally sound alternative. Further, I hope you will endorse the use of electric trains, as opposed to diesel-powered engines so as to maximize the potential of this new rail service.

E-021.01

Among my reasons for publicly commenting on this project is because I am a member of a community that is doing everything it can to pick itself up by its bootstraps and improve our lot in life, not only for ourselves, but also for future generations. We are doing everything we can with the resources available to us to make our part of Massachusetts a better place to live, work, and raise a family.

For too long now, the SouthCoast region of Massachusetts has been without the vital transportation services afforded by commuter rail service. This lack of service has adversely impacted our region's economy and quality of life. Ironically, the primary opponents of South Coast commuter rail are people living north of us who already have commuter rail service available to them. For decades now, they've mounted efforts to deny our region from having a primary transportation system they've been using and enjoying for years. We've listened to their complaints about not wanting South Coast Commuter Rail trains passing through their towns. Yet, scores of residents from the very towns who seek to block our efforts climb aboard commuter rail trains every day – trains that pass through other communities on their trips to and from Boston. To be blunt, it's annoying to be on the receiving end of their rather unsophisticated "do as I

say, not as I do” message. Personally, I don’t care what they say. But, I’m determined to be able to do the same things they’re able to do. Nothing more, and nothing less!

Transportations systems are primary assets that support a community’s economy. The cities of New Bedford and Fall River suffer some of the highest unemployment rates in Massachusetts. There are literally tens of thousands of people who are out of work in our region. These are good, hard-working people who want and deserve the same opportunities to access jobs that are currently available to our northern neighbors presently enjoying the benefit of commuter rail service.

E-021.02

The potential economic impact of opening access to employment opportunities for our unemployed and under-employed workers is staggering. Each commuter rail car offers the potential to ferry dozens of workers to good-paying jobs, and in return fetch millions of dollars in economic impact by way of the paychecks they bring back to their families and communities. You see, just as nations have measurable “trade balances,” so do regions. As such, the exchange of labor for paychecks made possible by commuter rail service will have a dramatic positive impact on our SouthCoast trade balance.

It’s been a long time since residents have had an opportunity to become involved in the effort to bring commuter rail to our region. That’s why there are so many of us here tonight. By every measure, commuter rail will be the same powerful economic tool for us as it is in every other eastern Massachusetts city and town that already has it. We want it, too. We need it. We deserve it.

If you want to do something that will help us help ourselves, move this project forward to completion. Do everything you can to facilitate a thorough and speedy process. And, please, don’t fall prey to requests to extend deadlines or slow down the process. This project has been in the works for more than twenty years. That’s plenty of time for more than enough bites at the apple.

E-021.03

Thank you for visiting our community, for requesting our input, and for listening to what we have to say.

Thank you,

Jim Mathes
303 Brownell Avenue
New Bedford, Massachusetts

9 Bridge Street
North Easton, MA 02356
May 27, 2011

Alan Anacheke-Nasemann
Army Corp of Engineers
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K Sullivan, Jr. EOEEA
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Mr. Anacheke-Nasemann and Mr. Sullivan:

This letter contains my comments on the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the South Coast Rail Project.

According to MassDOT, the stated purpose of the proposed South Coast Rail Project is:

“to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, and to enhance regional mobility, while supporting smart growth planning and development strategies in the affected communities.”

The key phrase in the stated purpose is “meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA”, with “demand” being the most important word. *Webster’s New World Dictionary* defines demand as an urgent requirement. I do not believe there is an urgent requirement for public transportation between Fall River/New Bedford and Boston, and I found no evidence in the DEIS/DEIR draft that proves there is any actual demand. In fact a referenced paper, CTPS January 28, 2011 Memo “South Coast Rail Work Trips to Boston” suggesting an increase in demand is not included in the DEIS/DEIR draft. I was unable to locate a copy via the internet and my request to the Army Corp of Engineers was not fulfilled.

L-074.01

I say there is no demand for the South Coast Rail because I spent quite some time on the South Coast, I lived in Fairhaven, I graduated from UMass Dartmouth, I worked in Fall River and I still have friends who live on the South Coast. Very, very few people would consider commuting from Fall River/New Bedford to Boston, it is just too far and would take too much time. The large city of choice for Fall River/New Bedford is Providence, RI. I have asked my friends and colleagues that currently live on the South Coast what they would do if their work required them to go into Boston every day and they all gave the same response: If they didn’t like the job they would look for another, and if they wanted to stay in the job they would move closer to Boston.

I also question the ridership numbers given in the report, I just don’t think there will be over 4000 people riding the train daily from the South Coast. What makes me question these numbers is the reported number of riders for the bus alternatives: according to the report 2360 riders will take a bus that uses existing highway lanes, and 2100 will take the bus if an express lane is built. How does an express lane attract fewer riders? I believe the validity of the ridership modeling is questionable at best.

After reading most of the report and focusing in on what I think to be the important sections I feel that the Boston based commuter rail should not be extended to Fall River/New Bedford. The information provided in the DEIS/DEIR draft is not enough to justify the multiple-billion-dollar cost of the project and the arguments for the train just do not hold up under scrutiny.

Thank you,

Michael Mazzuca

May 22, 2011

Mr. Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-3751

Sec. Richard K. Sullivan
Exec. Office of Energy and Environmental Affairs
Attn: MEPA, Aisling O'Shea
100 Cambridge Street
Suite 900
Boston, MA 02114

RE: South Coast Rail
DEIR/DEIS Comment Letter
Opposed to the "Stoughton Alternative"

Dear Sirs:

I am writing as a concerned citizen of Massachusetts, and Stoughton resident. I find several main flaws in the recent report, in addition to many general concerns on all the SCR options.

The first flaw is that it appears the consultants did not review the option that included the elimination of the existing Stoughton Branch, when reviewing the operational feasibility of the of Attleboro option. The request for this review was formerly made in a prior comment period and acknowledged by the Corp. Yet it is not included now. It seems clear that the operation of the Attleboro line would be improved, especially at South Station with the elimination of the existing Stoughton Branch. This omission seems to leave the Corp open for criticism, or worse, at a latter date.

L-033.01

The second flaw I am concerned with is the consultant's mitigation of environmental issues only as it related to the normal construction and operation of a commuter rail line. They don't take into consideration accidents that can happen from commuter rail (diesel fuel spills) or freight operations-**which we all know will be coming**. So what does the MBTA and their consultants say (or do) when 10 carloads of PCB contaminated soils go

off the rails and into the **Hockomock Swamp** and close Easton drinking water wells? Or just two diesel commuter engines. Oh well, we did not model for that.

The third flaw is that the report does not appear to address the long-range plans for AMTRAK as we know exist. The MBTA should team with AMTRAK to make the needed improvements to the Northeast Corridor to facilitate this project, and others. With limited dollars available at all government levels, the money should be spent where it has the most impact with the long-range needs and goals in mind.

L-033.01

The fourth flaw I feel exists is ridership projections. All options will be shown to steal riders from existing options, rail and bus. Also, I feel that ridership projections in general should be questioned and revamped. The Greenbush line has proven, that if you build it, **they will not come**. It has been operational for over 3 year and suffers from chronically low ridership, and the congestion on Route 3 it was meant to relieve has not changed.

Some other general concerns include the following:

1. Middleborough Alternatives

The state must continue to seriously consider the “Middleborough Alternatives”; these options hold a hope of solving other looming transportation problems/opportunities. Specifically the development of a Middleboro casino, the continued development of the former Weymouth Naval Air station and extension of rail services to Cape Cod, all of which should be planned for rail or light rail service.

2. Economic Growth

In 1990 Governor Weld promised the Fall River/New Bedford area help in the areas of Economic Stimulus and transportation improvements. Unemployment and congestion of Route 24 south of Brockton were the problems. The solution as presented by folks in Boston was a new commuter rail line. I am not sure this is what FR/NB wanted, or needed. It is now 21 years later; their issues have not been solved, and will not be solved by a rail line to Boston. In 1998 several local State Representatives suggested just what they wanted: Route 24 improvements and tax incentives that would bring jobs directly to the area, just what they still need. The true solution is to improve the regional transportation infrastructure and **stimulate employment closer to people’s homes**.

L-033.02

3. Lack of Connectivity

This is a huge issue when you consider that funding this project takes funds from others. None of the \$1.4 Billion project cost will help get anybody from Fall River to New Bedford conveniently, or to Providence, or Bridgewater State College, or **Waltham**. **Unless you include a Rapid Bus piece**. For the rail options, the per rider construction cost, ride time (over 90 minutes) and ultimate rate subsidy are all ridiculous compared to other alternatives that have been discussed.

4. Cost to Build: \$500,000 per rider

4. **State of MBTA Infrastructure**

It would appear based on the MBTA's own reports and news stories that the EOT should focus on "fixing it first" as proposed by Gov Romney in March 1995. This state of disrepair and operational failures, poor management of contracts just screams for the state to slow down and rethink this project.

L-033.02

I appreciate the opportunity to comment on the DEIS/DEIR

Regards,

Gerald J. McDonald
14 McPherson Road
Stoughton, MA 02072

From: Anacheke-nasemann, Alan R NAE
Sent: Wednesday, April 06, 2011 11:10 AM
To: S CREIS, NAE
Subject: FW: DEIS (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: NONE

From: gerry mcdonald [mailto:mchop2@msn.com]
Sent: Saturday, April 02, 2011 7:29 PM
To: Anacheke-nasemann, Alan R NAE
Subject: SCR: DEIS

Dear Mr. Anacheke:

The DEIS on the SouthCoast rail is over 2,500 pages, I respectfully request more time to review it and submit comments.

E-009.01

Specifically, I would seek an additional 60 days. The time provided is not sufficient to review this document and provide useful comments.

Much is at stake for the state's transportation future, and environment, based on this report and the next steps.

Thank you for your consideration.

Gerald J McDonald
14 McPherson Rd
Stoughton, Ma 02072

4/2/11

Classification: UNCLASSIFIED
Caveats: NONE

AD

May 23, 2011

Secretary Richard K. Sullivan, Jr., EOEEA
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RECEIVED
JUN 01 2011
MEPA

Re: South Coast Rail Project, DEIS/DEIR

Dear Mr. Anacheke-Nasemann:

I have been living in Stoughton since 1983. I am submitting this letter to express my strong opposition to the Corps's draft report selecting the Stoughton Alternative as the LEDPA for the South Coast rail Project. Specifically, I have the following comments based on the Executive Summary ("ES") of the DEIS/DEIR.

L-091.01

First, the stated purpose of the project is "*to more fully meet* the existing and future demand for public transportation between Fall River/New Bedford..." If the demand for transportation is *fully* met, then there is no need to *more fully* meet it.

Second, the studies that form the economic basis for the project (ES at 3-4) are old and unreliable. All of the studies predate the severe economic crisis of 2008, which has created an economic sea change in the Commonwealth's economy.

Third, given the tremendous changes in the economy that have occurred since this project started, it would be far less costly and far more practical to enhance the existing bus system (see ES at 5) for a two- or three-year trial period to see if there is any significant demand for more public transportation into Boston. The Corps' rejection of

the no-build (enhanced bus) alternative is rooted in the conclusion that it “does not address the fundamental need for improved public transit service between New Bedford/Fall River and Boston...” (ES at 8) The Corps simply assumes the need for improved service, but such a finding is unsupported by any current, timely, and accurate studies.

L-091.01

Fourth, the Corps failed to take into consideration 2010 Census findings. More and more people are moving more and more to the suburbs and working less and less in large cities. More people work at home or remotely, and go to “the office” several days a month. Technology is replacing the need for transportation. As technology improves dramatically, the need for moving people 50 miles one-way on a daily basis by trains will decrease dramatically.


Fifth, the draft concludes: “The rail connection is projected to create between 3,500 and 3,800 net new jobs within the Commonwealth by 2030—about two-thirds of which would locate in the South Coast region with the remaining third in Boston-Cambridge and other communities outside the region.” (ES at 22) Two-thirds of 3,800 is 2,546, so we are talking about creating 2,546 jobs in the South Coast region over the next 20 years. As the project would cost \$2 billion (at a minimum), this translates to spending **\$800,000 per job created**. How absurd. Such expenditures are not in the public interest.

Sixth, the absurdity extends to the project’s cost per rider. It is projected that at most there will be 4,790 new riders. (ES at 8) Let’s say there are 5,000. At a minimum cost of \$2 billion, this translates to **\$400,000 per rider**.

The Stoughton Alternative will be a disaster for Stoughton, and it will not provide any meaningful benefits to the people of Fall River/New Bedford. At this point, the

project only benefits the bureaucrats and consultants who have made a small fortune through the years for a folly of the highest magnitude. The Stoughton Alternative would be a complete, unadulterated disaster, and that the Corps should not hesitate to reject it as the LEDPA .

Thank you.



Lynn E. McSweeney
15 Wildwood Road
Stoughton, MA 02072
781-341-1684

May 23, 2011

Alan R. Anacheke-Nasemann
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Secretary Richard K. Sullivan, Jr., EOEEA
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: South Coast Rail Project, DEIS/DEIR

Gentlemen:

Enclosed for filing is my opposition to the draft report, which concludes that The
Stoughton Alternative is the LEDPA for this project. | L-038.01

Please include this opposition in the official record of your proceedings.

Thank you for your attention to this matter.

Very truly yours,



Robert M. Mendillo
15 Wildwood Road
Stoughton, MA 02072
781-341-1684
robertmendillo@comcast.net

MAY24'11 RES DIV

**US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT**

**IN RE: SOUTH COAST RAIL DEIS/DEIR
FILE NUMBER: NAE-2007-00698**

**SUBMISSION OF ROBERT M. MENDILLO IN OPPOSITION TO THE STOUGHTON
ALTERNATIVE BEING THE LEDPA**

Dated: May 23, 2011

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1. **Introduction**

As a resident of Stoughton since 1983, I am adamantly opposed to the South Coast Rail Project's Stoughton Alternative. Not only is the Stoughton Alternative not the LEDPA for MassDOT's pipe dream boondoggle project, The Stoughton Alternative would ruin Stoughton. It would also damage cities and towns north and south of Stoughton, and provide no appreciable benefits to the people of Fall River/New Bedford – who would be better served by having billions of dollars pumped into those communities rather than having it spent on a “Big Dig II” project that will saddle the Commonwealth with years and years of crushing debt. For the reasons explained below, the Corps' final report should determine that the Stoughton Alternative is not the LEDPA for the project.

2. **Background on the Town of Stoughton¹**

A. **Community Setting**

The Town of Stoughton is located about 20 miles south of Boston and 30 miles north east of Providence. Stoughton is abutted by Canton, Avon, Sharon, Easton, Randolph, and Brockton. Stoughton is a medium-sized, primarily residential, ethnically diverse suburban community with a population of approximately 27,000 residents. It is an excellent place to live for those commuting to urban centers or other distant communities for work because there are three major highways within five miles of town: Route 24 to the east, Route 93 to the north, and Route 128/95 to the west. Stoughton also has access to regional transit,

¹ This information is taken from the 2009 Town of Stoughton Affordable Housing Plan.

being served by bus from the Brockton Area Transit, and the Stoughton Station is the terminus for the MBTA commuter rail into Boston. This easy access to convenient transportation is a significant factor in attracting residents and businesses to Stoughton.

Stoughton has a history of manufacturing and an emerging cluster of regional retail stores, as well as a substantial base of land zoned for commercial and industrial purposes. The major commercial and industrial areas in town are located adjacent to Route 24 and along routes 138, 139, and 27, but smaller areas are interspersed with residential zones due to the community's industrial past.

The Town has significant protected open space resources, including the Bird Street Sanctuary, water department lands, recreational fields and a municipal golf course. Additional privately owned, but not protected, undeveloped lands are an important factor in the character of the community.

B. Race

Stoughton residents are predominantly white (87%). Among minority groups, African-Americans are the largest group (6%), followed by Hispanics and Asians at 2%. 3% of Stoughton residents considered themselves as "other" when responding to the census questions.

C. Household Trends

While Stoughton's population grew just a little over 1% in the 1990's, the number of households grew by 9%, and the average household size fell. Stoughton's households are a little bigger than the region's. The trend toward smaller

households is a nationwide phenomenon, driven largely by growing diversity of household types, lifestyle choices, and the aging population.

In Stoughton, 71% of all households are families and 29% are non-families. The proportion of families is down from 75% in 1990 and is considerably higher than the 61% for the region as a whole. Of all family households, 79% are married-couple families, 33% are married couples with children, 9% are single parents, and 12% are headed by a single adult without children. Of all non-family households, 84% live alone, and 34% are elders living alone.

Of all households in Stoughton, 24% are two-parent families with children, 7% are single-parent families, and 10% are elders living alone. Compared to area communities, Stoughton has more two-parent families with children, fewer non-families, more single heads of household, and fewer elders living alone.

D. Resident Workforce

Stoughton's population grew about 1.4% in the 1990's, but the number of adults in the workforce declined by 2.2% according to the 2000 U. S. Census. Historical data from the state show the number of Stoughton residents active in the workforce growing fairly steadily, adding about 500 since 1990 to total almost 15,700 in 2001. Nonetheless, Stoughton residents have an average residential income that is tenth lowest of the 101 communities in the MAPC region (see April 13, 2010 letter to the Corps from the Stoughton Board of Selectmen).

The number of jobs in Town has shown less steady progress, rising to a peak of almost 14,000 in 1995, before declining to about 12,500 in the latest annual data. The ratio of jobs to working residents rose to over 0.9 before declining to around

0.8, indicating that there is less than 1 part-or full-time job in Stoughton for every working resident. This puts Stoughton near the middle of regional communities in terms of the ratio of jobs to workers, with about half the value of neighboring Canton and nearly twice that of Sharon.

Just over 80% of Stoughton's working resident commuted to other communities in 2000, with the largest number (19%) working in Boston, followed by 9% in Canton. Those residents who worked for Stoughton employers filled over 20% of the jobs in town.²

E. Occupational, Educational, and Income Profile

The occupational profile of Stoughton residents mirrors that of the region, with the 2000 U. S. Census showing the greatest number of residents in managerial and professional occupations, followed by sales, office work and services. The proportion of Stoughton workers in managerial occupations is considerably lower than the region's at 36%, even though that category grew more quickly in the 1990's in the town (34% versus 32% regionally). Growth in managerial and professional occupations is consistent with national trends toward "knowledge-based" work and services and away from production of goods. Production and construction categories declined in Stoughton in the 1990's but represent a larger proportion of the local workforce than region-wide.

The growth of managerial and professional occupations accompanies rising education levels. While Stoughton's population over age 25 increased by 6.6% in the 1990's, the number of residents having a college degree jumped by a third. The

² These figures are based on the 2000 U. S. Census, and thus do not factor in likely job loss created by more difficult economic times during the past three years.

Town's residents are still less likely to have a college degree (28% of residents, compared to 41% for the region), both for bachelor's and advanced degrees (note that the metropolitan Boston work force is one of the most highly educated in the U. S.). The number of adults having high school degrees or less fell less than they did regionally, and represent a larger proportion of adults in Stoughton.

F. Housing Demand

Stoughton is projected to see an increase in population of over 20% between 2000 and 2030. The population is driven by trends on the local, state, and national level as household size decreases. As a result Stoughton can expect:

- A slight decline in the number of both pre-school and school-age children;
- a small increase, in the household-formation years, followed by a slight decrease between 2020 and 2030;
- a slight increase, followed by a slight decline in trade-up demand;
- a significant growth in empty-nesters; and
- a significant increase in seniors.

While the general trends, driven by the aging of the baby-boomers, are similar to the region as a whole, there are some differences. Stoughton's decline in school-age children is predicted to be both sooner and steeper than the region; the 2010 decline in the household-formation years runs counter to regional growth patterns; and the decline in trade-ups is much steeper. Only the older groups (age 55+) precisely track regional trends.

G. Socio-economic Profile Summary and Conclusions

- Stoughton's population is projected to increase 20% between 2000 and 2030.
- Family households continue to decrease as a percentage of total households.
- Stoughton is experiencing a slight decline in pre-school children and young adults (20-34 years) while empty nesters and seniors increase.
- Stoughton residents are more educated than in the past, but, relative to the region, they have less formal schooling and are more likely to pursue occupations in construction, production, and sales and office work, and less likely to be in managerial and professional occupations.
- Stoughton hosts about three full or part-time jobs for every four working residents, and 80% of its residents commute to other communities. Those who work in Town fill about 20% of local jobs.
- Management/professional is the largest employment type in Stoughton, followed by office, services and retail.
- Management/professional and service jobs increased 1990 to 2000, and construction and manufacturing declined during the same period.

3. **Stoughton's Existing Rail Service and Usage**

The Stoughton to Boston commuter rail line operates Monday through Friday only from Stoughton Station to South Station. The one-way trip is scheduled at 35 to 37 minutes.

Stoughton Station, which was built in 1888 and was placed on the National Register of Historic Places in 1975, is located in the heart of downtown, and is about a two-minute walk from Town Hall. The current schedules are as follows:

Inbound to Boston

AM

6:28
6:56
7:48

Outbound to Stoughton

AM

5:15
5:35
7:02

8:28
9:40
10:40

PM

2:20
3:23
5:00
5:45
6:42
7:19
7:35
8:50
9:50
11:53

7:40
8:50
9:45

PM

1:20
2:25
3:30
4:05
4:50
5:15
5:45
6:30
7:45
8:55
11:00

Current fares are \$5.75 one way, and \$186.00 for a monthly pass.³

Beginning at Stoughton Station, the train moves on one track covering 3.8 miles from the station to the Canton line. There are eight at-grade crossing along the route.

The train does not operate on Saturdays and Sundays, and there is no freight traffic through town.

It is estimated that about 200-300 cars are parked by passengers in lots at and adjacent to the Stoughton Station.

Although no hard numbers are available, it is believed that only a handful of people (if any) reverse commute – i.e. live in Boston and commute on the train to work in Stoughton.

³ This is from the MBTA's January 2010 Schedule.

4. **History of the South Coast Rail Project and the Stoughton Alternative**

Beginning decades ago, when the world and the economy were much different, certain Massachusetts politicians began discussing the idea of creating commuter rail service between Boston and the Fall River/New Bedford area. Given the economic challenges facing the Fall River/New Bedford area, it was asserted that extending commuter train service to that area would allow residents to commute to Boston for good and better paying jobs.

Although presumably motivated by good intentions, the proponents' idea was not realistic. The notion that people would take a 90-minute train ride twice a day at a likely cost of over \$300 per month to work in Boston was fanciful at best. Nonetheless, it gained traction and MassDOT studied the matter further.

Last decade, however, Governor Romney made clear that he was not interested in funding or building the project, and efforts stopped until the election of Governor Patrick, who restarted interest in the project.

Residents and elected officials of the South Coast area have not expressed enthusiasm for the project at such. Support for the project appears to be only on a "its better than nothing" basis. Public opinion and common sense indicate that most people and government officials from that area would prefer that money be spent in that area on jobs, education and training, infrastructure, industrial parks, and harbor development – to create jobs and expand the tax base in New Bedford/Fall River for those cities' residents and neighbors.

Currently, the Stoughton line consists of a single track covering 3.8 miles. Under the Stoughton Alternative, there would be a double track covering an additional three or four miles in town. Moreover, if an electric train is used, there would be numerous huge and unsightly “catenary system poles” and overhead electric wires covering the entire distance.

5. **EOT’s Application and The Corps’ November 10, 2008 Public Notice.**

On November 10, 2008, the Corps issued a public notice regarding its statutory obligation to prepare an EIS and EIR on MassDOT’s proposal to establish passenger rail service between Boston and New Bedford/Fall River. The public notice stated that the EIS/EIR would evaluate a range of alternative transit routes in order to determine the Least Environmentally Damaging Practicable Alternative (“LEDPA”) under applicable federal law. Alternative routes included four rail options: The Attleboro Alternative, the Stoughton Alternative, the Middleborough Alternative, and the Attleboro-Middleborough Hybrid Alternative. In addition, a Rapid Bus Alternative using modified highway infrastructure was included, as well as a No Build/Transportation Service Management Alternative. The notice also stated that other alternatives for evaluation could be identified.

6. **The September 30, 2009 Town Meeting Resolution Against the Stoughton Alternative.**

Based upon the recommendations of its South Coast Rail Advisory Committee, its difficulties in working with MassDOT, and the belief that MassDOT’s plans for the South Coast Rail were advancing, the Board of Selectmen brought the

project to the attention of Town Meeting held on September 30, 2009. Town Meeting responded with nearly unanimous opposition to the Stoughton Alternative.

First, by a vote of 119 to 8, Town Meeting approved an article providing the Board of Selectmen with \$20,000 to respond to the EIS/EIR and "to prepare for litigation as considered necessary ... to keep the train from extending to Fall River and New Bedford through Stoughton unless the requirements prescribed by the Town of Stoughton, as represented by the Board of Selectmen, are included firmly in the design of and funding for the South Coast Rail Project."

Immediately after the approval of this article, Town Meeting by voice vote adopted a resolution strongly opposing the Stoughton Alternative as "clearly harmful to the best interests, needs, and public safety of the Town." The entire resolution stated as follows:

**RESOLUTION OF THE TOWN MEETING OF STOUGHTON,
MASSACHUSETTS REGARDING THE SOUTH COAST RAIL
PROJECT**

"WHEREAS, the South Coast Rail Project (Project) constitutes an initiative by the Massachusetts Executive Office of Transportation (EOT) to address its solution to existing and future demand for public transportation between Fall River /New Bedford and Boston, and EOT has identified the extension of existing commuter rail service between Stoughton and Boston as its primary alternative (the Stoughton Alternative) for achieving the Project's goals;

WHEREAS, in 2000 the Board of Selectmen approved a resolution opposing the Stoughton Alternative, and this year established the South Coast Rail Advisory Committee (Advisory Committee), a committee of volunteers to review the potential impact on the Town's residents and environment should the Stoughton

Alternative be approved and to provide recommendations to the Board;

WHEREAS, on July 21, 2009, the Advisory Committee made a presentation to the Board indicating EOT's position that it would not mitigate (as it did in Hingham) the impact of the Project on the safety, traffic, and other concerns expressed by the Town, and the Advisory Committee recommended that the currently proposed Stoughton Alternative be strongly opposed as being clearly harmful to the best interests, needs, and public safety of the Town;

NOW, THEREFORE, it is resolved as follows:

1. The Town Meeting of Stoughton hereby expresses its firm and strong opposition to the Project and the currently proposed Stoughton Alternative.

2. The Town Meeting of Stoughton hereby urged all residents of the Town, and town Officials and Boards, to make their best efforts to express to local state, federal officials, neighboring communities, news agencies, fellow residents, and the public their firm and strong opposition to the Project and the currently proposed Stoughton Alternative.

SO RESOLVED by a vote of Town Meeting on September 30, 2009."

7. **The Corps' DEIS/DEIR Incorrectly Concludes That Stoughton Alternative Is the LEDPA for the Project.**

On March 23, 2011, the Corps released for comment its DEIS/DEIR, which concluded that the Stoughton Alternative was the LEDPA for the project. Despite repeated requests from local and state officials and residents of towns affected by the proposal, the Corps refused to extend the May 27, 2011 deadline for responding to the 2,500 page draft report. Moreover, the Corps held a May 4, 2011 hearing on the draft report in Mansfield—instead of in Stoughton,

L-038.03

Easton, Canton or any other town that is on the route of the Stoughton Alternative. The Corps' refusal to grant citizens and towns any more time to respond to the draft report, and its refusal to hold a meeting in a town on the Stoughton Alternative's route, reflects a fundamental disregard for Stoughton, its citizens, and other communities and citizens that would be most affected by implementation of the Stoughton Alternative. It is certainly hoped that in reviewing these comments and those submitted by others, that the Corps will use its best efforts to focus on the actual day-to-day impact that such a monstrosity of a project would have on the people who live and work in Stoughton.

L-038.03

A. The Stoughton Alternative Would Destroy Downtown Stoughton.

Downtown Stoughton is still the hub of Stoughton. Unfortunately, it is almost blighted now. The Board of Selectmen, the Planning Board, and other town officials and groups are, however, actively considering plans for making it vibrant and attractive under the "smart growth" concepts that are being championed by local and statewide planners.

L-038.04

The Stoughton Alternative is the enemy of smart growth. The extension of the train would create a Berlin Wall of ugliness, congestion, and discontent that would rip the downtown in half and cause everyone to ignore it at all costs. The Stoughton Alternative would turn downtown Stoughton into a ghost town, whose

main activity would be noisy, long trains tying up traffic and zipping through at dangerous speeds.

The ugliness and other negative effects of the Stoughton Alternative would kill any potential for private interest/investment in the downtown. It would render the existing historic train station useless and unused, and would hinder or eliminate the ability of residents to walk freely downtown.

L-038.04

MassDOT has not identified one benefit that the Stoughton Alternative would provide to the downtown area – and that is because there is no benefit. Worse than simply providing no benefit, the Stoughton Alternative would kill downtown, sacrificing it on an altar of developing Fall River and New Bedford. The social injustice of such a proposal is outrageous and manifestly unfair to the Town. Simply put, the Stoughton Alternative implements MassDOT's brutal and brazen bureaucratic decision to kill Stoughton in order to advance its cockamamie idea for revitalizing New Bedford/Fall River.

Moreover, as reported in The Boston Globe on May 18, 2011 (just last week), commuter rail ridership in 2010 was down 6.8% from 2008. This is according to the MBTA's own report, the 13th edition of "MBTA Ridership and Service Statistics." This is no time to be spending \$3 billion on a new train that would probably have the longest, most expensive, and least utilized trip in the system.

B. The Stoughton Alternative Would Jeopardize the Town's Safety and Image.

The Stoughton Alternative unquestionably means many, many, many more trains through Town. The Corps certainly knows—without the need for any

L-038.05

studies— that more trains means more tracks, more crossings, faster trains, freight trains, longer trains, more noise, more congestion, more whistles, more wind, more vibration, more days of trains running, more hours of trains running, more blocking of streets, more traffic, more emergencies, more injuries, more train-related police work, more pollution, more dirt, more frustration, and more discontent. This is all inevitable, because it is part and parcel of a train system running through downtown.

L-038.05

The Stoughton Alternative thus would inevitably jeopardize the Town's safety and injure Stoughton's quality of life, reputation, self-confidence and pride.

Once again, the Stoughton Alternative does nothing but hurt Stoughton, and MassDOT does not even claim that it would do anything good.

**C. The Stoughton Alternative Would Cause Irreparable
Socioeconomic Harm to Stoughton.**

L-038.06

The Stoughton Alternative will enhance the socioeconomic status of Stoughton. The Stoughton Alternative – with all of the negatives outlined above – will cause people to leave town, will lower property values, will lower the tax base, and will hurt the schools. The Stoughton Alternative will make Stoughton a worse place to see, visit, live in, invest in, work in, go to school, and raise healthy families. MassDOT's response? It just doesn't care. It only cares about its fanatical obsession with building a railroad—extending 19th century transportation that will not help New Bedford/Fall River in a 21st century economy.

In terms of social justice and socioeconomic development for Stoughton, the Stoughton Alternative would be a deathblow. By the time construction begins,

Stoughton will be reeling. By the time the first virtually empty train passes through,
Stoughton will be a town in name only.

D. Mitigation Would Not Cure the Stoughton Alternative.

MassDOT has stated repeatedly in public that it is offering no mitigation to Stoughton. It has made clear that it will not consider a tunnel through the downtown area as was done in Hingham for the Greenbush line. Stoughton is not Hingham, and MassDOT obviously does not care to give Stoughton anything. MassDOT is engaging in class warfare, having determined that Stoughton and its people simply are not worthy of the consideration that the more educated, more influential, more affluent, and less diverse people of Hingham were given to establish a Greenbush line—a line that is woefully underutilized.

L-038.07

Moreover, MassDOT plans to abandon the existing Stoughton Station, which is a further indication of its callous approach to Stoughton: the most attractive and historic station on the line is being cast aside in the rush to rush trains through town.

8. The Rapid Bus Alternative is the LEDPA.

The Rapid Bus Alternative is better than any of the train alternatives for a number of reasons.

First, the bus system is less costly to build and maintain.

Second, in terms of “classic” environmental impact, the bus is less damaging and disruptive. The rapid bus would be built on or immediately adjacent to existing highway routes, and would not require the development of hundreds of miles of train track through areas that have little or no development.

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Third, transportation studies and commentators have in recent years championed rapid bus service over rail because it is environmentally better than

trains. See e.g. Baltimore Business Journal, January 16, 2009 ("Enhanced buses are better than light-rail cars along the proposed Purple Line in Maryland, according to a study from the World Resources Institute"); On Earth Magazine, L. Gravitz (January 11, 2010) ("Bus rapid transit has begun to emerge as an appealing, cost effective alternative to trains in many metropolitan regions in the U. S."); Rocky Mountain News, R. O'Toole (Feb. 21, 2009) (bus rapid transit better than trains in hard times, noting that "light-rail lines use as much energy and generate more greenhouse gases per passenger-mile than the average SUV"); Transform, transformca.org/brt/key-benefits-bus-rapid-transit-south-bay ("Key Benefits" of Bus Rapid Transit in the South Bay, California area include "faster service, increasing public transportation ridership, better air quality and reduced greenhouse gas emissions, affordable and cost effective, and socially just and equitable"); Instituto Nacional de Ecologia, The Benefits and Costs of a Bus Rapid Transit System in Mexico City" (Final Report, May 2008 (benefits include "the reduction in local emissions and resultant health impacts, the reduction in greenhouse gas emissions, and the reduction in travel time"); Diesel Fuel News, J. Peckham (July 7, 2003) ("Diesel-electric hybrid 'bus rapid transit' (BRT) not only is vastly cheaper to build and operate than electric train Metro rail systems, but also produces less emissions once electric generation emissions are included," in reporting on a study by the Washington, D. C. Breakthrough Technologies Institute, entitled: "The Electric Rail Dilemma: Clean Transportation from Dirty Electricity?"); Climate Progress, "Making Buses Cool Again" (July 19, 2009) (bus rapid transit "could cut nearly three times more emissions than light-rail powered by coal-based

L-038.08

electricity”); Christian Science Monitor, J. Lowe (June 9, 2009) (reporting University of California at Berkley study that train can be worse for climate than plane, and that traveling in a gas-guzzling SUV can be better than taking a train into the city from suburbia).

The Rapid Bus Alternative would also eliminate the danger of freight trains. Freight trains pose a special danger to Stoughton. The website for the railway industry, railway-technology.com, recognizes that “Freight trains are particularly guilty of noise pollution....” In 2010, a super freight train – extending some 3 ½ miles – rolled through Southern California over the weekend. The 18,000-foot-long train was two to three times the length of a typical freight train. It ran at up to 70 mph, and took 3 to 5 minutes to clear a grade crossing. Los Angeles Times, “Safety, traffic concerns raised when 3.5 mile-long freight train rolls through L. A. Basin” (Jan. 12, 2010). The article also reported that there are no state or federal limits on the length of trains.

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The Rapid Bus Alternative would create far less damaging problems than any of the train alternatives. Moreover, rail service into South Station is already overly congested. The Rapid Bus Alternative would avoid further congestion.

Across the country, rapid transit service is being seen as a greener, less expensive, and easier way for persons to commute. Indeed, this is true around the world. As Time magazine recently reported (May 16, 2011), Curitiba, Brazil, “the original smart city,” has just opened a Bus Rapid Transit (BRT) network instead of a commuter rail or subway system, and, “At least 83 cities worldwide have copied Curitiba’s BRT system.” The bus would service the Fall River/New Bedford area

without causing the problems, dangers and complaints that are an inescapable aspect of any of the train alternatives.

L-038.08

The Rapid Bus Alternative would give Stoughton the opportunity to develop the town in a smart growth manner, to rebuild the downtown, and to maintain and enhance the Town's aesthetic and socioeconomic health.

In choosing between train and rapid bus alternatives, there appear to be no projects where the Corps has determined that a train and not a rapid bus was the LEDPA. This project should not be the first.

9. **Conclusion**

For all of the reasons stated above, the Stoughton Alternative is not the LEDPA. The Stoughton Alternative would destroy Stoughton based on the arrogant and foolish bet that the train might bring meaningful economic benefit to another area of the Commonwealth. Stoughton should not have to pay the price for the bureaucratic folly and condescension that motivates MassDOT. To the extent that there is any LEDPA for this project, it is the Rapid Bus.



Robert M. Mendillo
Wildwood Road
Stoughton, MA 02072
781-341-1684

PAGE 1 OF 3

436 Richardson Avenue
Attleboro, Massachusetts 02703
Phone: 508-431-2312
May 23, 2011

TO:

Mr. Alan Anacheke-Nasemann
U. S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Ma. 01742-2751

COPY TO:

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

SUBJECT: SOUTH COAST RAIL DRAFT ENVIRONMENTAL
IMPACT STATEMENT/ DRAFT ENVIRONMENTAL
IMPACT REPORT (DEIS/DEIR)

DEAR Mr. Anacheke-Nasemann and Secretary Sullivan:

NONE of the Attleboro hybrid, bypass or alternatives should be selected for the proposed Fall River/New Bedford South Coast Rail Project.

Of all the alternatives I support the Stoughton Route with Dean Street and without Whittendon because (1) it is the most direct, (2) offers the most ridership, (3) it has the best trip time, (4) its reduced travel time is the advantage over the other options, (5) less acres of wetlands will be taken, (6) it is the only direct straight route to Boston and (7) it is

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cost/benefit effective at \$1.5 to \$1.9 Billion.

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Stoughton (without Whittendon) with Dean Street is the best because of these facts:

FACT: It has the best cost/ benefit/ effectiveness versus the others

FACT: The trip time is 72-74 minutes, which is better than the Other alternatives.

FACT: Less acres of wetlands will be taken compared to the Attleboro By-pass and alternatives. Stoughton is 6.74 acres versus Attleboro of 7.82 to 8.50 acres. Middleboro is 3.61 acres.

FACT: It is compatible with the existing rail system.

FACT: It is a STRAIGHT SHOT to Boston.

FACT: It adds another direct rail line to Boston.

FACT: Freight trains with container, bulk, tanker or other shipments can move faster from cargo ships or businesses between Boston, New Bedford or Fall River.

FACT: There would be no additional annual train assessment for Attleboro to pay since the train will not stop or pass thru the Attleboro area.

FACT: The WHITTENDON SITE for a station should be eliminated since it will add to the trip time on the trains.

FACT: The DEAN STREET SITE for a station should be used since it would benefit the City of Taunton and nearby towns for train ridership, convenient shopping & parking and least number of grade crossings.

FACT: The WHITTENDON SITE for a station would result in 14 to 15 at grade crossing which would unnecessarily cripple the center of the City of Taunton.

I submit the following FACTS concerning the ATTLEBORO BY-PASS ALTERNATIVE:

FACT: The electrification of the Boston to New York line for the Acela Train has dramatically increased the train noise from freight trains and the double tiering of Passenger Trains up and down Richardson Avenue.

L-039.02

FACT: The cement footings for the electrification installation of the Boston to New York rail line caused house foundation cracks. This could happen for the Attleboro By-Pass to myself and the 35-homes across the street and the 44-homes at Misty Meadows and 49-Condos on the other side of the National Grid High Voltage Transmission Lines. These high voltage transmission lines carry thousands of volts and would prove disastrous and disruptive if a train accident occurred.

L-039.02

FACT: Sturdy Memorial Hospital in Attleboro is a Regional Hospital which services Norton and Mansfield. Richardson Avenue and Pleasant Street (Route 123) are used day and night by their ambulances to take emergency patients to the Sturdy Memorial Hospital.

FACT: The noise and vibration from these passenger and freight trains would be markedly increased compared to the Noise of the freight and passenger trains on the Boston to New York electrified rail line because of the proximity to these homes and condos.

I SUPPORT THE STOUGHTON ALTERNATIVE WITH THE DEAN STREET STATION AND THE ELIMINATION OF THE WHITTENDON STATION.

L-039.03

I RECOMMEND this Stoughton Rail Alternative to the Massachusetts Secretary of Energy and Environmental Affairs AS the Final Environmental Impact Report (FEIR).

Sincerely,



**DONALD J. MICHAUD
436 RICHARDSON AVENUE
ATTLEBORO, MA. 02703
EMAIL: donmichaud@peoplepc.com**

From: Louise Morse [wlkdc@verizon.net]
Sent: Saturday, May 14, 2011 12:08 AM
To: SCREIS, NAE
Subject: Southeastern Mass Rail Extension

E-035.01

I am a resident of Easton, for over fifty years. I would like to be recorded as favoring the rail extension through Stoughton, Easton and Raynham to Fall River and New Bedford.

William J. Morse
71 Allen Road
N. Easton, MA 02356

May 26, 2011

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
email: SCREIS@USACE.army.mil

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us

Re: Comments on the South Coast Rail Line, Draft Environmental Impact Statement/Draft Environmental Impact Report

Dear Sirs:

I am writing to you as a concerned citizen and Stoughton resident. My purpose in writing to you is to provide my comments on the South Coast Rail Line and on the Draft Environmental Impact Statement/Draft Environmental Impact Report.

I am opposed to the South Coast Rail going through Stoughton. There is so much to say and to show to your agency in hopes of swaying the Army Corp of Engineers **NOT** to go forward with the Stoughton Alternative. Stoughton is a town that was incorporated in 1726, some 50 years before the signing of the Declaration of Independence. The town has much to offer people living here and to those wishing to settle here due to its proximity to the routes 24, 95, 495 and to the city of Boston. Stoughton's unique characteristics should not be altered or destroyed for other cities that wish to have a commuter rail. I believe that towns and cities should not be pitted against one another by our government or any government just to fulfill promises, no matter how many studies have been conducted and controlled in an effort to provide a favorable outcome to build this rail line.

L-078.01

I believe that this proposed rail plan reveals several shortcomings. **Public Safety** is my number one concern. There is a very large gaping public safety threat if this proposed rail line comes through Stoughton. The proposed plan would have two train tracks through Stoughton Center with the double track being extended from Easton through Stoughton to Canton and these tracks are within close proximity to three schools (Stoughton High, Middle and the West Schools). Add this fact to the high number (seven) of road crossings and the end result is a very real public safety threat. No matter how one mitigates this public safety threat, children's lives are at stake along with the lives of the vehicle occupants that come in contact with a moving train. In other

L-078.02

towns and cities across our state and across the nation, children and adults do get injured and killed by trains. Mitigating the public safety issues by installing safety mechanisms or crossing arms and bells did not prevent these injuries or deaths. As I review this plan, the town of Stoughton is literally cut in half by these two tracks. Traffic during rush hour on Central Street is already backed up to Route 138. Allowing additional trains to come through Stoughton, I believe creates additional burdens on an already difficult traffic situation. Additionally, public safety vehicles may be impacted waiting for trains to pass at the crossings thus having the potential to increase the emergency response times to Stoughton residents.

L-078.02

I believe that our **Environment** is at risk if this proposed rail line comes through Stoughton. The environment is everyone's concern. The proposed line will go through the Hockomock Swap. This swamp has received the designation of ACEC, Area of Critical Environmental Concern by the Commonwealth of Massachusetts. Per the public web site *MASS.GOV*, the Hockomock Swamp and associated wetlands and water bodies comprise the largest vegetated wetland system in Massachusetts. This area contains 16,950 acres. This website also notes the following:

L-078.03

"The Hockomock Swamp is a vast natural and scenic area. Because of its size, it is a unique and irreplaceable wildlife habitat. It is also the location of at least 13 rare and endangered species. According to the Massachusetts Historical Commission, the archaeological sites in the vicinity of this wetland complex are known to span a period of 9000 years; the potential quality and significance of the archaeological resources are enormous. Productive agricultural lands are located on the uplands adjacent to the wetlands, brooks, and rivers."

As you can see, the Hockomock Swamp is an unique and an irreplaceable wildlife habitat. I am not an environmental expert by any means. But what I do know is that a train going through this area and/or any chemicals that may fall into this body of water would cause harm and more than likely irreversible harm.

I read through the reviews of the environmental issues by the consultants and these reports do not even broach the various subjects of hazardous materials that can be carried by trains. The study, at least what I can see, only studies the trestle or track that would be built in this swamp. Nothing has been reviewed, discussed nor studied the impact of an environmental spill that can occur from diesel fuel or from other chemicals carried by freight trains. Can a reasonable person conclude that since the various chemicals that may be carried by a freight train have not been discussed, thus lead to a conclusion that NO chemicals or other hazardous materials will be allowed on this proposed South Coast Rail? I would like to get confirmation on this issue from the Army Corps of Engineers. If freight trains with chemicals and hazardous waste will be allowed then where are the studies for the South Coast Rail? What would happen if a rail car carrying chlorine leaked in the middle of Stoughton Center or in Hockomock Swamp? Where are the studies for the South Coast Rail of potential explosions or spills from train cars carrying various fuels or combustible chemicals? The consultants should have reported on these concerns.

L-078.04

I believe **Funding** is another real issue that tends to be never fully adequate. To build a new rail line while the current lines suffer from lagging or inadequate funding, I believe is not efficient. A public report issued on November 1, 2009, entitled *MBTA Review* documents safety issues and

L-078.05

financial concerns. On page 22 of this public report states the following. *“The MBTA has accomplished many impressive achievements in enhancing safety and service, yet the fact remains that it is dealing with an extensive, aging infrastructure that requires continuous maintenance, refurbishment and replacement. Unfortunately, the cost of the projects required to address these concerns far exceeds the MBTA’s capital improvement budget, which is constrained by the structural deficit discussed in the previous section. As a result, many projects that would address critical safety or system reliability issues are not funded each year.”*

L-078.05

I understand that the South Coast Rail plan may cost around \$1 billion. Wouldn’t this money be better spent supporting the current infrastructure of the MBTA and not towards building another rail line that will just cost more monies to maintain?

Lastly, I believe in the science and benefits of **Technology** that will in the foreseeable future allow more commuters to work from home and in essence, telecommute. This technology, in my opinion is becoming more and more acceptable and may lead to small but measureable declines in the number of daily commuters whether they are by vehicle or mass transit. I believe that the ridership projections for the South Coast Rail are a bit too aggressive. Given the cost of a daily roundtrip ticket versus carpooling, use of buses and the coming of age of telecommuting, the ridership projections are probably high.

L-078.06

I appreciate the opportunity to provide comments.

Sincerely,

Robert Mullen
19 Clover Lane
Stoughton, MA 02072

Date May 10, 2011

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
email: SCREIS@USACE.army.mil
fax: 978-318-8303

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us
fax: 617-626-1181 or via hand delivery.

Dear Mr. Anacheka-Nasemann and Secretary Sullivan:

I've attended the decades of South Coast Rail
public hearings for my own benefit as well as the
thousands of Fall River students I promised that
new, faster, cleaner and easier transportation
to Boston was eminent. It has been a discouraging
project mired in the discontent of the more affluent
populace of our towns to the north, the likes of
Easton, North Easton, Mansfield to name a few.
By the way, all of whom are enjoying and have
enjoyed what we're wishing to make a reality.

Having been an Earth Science teacher it goes
without saying that the Stoughton Alternative
is our best shot. Thanks to the DEIS/DEIR's
comprehensive studies we should be poised to

L-022.01

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get this project "on track,"!

Having been in Florida this winter, I read with great interest that Republican Governor Rick Scott rejected plans for an 85 mile high speed link between Tampa and Orlando. He turned down 2 billion dollars in federal money. (90% of rail financing)
Voila, I thought ... here's our chance to get a desperately needed 60 mile train to Boston. Needless to say, our governor is a Democrat, a friend of President Obama and supposedly an advocate of rail between Boston and the Fall River New Bedford areas. Vice President Joseph Biden has called for spending 53 billion dollars on passenger trains and high-speed rail projects over the next 6 years. If that be the case, maybe, just maybe I'll see it in my lifetime and I am now 71 years of age.

A speaker at the New Bedford hearing on May 5th, 11
mentioned the many sporting events he'd like to attend, but the hassle of traffic, parking fees, ^{etc.} is daunting. I would like to take this opportunity to also include the many cultural events I miss for those same reasons. An even bigger and more important point

L-022.02

is that we're so close to the best medical facilities in the world and yet so far due to that horrendous Route 24 traffic.

Going to college in North Easton was a breeze back in the late fifties and Route 24 ended in Stoughton at that time. Now the horror show begins at 140 where the New Bedford people join us. I cringe at the amount of fuel wasted (and now the cost is prohibitive) and the amount of carbon dioxide entering our atmosphere!

I end with the specter of fatalities that such crowded roadways engender. How many more deaths and crashes are you willing to be responsible for?

L-022.03

I agree with many of the speakers and local politicians that we've studied this to death. The new rail is nothing but a win, win opportunity for us to encompass NOW!

Pauline C. Nadeau

Signature

Pauline C. Nadeau

PRINT Name

30 Tickle Rd

Address

Westport, MA 02790

cc: Hon. Deval Patrick
U.S. Sen. John F. Kerry
U.S. Sen. Scott Brown
U.S. Rep. Barney Frank
U.S. Rep. Jim McGovern

cc: Kristina Egan
Fall River Herald News
New Bedford Standard Times
Providence Journal - East Bay Edition

From: Linda Palmieri [PalmieriL@southcoast.org]

Sent: Saturday, May 28, 2011 11:35 AM

To: S CREIS, NAE

Cc: aisling.o'shea@state.ma.us

Subject: support of rail line to South Coast

Please consider this email as a voice of support for the South Coast rail line!

The Stoughton route is the best of all that are proposed.

It is more direct route that will provide the shortest commuting time - and used of electric system will be environmentally friendly. It will be amenable to future technologies.

E-062.01

Thank you!

Linda L. Palmieri
Southcoast Health System
MIS Education Coordinator
CMH: (508) 679-7232
SLH: (508) 961-5102

CONFIDENTIALITY NOTICE:

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From: Dennis P. Paquette [dpaquette@umassd.edu]
Sent: Thursday, May 05, 2011 4:14 PM
To: SCREIS, NAE; aisling.o'shea@state.ma.us
Subject: Comuter Rail to South Coast

I agree with the conclusions that identify the Stoughton alternative as providing the best service to the communities in the South Coast region and providing the least environmental impact. The fact that the Stoughton route is served mostly by trains already in service as opposed to dozens of new trips on an already heavily traveled corridor make the Stoughton alternative the only viable choice from a transportation perspective. Also, the fact that the Stoughton route follows rail beds that were in use a little over fifty years ago is an obvious factor in minimizing the environmental impact.

E-022.01

I believe the final report should include double tracking the rail lines to provide future capacity and faster service. It is important that any design, permitting, and building of the rail service be completed with an eye towards enhancing or expanding the service in the future. In addition, I also believe that travel time and frequency of service will be important factors to the success of this project. To provide the greatest impact, we urge that travel time from the South Coast to Boston South Station be no more than seventy minutes. Shorter commuting time gives businesses greater access to more workers with specialized skills, while residents of the region gain connectivity to employment opportunities along the Route 128 corridor and in the business districts of Boston.

E-022.02

I also encourage full service throughout the day to meet demand and encourage ridership. A minimum of three trains in the morning peak period and three trains in the afternoon peak period should be utilized. This includes full weekend service and inter-city service between Taunton, New Bedford and Fall River to encourage regional mobility. I would also like to see a late evening train service to Boston to be considered for residents and visitors. Weekend and evening service would help support our growing tourism economy by connecting the Boston area to our new hotel, our national park, our ferry service to Martha's Vineyard, and our vibrant arts and restaurant scene here in the South Coast.

I believe commuter rail extension is critical to economic development and growth in the region and in keeping with long-range "Smart Growth" planning strategies that support the environment and encourage development around priority development areas. Commuter rail extension to the South Coast will also help meet existing and future demand for public transportation and enhance regional mobility for residents, businesses, and visitors to the region by reducing congestion and increasing travel choice. I encourage the Army Corps and its partners to complete the review and make the determination of the Least Environmentally Damaging Practicable Alternative (LEDPA) as quickly as possible. This is an important project for the South Coast region. The cities of Fall River and New Bedford are some of the largest municipalities within a 50-mile radius of Boston without rail transit service, service that will provide a much needed link between job opportunities and affordable housing for the residents of the state. We have been waiting for the restoration of this rail service for more than two decades and we are anxious for this process to be completed, so that the state can move onto the next critical step in the project.

E-022.03

Thank you,
Dennis Paquette
Director of Business Education & Lifelong Learning UMass
Dartmouth
Ambassador New Bedford & Fall River Chambers of Commerce

From: ~ DP [rwp99@live.com]
Sent: Friday, May 13, 2011 8:57 AM
To: SCREIS, NAE
Subject: Proposed MBTA train extension -- public comments

Daniel P. Paré
 99 Sheridan St.
 Easton, MA 02356
 (508)-238-4575

May 13, 2011

Alan Anacheke-Nasemann
 Army Corps of Engineers
 696 Virginia Road
 Concord, MA 01742-2751

Dear Mr. Anacheke-Nasemann,

I understand you are welcoming public comments regarding the South Coast Rail group's proposed expansion of the MBTA commuter rail line into Easton and south to New Bedford and Fall River. I wish to contribute mine.

I believe that the benefits of such a train line do not outweigh the costs. As a citizen who thinks care for the environment should be one of our priorities, I appreciate the concept of robust public transportation. So I note the irony that the proposed Stoughton line extension will probably be more of an environmental drawback than a boon. A new train through Easton will cause more environmental fallout than another South Coast Rail proposal, a rapid bus line on a designated highway lane. Whereas the bus project would emerge from highways already in place, the train line would require a new train service running through the sensitive Hockomock Swamp region, valuable to our drinking water and to our local ecology in general. It is also questionable that the train line would actually have much of a ridership, making it even harder to justify its heavy financial and environmental costs.

E-033.01

I also worry that a new fleet of trains, especially diesel fuel trains, may wind up obsolete almost before it starts service. As greener energy technologies arrive, we will be stuck with an ecologically- and economically-backwards system.

Other costs of the proposed train line include:

* Extending the Stoughton train line will cost much more money than the proposed rapid bus line -- so much so, in fact, that my state congresswoman, Rep. Geraldine Creedon, commented to me that the funding for the project is "not sustainable."

* The potential arrival of a Middleboro casino will pose traffic and transportation needs for which an Easton rail line does nothing. Perhaps a rapid bus line, running on the highways through and near Middleboro, will serve these needs. (The now-discarded proposal to expand Middleboro train service may have also accomplished this.)

E-033.02

* The train would cut through densely developed communities. For instance, it would bisect Easton and require 7 grade crossings, which will impact traffic and travel for residents.

* The funds required for the train project might be better spent on other things, including more direct economic investment on the South Shore. Merely transporting some South Shore people to Boston is not a solution.

Sincerely,
 Daniel P. Paré

Peter L. Paull, Jr., P.C.
Attorney at Law
700 Pleasant Street, Suite 540
New Bedford, Massachusetts 02740
Telephone: 508 992-1578
Fax: 508 992-4655
plpjr.pc@verizon.net

By Fax

May 5, 2011

Mr. Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

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

Dear Mr. Anacheke-Nasemann and Secretary Sullivan:

I strongly support the South Coast Rail Project for the reason it will greatly reduce the unnecessary traffic congestion and delays on Route 24.

The rail will:

1. Save countless gallons of fuel.
2. Reduce pollution from cars stuck in traffic.
3. Reduce wasted man-hours of worker productivity.

Anyone who has an input on this issue should be first required to drive Route 24 to Boston during rush hour.

Thank you for your attention to this matter.

Very truly yours,



PETER L. PAULL, JR.

PLP/dmm

cc: Mr. Matthew Morrissey
Ms. Kristina Egan, Project Director, Massachusetts Department of Transportation

F-002.01

MAY 5 '11 REG DIV

From: apetitti [APETITTI@COX.NET]
Sent: Thursday, April 21, 2011 7:06 PM
To: S CREIS, NAE
Cc: kristina .egan@state.ma.us; aisling.eglington@state.ma.us
Subject: South Coast Rail

Dear Mr. Anacheke-Nasemann,

I'm writing to voice my wholehearted support for the South Coast Rail Project. With gas prices @ nearly \$4 per gallon and all the environmental issues related to producing additional power sources; commuter rail is the obvious answer. Smart growth, fully utilizing our cities' capacities, further supports our environment along with decreasing our need for gasoline, etc.

Fall River and New Bedford can be real growth centers in Massachusetts for middle income families that are priced out of the Boston real estate market. For decades these communities have sent their tax dollars to the greater Boston area as their infrastructure was neglected. Fall River and New Bedford can now add their affordable housing to the benefit of Boston. Boston will have a larger pool of workers that will now have a means to get in and out of Boston at a reasonable price and on a scheduled train versus being at the mercy of the Distress-way (I commuted for 15+ years).

E-017.01

This project has been sidetracked for far too long; now is the time to make the right decision and build commuter rail to the benefit of all of Massachusetts.

Best Regards,

Ken Petitti

From: Bill [bpezz@comcast.net]
Sent: Sunday, May 15, 2011 3:36 PM
To: S CREIS, NAE
Cc: Bill
Subject: Keep the trains out of Easton !!!!
Atten: Alan Anacheke-Nasemann

Keep the trains out of Easton !!!!

Twelve years ago I sent a letter to Mr David Durand opposing the trains going through Easton when the projected cost was 460 million dollars.
I was against it then, and still against it now.

I live a 1/2 mile away from the tracks and within 2 miles of 4 grade crossing. I don't want to listen to horns blasting every 15 minutes at peak hours. Nor do I want 40 to 50 trains speeding through Easton at 50 to 60 miles per hour. I know our selectwoman has proposed a "no-whistle" plan at crossings. How safe can that possibly be. I would only be a matter of time before someone gets killed. And the MBTA will tell us "sorry" statistically these things just happen.

E-036.01

I've been to several meetings and it seems to me the MBTA has a mathematical formula for everything from ridership, wetland studies, vibration studies, emission studies parking / infrastructure studies, and environmental studies. The only study they won't share with us is, what is the potential of deaths or accidents at the 46 miles of track and 37 grade crossing.

Frankly, it's not my problem how the people from New Bedford get to Boston. People in Boston and the surrounding towns can't find high paying jobs in Boston.
What makes you think the train is going to bring more qualified people to the downtown area ?

Cultural and Sporting events, are you serious ? The average family can't afford to spend \$300 or \$400 to get to see a play or a Red Sox game.

The project is now projected at \$1.4 to \$1.9 billion. The MBTA is current operating at billions of dollar deficit.

The train would benefit a small percentage who have jobs in Boston. The rail is not going to help the 80% of the mill town worker who need it the most.

I don't believe trains going through this town are going improve our quality of life, improve the tax rate, or increase our property value.

William Pezzella
South Easton, MA

From: Susan Plante [skplante457@comcast.net]
Sent: Monday, May 23, 2011 7:51 AM
To: SCREIS, NAE; "aisling.o'shea@state.ma.us."
Subject: South Coast Rail Project - Comments

Hello,

I am writing to vigorously oppose the South Coast Rail Project going through our town of Easton based on the deleterious impact on our drinking water, 7 crossings that jeopardize public safety, irrevocable environmental damage to the Hockomock Swamp and damage to many historical buildings in our town.

When I was working as a VNA nurse in the south shore area, I found myself spending up many extra minutes a day waiting at train crossings. Sometimes the train never came which prompted some drivers to drive through the down crossing gates. If grown-ups take such risks, I shudder to imagine how children and adolescents will respond to waiting many minutes for a train that isn't yet there.

Dividing our town will also have a serious negative impact on our fire, police and ambulance services as the majority of our town will be on the "wrong side of the tracks" when an emergency arises. Waiting at a train crossing may make the difference between life and death.

Susan K. Plante
14 Berwick Road
South Easton, MA 02375

E-044.01

From: Brian Reardon [ktmreardon@comcast.net]

Sent: Friday, May 27, 2011 4:39 PM

To: S CREIS, NAE

Subject: Stop the train through Easton

Attn: Mr. Alan Anacheke-Nasemann U.S. Army Corps of Engineers New England District, Regulatory 696 Virginia Road Concord, MA

Dear Alan:

This letter is intended to act as notice for the record that for the reasons listed below I am completely against the expansion of the commuter rail and additional freight line proposed by MASSDOT via the proposed Stoughton Alternative.

Cost – the \$2 billion dollar plus cost of the project fails the cost/benefit analysis.

Feasibility – it's unlikely the line would see enough passengers from New Bedford or Fall River willing to pay \$275-\$300 plus parking to ride a train for a minimum of one hour 15 minutes each way for a job in Boston, or vice versa. Moreover, the ridership analysis is flawed, as it assumes people in Mansfield, Attleboro, Lakeville and Middleborough will take the new line instead of a train that leaves from their own town.

E-063.01

Environment – Trains are an environmentally unfriendly mode of transportation. The Commonwealth should not be investing billions of dollars in a fossil fuel technology that moves people from one point to another. Jobs are moving into the suburbs, and more people are telecommuting. The proposed train will harm drinking water supplies, flood storage, and wildlife habitat, and will bisect a nationally renowned Area of Critical Environmental Concern (ACEC).

Well Water Impact – The Commonwealth's preferred route takes the train within the Zone I of one of Easton's most productive wells. This is an unacceptable risk.

Seven traffic crossings – these crossings provide a safety risk for children and traffic and a major noise and vibration disturbance.

Historical areas and building compromised – the proposed train route will come within less than 25 feet of historic building that are not built to withstand the vibration and will be damaged or destroyed.

Dividing the town impedes police/fire/ambulance access to people in need, and route to closest hospital is severed as well. The MBTA already runs in a deficit in excess of \$130 million dollars, this line would only add to that. There are neighborhoods and businesses along route that come within 25 – 50 feet of train passing.

The bottom line is despite the marketing by the DOT this project is contrary to public interest and the Army Corps of Engineers should not issue the permit for the Stoughton alternative even if ultimately that results in the No Action Alternative. The Rapid Bus is clearly the LEDPA and a more fiscally responsible project.

E-063.02

From: Jennifer - Peachy Pendants [bjreardon@comcast.net]

Sent: Friday, May 27, 2011 4:53 PM

To: SC REIS, NAE

Subject: NO to the train through Easton

Attn: Mr. Alan Anacheke-Nasemann U.S. Army Corps of Engineers New England District, Regulatory 696 Virginia Road Concord, MA

Dear Alan:

This letter is intended to act as notice for the record that for the reasons listed below I am completely against the expansion of the commuter rail and additional freight line proposed by MASSDOT via the proposed Stoughton Alternative.

Cost – the \$2 billion dollar plus cost of the project fails the cost/benefit analysis.

Feasibility – it's unlikely the line would see enough passengers from New Bedford or Fall River willing to pay \$275-\$300 plus parking to ride a train for a minimum of one hour 15 minutes each way for a job in Boston, or vice versa. Moreover, the ridership analysis is flawed, as it assumes people in Mansfield, Attleboro, Lakeville and Middleborough will take the new line instead of a train that leaves from their own town.

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E-064.01

Well Water Impact – The Commonwealth's preferred route takes the train within the Zone I of one of Easton's most productive wells. This is an unacceptable risk.

Seven traffic crossings – these crossings provide a safety risk for children and traffic and a major noise and vibration disturbance.

Historical areas and building compromised – the proposed train route will come within less than 25 feet of historic building that are not built to withstand the vibration and will be damaged or destroyed.

Dividing the town impedes police/fire/ambulance access to people in need, and route to closest hospital is severed as well. The MBTA already runs in a deficit in excess of \$130 million dollars, this line would only add to that. There are neighborhoods and businesses along route that come within 25 – 50 feet of train passing.

The bottom line is despite the marketing by the DOT this project is contrary to public interest and the Army Corps of Engineers should not issue the permit for the Stoughton alternative even if ultimately that results in the No Action Alternative. The Rapid Bus is clearly the LEDPA and a more fiscally responsible project.

E-064.02

Sincerely,

Jennifer Reardon
9 Laurel Drive
North Easton, MA 02356

RE: South Coast Rail Project

This letter is intended to act as notice that there are many reasons that I am completely against the Stoughton Rail Alternative. The major concern is the cost that would be associated with such a project. The Stoughton alternative is fiscally irresponsible as it increases the taxes burden for all tax payers plus increases the debt for our children and beyond. The MBTA is poorly managed now and they have been operating at a loss for many years. This will even make it worse on how they operate. I completely disagree with the ROI with this project as there is no future with such a line being established. This will also have a major effect on the environment and the town water supply in Easton.

L-081.01

The Stoughton alternative would also ruin an important historical area in Easton. North Easton is a national treasure with buildings designed by Henry Hobson Richardson and landscaping from Frederick Law Olmsted. The Ames family has been an important part of our national history with the many buildings that manufactured shovels. These shovels were supplied the United States Military and were used during World War I through the Korean War. These buildings will be affected with a rail running right next to them.

If the politicians were truly for the people, they would see a bus service makes the most common sense. A bus line is more fiscally responsible and would be easier to dissolve than a rail system if it didn't work out. Once a rail system is in place, the environment and landscape will be impacted forever.

L-081.02

Regards,

Curt Rice
78 Kennedy Circle
South Easton, MA 02375

From: D_Richwine@globe.com
Sent: Monday, May 16, 2011 6:47 PM
To: SCREIS, NAE
Subject: testing

hi, just testing an e-mail address on southeast rail hearings.... can you hit reply if you
got this loud and clear? thanks.

E-037.01

Dave Richwine
Globe Zones copy desk chief
richwi@globe.com
617-929-2067

Kathy Romero
439 Prospect Hill Street
Raynham, MA 02767
508-880-7899

May 26, 2011

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord MA 01742-2751 &

Secretary Richard K. Sullivan Jr., EOEEA
Attention: MEPA Office (Aisling O'Shea)
100 Cambridge St., Suite 900
Boston, MA 02144

To Whom It May Concern:

Please accept this comment letter in regard to the Southcoast Rail proposal. I have lived in Raynham for 49 years, including 19 years on uplands adjacent to the Hockomock Swamp. I worked on the effort to achieve the designation of Area of Critical Environmental Concern (ACEC) for the Hockomock Swamp and have worked in the field to protect endangered species and their migration routes in and around the Hockomock Swamp. I also have walked the existing "rail bed" throughout the last 19 years.

I understand that your agency considers several factors for determining a route for a potential train from Fall River/New Bedford to/from Boston. Please consider my comments.

Wetland Conditions – The Hockomock Swamp, a state-designated Area of Critical Environmental Concern (ACEC), has been called "The Wonder Wetland" for decades. From walking the existing "rail bed" (which is an over-enthusiastic description of what is there) throughout the past 19 years, I can tell you that water flows every which way due to streams that have been disturbed and relocated in the past. At some times of the year, the bed is flooded, under water, and is impassable. I believe that the level of upgrade needed to the existing "rail bed" has been underestimated. Therefore estimates on wetland alteration and the alteration of other protected resources have been underestimated. Please require the project proponents to address this.

L-082.01

Wildlife - I volunteer to identify turtle migration routes and other wildlife projects associated with the Hockomock Swamp. It is critical that wildlife migration routes, for "ordinary" wildlife as well as for rare and endangered species, not be fragmented but remain connected. Losing that connectivity will put in jeopardy not only the animal species but years of taxpayer money and other resources that have been spent on projects to protect ordinary wildlife as well as to revitalize populations of rare and endangered species. Massachusetts Fish & Wildlife has spent a considerable amount of taxpayer money on the purchase of land and conservation restrictions associated with the Hockomock Swamp. Please do not waste those resources by fragmenting the wildlife habitat in the Hockomock Swamp.

L-082.02

Economics – A train from Fall River/New Bedford to/from Boston makes no economic sense. I take the Bloom Bus to/from Boston every day. Up until a couple of years ago, they had a run from Fall River to/from Boston. They discontinued it because of a lack of riders. About ten people (different people) would take the bus in a month – which means that people were not taking it to work in Boston. Please do not support spending my tax dollars on this train. I support using my tax dollars to employ people in Fall River and New Bedford not put them on a train to Boston where there are scarce jobs as well. Many of our tax dollars already go to support Fall River and New Bedford as these cities receive many large grants and subsidies from the state and federal government. Other riders along the proposed train route already have alternative transportation options.

L-082.03

I have lived in Raynham for 49 years. We decided to raise our family in Raynham because we like small towns. I keep reading about how regional planners cannot wait to put economic development along the train route. Please do not support destroying our small town as well as other small towns along the route. People make a choice to live in a small town rather than a big city. Our neighborhood, which is parallel to the existing “rail bed”, is located in a farm and forest zoning district with many small farms. This lifestyle should be supported and celebrated, not destroyed.

Where is the money going to come from to construct this route? Where will the money come from to maintain it? Will ridership support it? No. Ridership estimates are grossly overstated.

Private Wells – There are private drinking water wells along the train route, specifically, all along Prospect Hill Street (where we live) in Raynham. Our road dead ends in the Hockomock Swamp. There is no access to public drinking water on our street and the street is physically located in Taunton – although nowhere near another street in Taunton - so we will not be seeing public water. Trains risk polluting our private wells through spills and leaks as well as through the associated “economic development” that regional planners are eager to construct along the train route.

L-082.04

Conservation – There is nothing about this project that will conserve anything. Negative impacts to wildlife; wetlands; floodplain; and other natural resources in this ACEC, as well as to the local economies of small towns, will be devastating.

L-082.05

Any minimal benefits accrued from this proposal do not outweigh the significant environmental and economic losses, short-term and long-term, that will result from this proposal. Public agencies have a responsibility to protect the natural resources that we hold in common and to consider the economies and way of life in small towns in southeastern Massachusetts. Please stop this project. Thank you for considering my comments.

Sincerely,

Kathy Romero

Kathy Romero

✓
May 5, 2011

To: Alan Anacheke-Nasemann
Army Corps of Engineers
696 Virginia Rd, Concord, MA

L-017.01

The South Coast Rail is a very vital project for ^{not only} the residents of Southeastern Massachusetts but for the Boston area and the ^{entire state} _{in general}.

① It will be a very convenient and environment friendly transportation for the residents connecting them to the rest of the population particularly to the north including Boston, Rt. 128 Belt area.

L-017.02

② It would be better to have an electric train system for a long term facility because it would be able to use other green sources of energy like wind or solar energy. Also it will be faster and ^{needs} less maintenance once it's built.

L-017.03

③ It would be an economic boost for the thousands of residents here. They will have access to jobs available in other areas with easy commute. Thanks

Sincerely,

Dr. T.K. Roy

216 Blackmore Pond Rd.

W. Wareham, MA 02576

Contact info:

{ troy@umassd.edu

{ 508-748-9797

MAY 10 '11 REG DIV

From: Roy, Tricia [Tricia.Roy@MONEYMANAGEMENT.ORG]

Sent: Friday, May 27, 2011 6:08 PM

To: S CREIS, NAE

Subject: South Coast Rail Project

My husband and I are residents of Fairhaven, MA and have been following the progress of the South Coast Rail Project very closely.

We believe that the Southcoast Rail will have positive economic implications for the Greater New Bedford area. People can get and keep jobs in Boston and still live in the scenic Southcoast, where they will spend their wages in local businesses. I work in New Bedford, but frequently must travel to board meetings in Boston. My husband is a civil engineer/architect/urban planner in need of meaningful work; he's been working as a security guard in order to make ends meet. This project would present a chance for him to "give back" to our community if he can assist in its implementation. And naturally, it would be the central artery of this region, pumping new blood into a depressed area. As a financial counselor, I work with people every day that, like my husband, need an opportunity to branch out and find employment beyond the local area.

E-065.01

We support the Stoughton Alternative with electric mode to best meet the future demand for public transportation between Fall River/New Bedford and Boston. We believe, after fully reading the study, that this alternative best balances transportation and environmental benefits with environmental impacts.

E-065.02

Thank you,

Mrs. Tricia Roy
Mr. Sameh Youssef
7 Samoset Circle
Fairhaven, MA 02719

Tricia A. Roy | Branch Counselor

Money Management International | "Improving Lives Through Financial Education"

888 Purchase St., Suite 319

New Bedford, MA 02740

D: 888-845-5669 Ext. 5831 | F: 508-999-1660

Tricia.Roy@MoneyManagement.org

www.moneymanagement.org

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Shibli, Abdul

From: Shibli, Abdul
Sent: Wednesday, April 20, 2011 4:42 PM
To: 'ccorona@easton.ma.us'
Subject: Commuter rail through Easton

Dear Colleen,

It was nice talking with you this afternoon. As I mentioned to you, I have lived in South Easton for almost 24 years and have been following the developments relating to the commuter rail project since I moved from Boston to Easton to work as a professor at Stonehill College. Before I moved to Easton in 1987, for three years I commuted to Stonehill from Boston. My wife, who graduated from Stonehill in 1990, commuted to Fall River for her job there in 1990-1991. I myself became a railroad commuter in 2000 when I started working for Harvard University and commuted until 2005 from Mansfield to Harvard Square. I now work in Boston, but drive to work! My wife, who drove to Boston College for her MSW program, would have benefitted from a commuter rail system if it were available then!

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

So, as you can imagine having a commuter rail through Easton would be good for young families like us. Even now, for me, for my kids, and also for my visitors. I have done some serious work as an environmental economist (particularly with one of Harvard's Environmental Policy programs) and understand the pro and con arguments of building a commuter rail system. I feel that given all the scrutiny this project has received over the last 20 years (if not more), the economic, environmental, and developmental benefits for Massachusetts are overwhelming. Plus, as a resident, my family and I feel that this will be very beneficial to us. My son lives in Jamaica Plain, and uses the public transportation system when available. My daughter, who went to Tufts for her undergraduate (as a resident), and is an attorney working in NYC, is an avid train rider, and will be able to come and visit us more often if she can catch a commuter train to North Easton from South Station! By the way, both attended the Public Schools in Easton.

E-016.01

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

Best regards,

M. Abdul Shibli

From: Colleen Corona [mailto:colleencorona@comcast.net]
Sent: Wednesday, April 20, 2011 1:57 PM
To: Shibli, Abdul
Subject: Fw: call to resident Abduhl Shabli

From: Southworth, Mary
Sent: Wednesday, April 20, 2011 1:36 PM
To: Colleen Corona
Subject: call to resident Abduhl Shabli

5/2/2011

From: James Stanton [stanton1943@msn.com]
Sent: Friday, May 27, 2011 11:11 AM
To: S CREIS, NAE
Subject: rail

We need rail service as soon as possible.

| E-066.01

Date 5/24/11

Alan Anacheka-Nasemann
Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
email: SCREIS@USACE.army.mil
fax: 978-318-8303

Secretary Richard K. Sullivan, Jr., EOEEA
attn.: MEPA Office (Aisling O'Shea)
100 Cambridge Street, Suite 900
Boston MA 02114
email: aisling.o'shea@state.ma.us
fax: 617-626-1181 or via hand delivery.

Dear Mr. Anacheka-Nasemann and Secretary Sullivan:

I oppose the Stoughton extension because I feel the state has enough resources in this area that are not be used correctly or being properly maintained. The money allowed or allocated for this project should be used to fix roads, bridges and existing transportation. Based on the low ridership on recent tracks added, this project is a complete waste of hard earned taxpayer dollars. The percentage of people that will wish to pay the price to ride into Boston and commute more than 3 hours per day can not possibly be enough reason to permanently ruin the historical landmarks, natural resources and quiet suburban communities

F-004.01

like Easton. I am greatly concerned about the damage from vibration that would be done to my house and property as I would border this track.

F-004.01

Noise, air pollution and the town water supply are also a great concern and that few or no mitigation measures are planned.

In closing, this state can not afford to waste money on ill-fated projects like this while its needed roads and infrastructure are crumbling because of lack of funds.

I strongly oppose this project.

Eric M. Stevens

Signature

Eric M. Stevens

PRINT Name

16 Bridge Street North Easton MA

Address

02356

From: ssull [birdiesull@gmail.com]
Sent: Friday, May 27, 2011 6:47 PM
To: SCREIS, NAE; aisling.o'shea@state.ma.us.
Subject: New Bedford rail

DON'T DO IT! I spent 3 years traveling to Boston from my hometown in Lakeville. I did so on the bus from New Bedford, DATTCO because the rail was 6 dollars a day more and wasn't really any faster. I hated it, it was terrible going to Boston and sitting in that God awful traffic every day for four hours that I wasn't being paid for. I had no life because I spent my whole day working and getting to work. I NEVER went anywhere in Boston- couldn't wait to get out of there and get home. The food and entertainment are cheaper here- just as good and don't come with all the nuisance of getting in and out of Boston. I can drive my car to places, enjoy myself and be home in a flash when I'm done- not schlogging through more traffic and time getting away from there. E-067.01

Bring jobs and businesses to our area where we can commute with the same ease as Bostonians do to their jobs. Why should we spend all our time and money going in there and leaving our communities down here penniless and wanting always???? This whole thing is madness- and as far as the Lakeville line, it sure didn't do anything great for our area. I love going to my job in New Bedford every day- going against all the awful glut of cars heading to Boston, where my work was no better paying nor more interesting than it is right here at home. E-067.02

From: Joan Sullivan [balone0419@yahoo.com]

Sent: Friday, May 13, 2011 3:41 PM

To: S CREIS, NAE

Subject: Commuter Rail Through Easton

Hello,

I wanted to put my two cents in regarding the extension of the Stoughton commuter rail line through Easton to Fall River and New Bedford. I am an Easton resident, and while I've heard all of the reasons why Easton residents don't want the train to go through the town, I haven't seen any information about why there needs to be service between Boston and New Bedford and Fall River. I'm sure some sort of studies have been done, but where are the actual figures of how many cars drive on the road from these towns to Boston every day? And of those cars, how many people have been interviewed to see if they would take a train into Boston instead? The cost of this extension is enormous, and the information I mention needs to be gathered to justify the cost. We all know the cost of the train through Hingham and how ridership is no where near what estimates said it would be. Instead of using the same type of estimates for the Stoughton line extension and spending millions and millions of dollars for a train that no one will ride, you should take a step back and see if the cost outweighs the benefit. I think it does.

E-034.01

Joan Sullivan

5/16/11

Dear Mr. ANACHEKA-NASEMANN,

My name is ALAN SWANSON , and I was born in NEW BEDFORD on MAY 24, 1961, and have resided here all of my life.

I also work at the NEW BEDFORD BUSINESS PARK.

Having stated those facts, I still very much have been looking forward to the convenience of passenger rail to my home town. I am an avid, if not rabid sports fan, and would love to ride the train to BOSTON in order to attend a BRUINS, CELTICS, OR RED SOX game, and visit the MUSEUM OF SCIENCE, or the PUBLIC GARDENS.

L-029.01

There are many more people in the area that would like to do the same.

Although we would not necessarily need the train to commute to work, it would still be very much appreciated to do so for recreation!

I attended the public comment meeting at KEITH JR. HIGH and would like to add my voice to all the others that feel that the proposed line through STOUGHTON and an electric train are most definately the best options and should be approved NOW!

We here on the so-called south coast have been left to languish for far too long!

This proposal is exactly what has been necessary ever since train service stopped back in 1959!

Perhaps you recall an older gentleman named MEDEROIS, whom chose to speak at the public comment meeting.

He stated that he is tired of N.I.M.B.Y.,s telling him what he can do without, and wondered if he would live long enough to see the passenger trains return to NEW BEDFORD and FALL RIVER.

Sir, there are a few hundred thousand of us that could not have stated those feelings any better!

In closing, PLEASE APPROVE THE STOUGHTON LINE WITH ELECTRIC TRAINS NOW WHILE WE ARE ALL STILL ALIVE!

MAY17'11 REG DIV

RESPECTFULLY YOURS,

ALAN B. SWANSON



From: gtaylor@cjmanagement.com

Sent: Thursday, May 26, 2011 8:15 PM

To: SCREIS, NAE; aisling.o'shea@state.ma.us

Subject: South Coast Rail Project DEIS USACE File # NAE-2007-00698

Dear Mr. Anacheke-Nasemann and Secretary Sullivan,

I am writing to you today to strongly oppose the Stoughton Branch Alternative to extend commuter rail service to New Bedford and Fall River. The area that the proposed line is going through is the most environmentally sensitive of any of the other proposals. It must be built through the Hockomock Swamp ACEC as well as the Pine Swamp with its many species of endangered animals. The disruption to their habitat during and after construction would cause great harm and permanently affect their ability to survive. There are 63 wetlands located along the Easton right-of-way according to the DEIS report. These areas are under conservation protection now from harmful development. I don't understand how we can allow this area to be compromised by a commuter rail service when there are other alternatives that are less environmentally damaging.

E-055.01

Another concern I have is the drinking water impact this service could have. Many of Easton's wells are located near the proposed rail line. A fuel spill near any of these well sites would have a devastating impact on the drinking water supply to the town. The rail line also crosses over the Canoe River Aquifer that supplies clean drinking water to many towns in Southeastern Massachusetts. We should be protecting the drinking water supplies of the area instead of introducing a potential source of destruction to this valuable resource.

E-055.02

I believe the Rapid Express Bus Service to Boston would have the least environmental impact at the least cost and still provide the benefit to the New Bedford and Fall River residents that this study addresses. Any of the alternatives, other than Stoughton Extension, would have less environmentally damaging impacts.

E-055.03

Please consider my arguments before considering the Stoughton Branch Alternative as a viable option. This option could have permanent destructive impacts on more areas of the environment than the other alternatives that have been proposed in the study.

Sincerely,
Grant Taylor
37 Scotch Dam Road
Easton, MA 02375

From: v mt1235@aol.com
Sent: Friday, May 27, 2011 4:12 PM
To: SCREIS, NAE; aisling.o'shea@state.ma.us
Subject: NAE-2007-00698, South Coast Rail Project DEIS USACE
Mr. Anacheke-Nasemann and Secretary Sullivan,

I am strongly against the proposed Stoughton Branch Alternative commuter Rail Service. It is my understanding Easton provides a lot of its own water via wells located in Easton. This is a fragile system and may not be able to withstand the burden of a rail line with trains going through the wetlands repeatedly. The pollution from operating a train as well as the possibility of contamination with a train derailment leave this very sensitive area at risk.

E-068.01

Could you please consider these concerns as you are evaluating this alternative.

Thank you for your time,

Victoria Taylor
37 Scotch Dam Rd
S. Easton, MA 02375

May 12, 2011

Mr. Alan Anacheke-Nasemann
Arms Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheke-Nasemann:

I am writing to make you aware of my strong opposition to the proposed South Coast Rail project utilizing the Stoughton route. My concerns about this project are numerous. I am a resident of Easton and if this route is selected the trains would run through my yard. My husband and I live in Easton with our two young children. Obviously, my biggest concern is with regard to safety. If the Stoughton route is utilized the train will run just feet from my house posing a significant safety concern for my children and other children in the area.

L-027.01

My concern about safety includes the children and also the many animals that live in this area. Enclosed please find a picture of what I think is a beaver home located in our woods. I have also seen rabbits, deer, turkey, a spotted salamander, rabbits, fox, cyote, turtles just to name a few. Clearly these animals will all be at risk if the train runs through this area.

In addition to safety, my second concern is that it will diminish our quality of life. My husband and I moved to Easton because we were drawn to the beautiful open spaces. We purchased a home on 5 acres of land situated between two golf courses. We are often outside enjoying the beautiful views and peaceful sounds. The sounds we typically hear are from the woodpeckers that live in the woods, other animals that live on the property and the occasional golfer on the golf course yelling "fore". This peacefulness would be replaced by the frequent sound of trains at all hours. Instead of looking out and enjoying the beauty the woods offer many of the trees would be gone replaced with train tracks and trains. We were also drawn specifically to Easton because of the history. Some of that history is also in jeopardy if the train runs through Easton.

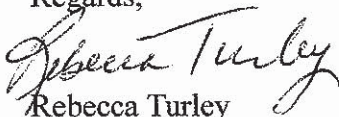
L-027.02

My third concern is regarding cost. As a taxpayer, I am concerned about the astronomical cost this project would incur. Based on the studies I have seen, the benefit does not seem to justify the cost particularly in this economy. The projected ridership seems extremely low and that was based on studies which are very outdated. Since there appears to be a trend of companies moving out of the city and more people working remotely it is my guess that those low numbers are even lower.

L-027.03

I have attended many meetings over the years regarding this project. It appears that there are much better options from a safety and cost perspective. It is my hope that you will consider one of these other alternatives for extending service. Thank you for taking the time to consider my concerns regarding this project.

Regards,



Rebecca Turley
21 Justin Drive
South Easton, MA 02375

MAY26'11 REG DIV



May 27, 2011

Alan Anacheke-Nasemann
Project Manager
Army Corps of Engineers
New England District
Regulatory Division
696 Virginia Road
Concord, MA 01742-2751

Re: CENAE-R, Draft Environmental Impact Statement, FILE NO. NAE-2007-00698

Dear Mr. Anacheke-Nasemann:

I have examined the above captioned report. In my professional opinion, the DEIR/DEIS is inadequate because it does not evaluate the project in light of all specific factors required by 33 CFR 320.4(a)(1), which states:

L-084.01

*“All factors which may be relevant to the proposal must be considered including the cumulative effects thereof: among those are conservation, economics, aesthetics, **general environmental concerns**, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, **safety**, food and fiber production, mineral needs, **considerations of property ownership** and, in general, the needs and **welfare of the people**.” (Emphasis Added.)*

I also find it disturbing that the DEIR/DEIS, without any explanation or justification, limits its scope to the construction stage of the project and ignores the serious environmental and public safety hazards which will emerge during the operations of the passenger and particularly freight trains.

L-084.02

Proper consequence analyses as well as past accident experience reveal that operational risks or consequences can be so high, they may alter or even dominate the ranking of the alternatives considered in this project. Yet, the current version of the DEIR/DEIS implicitly and categorically ignores these known hazards and known potential consequences.

For example, accidents such as the puncture of a tank wagon by collision or derailment, and failure and mal-operation of the tank wagon equipment can lead to a catastrophic loss of containment of toxic, radioactive, polluting, flammable or combustible material such as chlorine, LPG, and even diesel fuel. Resulting spills can get into ground water, poison or burn the public, pollute the atmosphere, or create flammable clouds capable of posing flash fire, Vapor Cloud Explosion, BLEVE, blast and jet fire hazards to public and property. Transport of condensed materials such as fertilizer presents special explosion hazards similar to that of TNT or C4, especially when these materials are mixed with diesel fuel.

Re: CENAE-R, Draft Environmental Impact Statement, FILE NO. NAE-2007-00698

Dr. Erdem Ural to Mr. Alan Anacheke-Nasemann

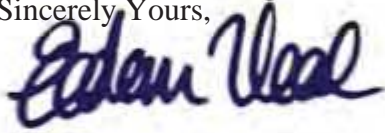
Page 1 of 19

Before it can reasonably be deemed adequate, the report, at the least, must evaluate the consequences of the above-mentioned scenarios. It must also consider potential impacts all other scenarios and all different material releases experienced during previous incidents. For your consideration, I have attached summaries of selected accidents in the annex.

L-084.03

Please do not hesitate to contact me if you have any questions.

Sincerely Yours,

A handwritten signature in dark ink, appearing to read 'Erdem Ural', is written over a light blue circular stamp.

Erdem A. Ural, Ph.D.

Annex A Compilation of Selected Accidents

1) Crescent City, IL. On June 21, 1970, 15 railroad cars including 9 cars carrying LPG derailed. The force of the derailment propelled one of the rail cars over the derailed cars in front of it. Its coupler then struck another rail car and punctured it. LPG was released and ignited. The resulting fireball reached a height of several hundred feet and extended into the part of the town surrounding the trains. The fire caused other rail cars to be ruptured. Portions of the ruptured rail cars rocketed away, travelling by as far as 1600 feet. The fire lasted 56 hours. At the end, 16 businesses were destroyed and 7 others were damaged. Twenty-five homes were destroyed and many others were damaged. Owing to prompt evacuation, no one died but 66 people were injured.

2) Kingman, AZ. On July 5, 1973, BLEVE of a single railroad tank car containing LPG occurred. One-half of the railroad tank car rocketed away by 1200 feet. At the time of the explosion, there were 13 fire fighters and 2 employees within 150 ft at the time explosion occurred. Thirteen of them died of extensive burns. Most of the 95 injured people were spectators located along the highway some 1000 ft away from the tank. The flaming debris and heat radiated from the fireball ignited structures located by as far as 900 ft.

3) Viareggio, Italy. On June 29th, 2009 the derailment of a freight train carrying 14 LPG (Liquefied Petroleum Gas) tank-cars near, caused a massive LPG release from a single rail car. The flashing LPG spill caused the formation of a gas cloud and a boiling pool. No loss of containment occurred from the other 13 tank wagons. A gas cloud formed and ignited triggering a flashfire that resulted in 31 fatalities and in extended damages to residential buildings around the railway line. (see Figure below)

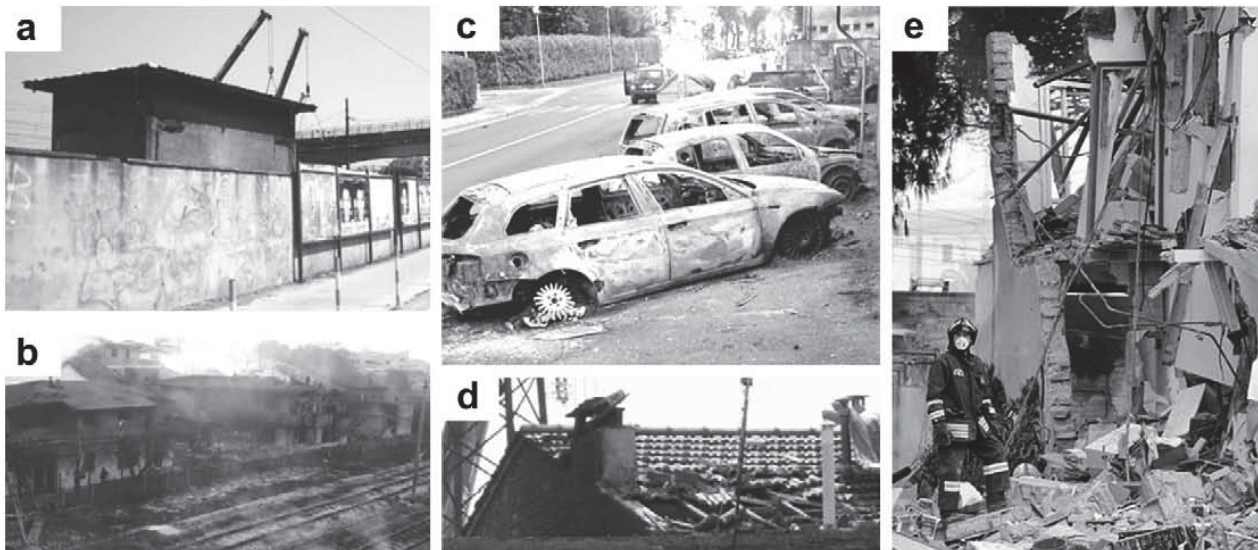


Figure. a) Continuous wall on the West side of the station; b) hedge in front of houses damaged by the fire on the East side of the station; c) example of severe damages to vehicles;

d) example of damages due to thermal stresses caused by the fire exposure; e) example of damages due to internal overpressure (Landucci et al., 2010).

4) On Saturday, May 27, 2000, about 11:48 a.m., central daylight time, 33 of the 113 cars making up eastbound Union Pacific Railroad train QFPLI-26 derailed near Eunice, Louisiana. Of the derailed cars, 15 contained hazardous materials and 2 contained hazardous materials residue. The derailment resulted in a release of hazardous materials with explosions and fire. About 3,500 people were evacuated from the surrounding area, which included some of the business area of Eunice. No one was injured during the derailment of the train or the subsequent release of hazardous materials. Total damages exceeded \$35 million.

5) On Wednesday, October 10, 2007, about 12:02 p.m., eastbound CSX Transportation (CSX) freight train Q380-09 derailed 31 cars in Painesville, Ohio, while being operated on main track 1. The train was traveling 48 mph at the time of the derailment. The crew's last train operation had been made about 1 1/2 miles before the derailment. The train consisted of 2 locomotives and 112 cars (106 loaded and 6 empty). The 31st through 61st cars in the train derailed. The derailed cars included seven tank cars carrying ethanol, one tank car carrying liquefied petroleum gas, and one tank car carrying phthalic anhydride. Also among the 31 cars that derailed were covered hoppers carrying corn, wheat, feed, plastic, and lumber. The ethanol tank cars and many of the other freight cars caught on fire. Twenty-six of the derailed cars were destroyed. (See figure 1.)

As a precaution, about 1,400 area residents were evacuated from an area of approximately 3 square miles. There were no reported injuries. The temperature at the time of derailment was 51° F, and it was daylight. Estimated damages and environmental cleanup costs were \$8.48 million. At 10:00 a.m., about 2 hours before the accident, the engineer and conductor had gone on duty at CSX's Collinwood Yard in Cleveland, Ohio, to relieve the inbound crew of the train. The crew received new train documentation and the current dispatcher bulletin. The engineer performed the required air brake test, contacted the train dispatcher for permission to depart, and departed at 11:28 a.m.

6) About 10:41 p.m. eastern daylight time on Friday, October 20, 2006, Norfolk Southern Railway Company train 68QB119, en route from the Chicago, Illinois, area to Sewaren, New Jersey, derailed while crossing the Beaver River railroad bridge in New Brighton, Pennsylvania. The train consisted of a three-unit locomotive pulling 3 empty freight cars followed by 83 tank cars loaded with denatured ethanol, a flammable liquid. Twenty-three of the tank cars derailed near the east end of the bridge, with several of the cars falling into the Beaver River. Of the 23 derailed tank cars, about 20 released ethanol, which subsequently ignited and burned for about 48 hours. Some of the unburned ethanol liquid was released into the river and the surrounding soil. Homes and businesses within a seven-block area of New Brighton and in an area adjacent to the accident were evacuated for 2 days. No injuries or fatalities resulted from the accident. The Norfolk Southern Railway Company estimated total damages to be \$5.8 million.

7) On Sunday, July 10, 2005, about 4:15 a.m., central daylight time, two CN freight trains collided head on in Anding, Mississippi. The collision occurred on the CN Yazoo Subdivision, where the trains were being operated under a centralized traffic control signal system on single track. Signal data indicated that the northbound train, IC 1013 North, continued past a stop (red)

signal at North Anding and collided with the southbound train, IC 1023 South, about 1/4 mile beyond the signal. The collision resulted in the derailment of 6 locomotives and 17 cars. About 15,000 gallons of diesel fuel were released from the locomotives and resulted in a fire that burned for about 15 hours. Two crewmembers were on each train; all four were killed. As a precaution, about 100 Anding residents were evacuated; they did not report any injuries. Property damages exceeded \$9.5 million; clearing and environmental cleanup costs totaled about \$616,800.

8) At 4:56 a.m., central daylight time, on October 15, 2005, westbound Union Pacific Railroad (UP) train ZYCLD 13 2 collided with the rear of standing UP train MPBHG 15 in the UP rail yard in Texarkana, Arkansas. The collision resulted in the puncture of a railroad tank car containing propylene, a compressed flammable gas. The propylene was heavier than air and flowed near the ground into a nearby neighborhood. The flowing gas reached a house where an unknown ignition source ignited the gas, and the house exploded. The single occupant was killed. The fire moved quickly along the flowing gas back to the punctured tank car. A second, unoccupied, home was destroyed in the fire, and a wooden railroad trestle burned completely. Approximately 3,000 residents within a 1-mile radius of the punctured tank car were advised to evacuate the area. The two crews and the employees working at the Texarkana yard were not injured, and they evacuated the area safely. Between 5:00 a.m. and 7:00 a.m., the wind was calm, the visibility was 10 miles, and the temperature was approximately 59° F. Total damage was \$2.4 million, including \$325,975 in equipment damage and \$2,053,198 in track damage.

9) About 5:03 a.m., central daylight time, on Monday, June 28, 2004, a westbound Union Pacific Railroad (UP) freight train traveling on the same main line track as an eastbound BNSF Railway Company (BNSF) freight train struck the midpoint of the 123-car BNSF train as the eastbound train was leaving the main line to enter a parallel siding. The accident occurred at the west end of the rail siding at Macdona, Texas, on the UP's San Antonio Service Unit. The collision derailed the 4 locomotive units and the first 19 cars of the UP train as well as 17 cars of the BNSF train. As a result of the derailment and pileup of railcars, the 16th car of the UP train, a pressure tank car loaded with liquefied chlorine, was punctured. Chlorine escaping from the punctured car immediately vaporized into a cloud of chlorine gas that engulfed the accident area to a radius of at least 700 feet before drifting away from the site. Three persons, including the conductor of the UP train and two local residents, died as a result of chlorine gas inhalation. The UP train engineer, 23 civilians, and 6 emergency responders were treated for respiratory distress or other injuries related to the collision and derailment. Damages to rolling stock, track, and signal equipment were estimated at \$5.7 million, with environmental cleanup costs estimated at \$150,000.

10) About 2:39 a.m. eastern standard time on January 6, 2005, northbound Norfolk Southern Railway Company (NS) freight train 192, while traveling about 47 mph through Graniteville, South Carolina, encountered an improperly lined switch that diverted the train from the main line onto an industry track, where it struck an unoccupied, parked train (NS train P22). The collision derailed both locomotives and 16 of the 42 freight cars of train 192, as well as the locomotive and 1 of the 2 cars of train P22. Among the derailed cars from train 192 were three tank cars containing chlorine, one of which was breached, releasing chlorine gas. The train engineer and eight other people died as a result of chlorine gas inhalation. About 554 people complaining of

respiratory difficulties were taken to local hospitals. Of these, 75 were admitted for treatment. Because of the chlorine release, about 5,400 people within a 1-mile radius of the derailment site were evacuated for several days. Total damages exceeded \$6.9 million.

11) On September 21, 2004, about 3:25 a.m., central daylight time, the Alton and Southern Railway Company 2 remote control train YAS313 derailed during switching operations at the east end of the Gateway Hump Yard in East St. Louis, Illinois. The remote control operator was unable to control the speed of the train as it crested the hump. 3 As the train entered track 066, it collided at 9.6 mph with a tank car containing vinyl acetate. During the collision and subsequent derailment, vinyl acetate began to leak from two tank cars and the cargo from both cars caught on fire.

About 140 people from the surrounding neighborhood were evacuated, and work at the hump yard was suspended. The evacuation order was lifted about 6:00 a.m. No injuries were reported. The weather was clear, about 67° Fahrenheit, with light winds from the south-southeast. It was dark at the time of the accident, but the area was well lit with stadium type lighting.

12) About 9:04 a.m. central standard time on February 9, 2003, northbound Canadian National freight train M33371, traveling about 40 mph, derailed 22 of its 108 cars in Tamaroa, Illinois. Four of the derailed cars released methanol, and the methanol from two of these four cars fueled a fire. Other derailed cars contained phosphoric acid, hydrochloric acid, formaldehyde, and vinyl chloride. Two cars containing hydrochloric acid, one car containing formaldehyde, and one car containing vinyl chloride released product but were not involved in the fire. About 850 residents were evacuated from the area within a 3-mile radius of the derailment, which included the entire village of Tamaroa. No one was injured during the derailment, although one contract employee was injured during cleanup activities. Damages to track, signals, and equipment, and clearing costs associated with the accident totaled about \$1.9 million.

13) About 9:30 a.m. central daylight time on September 13, 2002, a 24,000-gallon-capacity railroad tank car, DBCX 9804, containing about 6,500 gallons of hazardous waste, catastrophically ruptured at a transfer station at the BASF Corporation chemical facility in Freeport, Texas. The tank car had been steam-heated to permit the transfer of the waste to a highway cargo tank for subsequent disposal. The waste was a combination of cyclohexanone oxime, water, and cyclohexanone. As a result of the accident, 28 people received minor injuries, and residents living within 1 mile of the accident site had to shelter in place for 5 1/2 hours. The tank car, highway cargo tank, and transfer station were destroyed. The force of the explosion propelled a 300-pound tank car dome housing about 1/3 mile away from the tank car. Two storage tanks near the transfer station were damaged; they released about 660 gallons of the hazardous material oleum (fuming sulfuric acid and sulfur trioxide).

14) At approximately 1:37 a.m. on January 18, 2002, eastbound Canadian Pacific Railway freight train 292-16, traveling about 41 mph, derailed 31 of its 112 cars about 1/2 mile west of the city limits of Minot, North Dakota. Five tank cars carrying anhydrous ammonia, a liquefied compressed gas, catastrophically ruptured, and a vapor plume covered the derailment site and surrounding area. The conductor and engineer were taken to the hospital for observation after they complained of breathing difficulties. About 11,600 people occupied the area affected by the

vapor plume. One resident was fatally injured, and 60 to 65 residents of the neighborhood nearest the derailment site were rescued. As a result of the accident, 11 people sustained serious injuries, and 322 people, including the 2 train crewmembers, sustained minor injuries. Damages exceeded \$2 million, and more than \$8 million has been spent for environmental remediation.

15) About 3:45 a.m., eastern daylight time, on July 14, 2001, at the ATOFINA Chemicals, Inc., (ATOFINA) plant in Riverview, Michigan, a pipe attached to a fitting on the unloading line of a railroad tank car fractured and separated, causing the release of methyl mercaptan, a poisonous and flammable gas. About 4:09 a.m., shortly after the Riverview Fire Department chief arrived on scene, the methyl mercaptan ignited, engulfing the tank car in flames and sending a fireball about 200 feet into the air. Fire damage to cargo transfer hoses on an adjacent tank car resulted in the release of chlorine, a poisonous gas that is also an oxidizer. The fire was extinguished about 9:30 a.m. Three plant employees were killed in the accident. There were several other injuries; most of the injured were treated for respiratory symptoms and released. About 2,000 residents were evacuated from their homes for about 10 hours. Two tank cars, railroad track, and plant equipment (including hoses and fittings) were damaged in the fire.

16) On Saturday, May 27, 2000, about 11:48 a.m., central daylight time, 33 of the 113 cars making up eastbound Union Pacific Railroad train QFPLI-26 derailed near Eunice, Louisiana. Of the derailed cars, 15 contained hazardous materials and 2 contained hazardous materials residue. The derailment resulted in a release of hazardous materials with explosions and fire. About 3,500 people were evacuated from the surrounding area, which included some of the business area of Eunice. No one was injured during the derailment of the train or the subsequent release of hazardous materials. Total damages exceeded \$35 million.

17) About 12:05a.m. on February 18, 1999, railroad tank car UTLX643593, which was on the west unloading rack at the Essroc Cement Corporation (Essroc) Logansport cement plant near Clymers, Indiana, sustained a sudden and catastrophic rupture that propelled the tank of the tank car an estimated 750 feet and over multistory storage tanks. The 20,000-gallon tank car initially contained about 161,700 pounds (14,185 gallons) of a toxic and flammable hazardous waste that was used as a fuel for the plant's kilns. There were no injuries or fatalities. Total damages, including property damage and costs from lost production, were estimated at nearly \$8.2million.

18) About 6:10 a.m., central daylight time, on September 2, 1998, the 17th through 19th cars and the first two platforms of the five-platform 20th car of westbound Burlington Northern and Santa Fe Railway Company intermodal freight train S-CHILAC1-31 derailed at Crisfield, Kansas. The accident occurred when the 18th car from the locomotive, DTTX 72318, an articulated, five-platform, 125-ton double-stack car, experienced a separation between the floor shear plate and bulkhead bottom angle at the leading end of the car's B platform. The separation allowed the car to sag below the rails, catch a part of a switch, and derail.

The train was traveling 68 mph through the east siding switch at Crisfield, milepost 291.7, on the Panhandle Subdivision of the railroad's Amarillo Division, when it began to derail. The train then went into emergency braking and stopped after traveling about 1/2 mile. The derailment resulted in a pileup involving four articulated multiplatform cars carrying intermodal shipping containers. Some of the containers were breached, resulting in the release of hazardous materials

and fires. About 200 people were evacuated within a 5-mile radius. No injuries resulted from either the derailment or the hazardous materials releases. Estimated damage was \$1.3 million.

19) About 12:37 p.m. eastern daylight time on Saturday, June 20, 1998, 30 of the 148 cars making up eastbound CSX Transportation, Inc., (CSX) train Q316 derailed at Cox Landing, West Virginia. Of the derailed cars, three were loaded with hazardous material, and eight others contained hazardous material residue. Two of the loaded cars were damaged in the pileup and leaked a combined volume of about 21,500 gallons of formaldehyde solution. No one was injured during the derailment of the train; however, 15 persons reported minor injuries as a result of the release of formaldehyde. Total damages in the accident exceeded \$2.6 million.

20) At 4:30 a.m., on April 2, 1997, tank car ACAX 80010 arrived at the Illinois Central Railroad yard in Memphis, Tennessee, on Illinois Central train No. GEME 01. At 12:05 p.m., a railroad inspector noticed leakage from the tank car during switching operations. The tank car was filled with anhydrous hydrogen fluoride, a corrosive and poisonous liquid. Vapor appeared to be leaking from a weld at a 2- by 3-foot patch in the tank wall. About 150 people (26 residences) were evacuated from a ½-mile radius around the yard for about 17 hours while the leak was controlled and the material was transferred to another tank car. No injuries were reported.

The tank car had been loaded at Allied-Signal, Inc., (the tank car owner and shipper) in Geismar, Louisiana, on March 17, 1997, and shipped on March 31, 1997, destined for Cameco in Port Hope, Ontario, Canada. The tank car had been removed from service for repairs in February 1997; the repairs included cutting out a 2- by 3-foot section of the tank wall and welding a patch into the wall. This shipment was the tank car's first after being returned to service.

21) On February 21, 1996 at about 5:55 a.m., mountain standard time, Southern Pacific Lines freight train 1ASRVM-18 derailed 39 cars and 2 locomotives while descending the Tennessee Pass, a 3.0 percent grade in the Rocky Mountains of Colorado. The train's three-member traincrew consisted of a locomotive engineer, a student locomotive engineer, and a conductor. According to the conductor, the train was being operated by the student engineer. As the train started the mountainous descent it began gaining speed and eventually ran away. The runaway train broke apart three different times, resulting in three separate derailments.

The derailment resulted in the death of both engineers. The conductor, who was in the second locomotive unit during the runaway, survived with serious injuries. As a result of the derailment 51,606 gallons of sulfuric acid and 19,733 gallons of triethylene glycol, both regulated hazardous materials, were released. Four family members living on a nearby farm were evacuated from the area. Monetary damage was estimated to be \$6.8 million.

22) About 4:10 a.m., mountain daylight time, on April 11, 1996, 19 cars from Montana Rail Link (MRL) freight train 01-196-10 derailed near Alberton, Montana. Six of the derailed cars contained hazardous materials. One derailed tank car containing chlorine (a poison gas) ruptured, releasing 130,000 pounds of chlorine into the atmosphere; another tank car containing potassium hydroxide solution (potassium cresylate, a corrosive liquid) lost 17,000 gallons of product; and a covered hopper car containing sodium chlorate (an oxidizer) spilled 85 dry gallons onto the ground.

About 1,000 people from the surrounding area were evacuated. Approximately 350 people were treated for chlorine inhalation, 123 of whom sustained injury. Nine people, including both members of the train crew, were hospitalized. A transient riding the train died from acute chlorine toxicity.

U.S. Interstate Highway 90 (I-90) is roughly parallel and about 150 yards north of the MRL tracks at the accident site. The hazardous material cloud drifted across I-90 resulting in multiple highway traffic accidents. Several motorists were stranded in the cloud after these accidents. I-90 was closed following the accident requiring an 81-mile detour. Monetary damage was estimated to be \$3.9 million.

The Governor of Montana declared a state of emergency in Missoula and Mineral County. On April 14, 1996 the evacuation area was reduced to 15 square miles; the residents were temporarily escorted into the area to feed and water livestock animals, retrieve some personal possessions, and locate pets. Residents were allowed to return to their homes, and I-90 was reopened 17 days after the accident.

23) About 5:00 a.m. eastern standard time on February 7, 1996, in Sweetwater, Tennessee, Norfolk Southern eastbound train M34T5 stopped on the main track to allow a westbound train to pull onto a siding. About 5:30 a.m., as the engineer began to move his train forward, an uncommanded emergency brake application occurred. The train had moved about 33 feet and reached a speed of about two mph. When the train conductor walked back to determine the cause of the emergency brake application, he discovered that tank car GATX 92414 had separated almost completely into two halves near the middle of the tank and that about 8,000 gallons of carbon disulfide, a flammable and toxic material, had spilled. As a result of the spill, about 500 people were evacuated from the area, including residents of a nursing home. Five people were seen at a local hospital, but only one person was admitted.

About noon on February 9, 1996, emergency crews determined that the released carbon disulfide did not pose a problem outside the immediate area of the tank car, and the evacuation order was lifted. The Sweetwater Fire Department then relinquished control of the site to the Environmental Protection Agency on-scene coordinator (EPA OSC), and the focus of the activities at the site became environmental cleanup and product recovery.

About 4:45 p.m. on February 9, the EPA OSC decided to permit access to the tank car to examine the fracture surfaces before the tank was moved. Initially, polyethylene tarpaulins and plywood were placed over the spill area near the failed tank car. However, at 10:00 p.m., after discussions with the chemical shipper, Akzo Nobel Chemicals, Inc., the EPA OSC became concerned that the polyethylene tarpaulin and plywood could trap pockets of carbon disulfide vapors, which could possibly be ignited by people walking over the tarpaulin.

At 1:40 a.m. on February 10, as Norfolk Southern contractor personnel were attempting to remove the tarpaulin, a flash fire occurred. Four contractor personnel were caught in the flash fire, but because the fire was of short duration and the flames were low to the ground, no injuries resulted. Sweetwater emergency response agencies were not on scene at the time, but the Sweetwater fire chief resumed control of the site shortly after this fire and initiated a second area-wide evacuation. On February 12, following cleanup activities at the site, this evacuation was lifted.

24) At 3:55 p.m. on October 23, 1995, at the Gaylord Chemical Corporation plant in Bogalusa, Louisiana, yellow-brown vapors began leaking from the dome of the DOT class 105A railroad

tank car UTLX 82329 that contained a mixture of nitrogen tetroxide, which is a liquefied poisonous gas and oxidizer, and water. The vapors initially formed a plume between 10 and 15 feet in diameter. Plant personnel notified emergency response agencies and used two plant fire hoses to spray water into the plume to suppress the vapors. About 4:30 p.m. Bogalusa fire personnel arrived at the plant and set up fire hoses to help-suppress the vapors.

The head on the B-end of the tank car failed about 4:45 p.m., resulting in one end of the tank car jacket being torn away and thrown about 350 feet. The tank car was then propelled 35 feet down the track and derailed at a track bumping block. A large reddish-brown vapor cloud was released from the tank car. Vapors continued to be released from the opening in the tank car for another 36 hours until the chemical reaction that had occurred within the tank was brought under control through neutralization and dilution.

Some 3,000 people were evacuated from the area as a result of the vapor cloud. Of 4,710 people who were treated at local hospitals, 81 people were admitted.

25) Freight Train Derailment and Puncture of Hazardous Materials Tank Cars, Crestview, Florida, April 8, 1979

About 8 AM on April 8, 1979, 26 placarded cars (of 29 car train) containing hazardous materials, of Louisville and Nashville Railroad Co freight train derailed while moving around a curve between Milligan and Crestview, Florida. Two tank cars of anhydrous ammonia ruptured and rocketed. Twelve other cars containing acetone, methyl alcohol, chlorine, carbolic acid and anhydrous ammonia ruptured and burned. 14 persons injured, 4,500 persons evacuated. Released chlorine and anhydrous ammonia formed a cloud that threatened a 300-square mile area.

The train consisted of 5 locomotives and 114 cars (107 loaded, 6 empty and a caboose), including 67 cars containing hazardous materials. Total trailing weight, 11,360 tons.

Train separated between 36th and 37th cars and several cars had derailed. Tank cars were lying in line along outside of curve. A fire had started in tank cars jackknifed along tracks. About 8:03 AM the 59th car exploded, releasing a gas cloud and propelling a part of the car eastward. One portion of the tank car rocketed east 650 feet; one portion west 250 feet. The 56th car containing anhydrous ammonia derailed, rolled over and dislodged its dome housing cover. Its relief valves were damaged and the tank car stopped upside down on top of its relief vent. One end pointing up and the lower end engulfed in a ground spill of acetone and methyl alcohol released from other ruptured cars. Train embankment where flammable materials pooled. About 8:23 AM the 56th car exploded. Derailed cars 48 through 55 were engulfed in a bright yellow-orange fire, which continued to burn for about 60 hours, consuming the acetone, methyl alcohol and carbon tetrachloride. All the breached cars contained residues which slowly vented in the wreck area for 5 days. Phosgene gas wafted from carbon tet car. 17 derailed cars had a capacity of 33,500 gallons. Extensive fire damage within 130-foot radius of derailed and burning cars. All trees and ground cover extending for 650 feet northwest of the derailment site were defoliated by the ammonia cloud.

Despite the use of self-contained breathing apparatus and short work shifts, 10 wreckclearing workers were overcome with fumes. Some were hospitalized. Sheriff and civil defense personnel evacuated several hundred people in the Town of Milligan and a 1-square mile area to the west of the derailment. When vapor cloud rose over 200 feet and began moving westward, evacuation area was extended 4.5 miles to the Town of Baker and involved over 1,500 residents. Information about the cloud observed by Air Force

AC 130 aircraft. By 11:30 AM, evacuation area extended to include the entire northwest quarter of Oakloosa County, over 300 square miles and more than 4,500 residents. By noon the cloud extended 28 miles northward to the Florida-Alabama state line. During the next day the fire began to subside and the vapor cloud reduced to a height of 1,000 feet. The evacuation area was reduced from 13 miles to 4 miles downwind. Residents in the outward evacuation area were allowed to return home by 7 AM on April 10. By 4:15 AM on April 11, the tank car fires had burned out between April 12 and 16, all hazardous materials transferred. On April 13 all residents were allowed to return home.

26) Illinois Central Gulf Railroad Company Freight Train Derailment, Hazardous Material Release and Evacuation, Muldraugh, Kentucky, July 26, 1980

About 758 AM on July 26, 1980, 4 locomotive units and 17 cars (38 trailing cars total), including 7 placarded tank cars containing hazardous materials were in Muldraugh, Kentucky. Two tanks cars of vinyl chloride were punctured and their contents burned. About 6,500 persons were evacuated from Muldraugh and the US Army installation at Fort Knox.

All the locomotive units derailed and overturned. The following 17 cars derailed. 7 tank cars contained hazardous materials. Six contained vinyl chloride and one contained chlorine. Gas escaped and ignited.

Shortly after the derailment, crewmembers informed the Muldraugh police and Fort Knox military personnel. 6,500 persons were evacuated, including 4,000 military personnel. At about 8:25 AM, KY Division of Disaster and Emergency Services (DES) was called in by local authorities to implement an emergency response plan. A temporary command post with DES in charge was established about 3/4 mile from the site and was later moved to a bldg at Fort Knox. Three highways and the air space (3 mile radius, 10,000 foot ceiling) was closed to air traffic. The evacuation area was reduced from 2 miles to 1 1/4 miles. The US Army provided assistance throughout the emergency.

27) Derailment of Southern Pacific Transportation Train Carrying Radioactive Material at Thermal, California, January 7, 1982.

About 9:50 PM on January 7, 1982, Southern Pacific Transportation Co freight train No. 01-BSMFF-05, derailed 14 cars at Thermal, California. Presence of radioactive material in the derailed Trailer-On-Flat-Car train discovered about 1 hour after the accident occurred. Accurate info regarding the precise nature of the radioactive material shipment not available at the accident site until 5 hours after the derailment. The radioactive placards were located about 5:00 AM. The truck trailer, on car 48, carrying americium was destroyed and their lading was badly damaged. The Ram consisted of 16 Ci of Am-241 and Be in mixture to be utilized in oil well exploration. The container consisted of a welded mild steel closed cylinder, about 20 inches long and 17 inches in diameter. An inner 2 inch diameter stainless steel tube contained a pressure vessel, The interior void was filled with polyethylene, a neutron absorber. Gross weight was 155 lb. The outer container had no damage.

Four transients on the deck of the flat cars were injured, and one died.

28) Derailment of Illinois Central Gulf Railroad Freight Train and Release of Hazardous Materials at Livingston, Louisiana, September 28, 1982

About 5:12 AM on September 28, 1982, Illinois Central Gulf Railroad (ICG) freight

train extra 9629 East derailed 43 cars (a total of 84 loaded cars and 16 empties plus a caboose) on the single line main track in Livingston, Louisiana. Of the derailed cars, 36 were tank

cars, 27 of these containing toxic or hazardous commodities and 5 contained flammable petroleum products. A total of 20 tank cars were punctured or breached in the derailment. Fires broke out in the wreckage. Thermally-induced explosions of two tank cars that had not been punctured caused them to rocket violently. About 3000 persons living within a 5-mile radius of the derailment site were evacuated for as long as two weeks. 19 residences and other buildings in Livingston were destroyed or severely damaged. More than 200,000 gallons of toxic chemical product were spilled, requiring extensive excavation of contaminated soil and its transportation to a distant dump site. This has resulted in long-term closure of the railroad line and an adjacent highway. Apparently the engineer was drunk and an unqualified person was at the controls.

The 16th through the 58th head cars had derailed along the main track for a distance of 750 ft at milepost 26.8 The 26th through 32nd car were tank cars with vinyl chloride, a flammable gas. Two were breached in the derailment, creating the fireball which extended 400 ft from the south margin of Hwy 190 across the derailment site to 250 ft north of the track, enveloping a brick house. The

Louisiana State Police undertook the coordination of the response and evacuated 2,700 persons within a 5-mile radius. 75 tank cars, 7 of which were empty. A total of 55 tank cars were placarded as follows:

Placard	Derailed	Not Derailed
Chlorine	0	1
Flammable Gas	8	6
Flammable Liquid	1	6
Flammable Solid	1	0
Poison	4	1
Corrosive	14	14

A fire ball ignited oil leaking from the 22nd and 23rd cars. Vinyl chloride gas venting from the 30th and 31st cars burned as well as styrene monomer and toluene diisocyanate leaking from the 52nd and 54th cars. The fires fed by vinyl chloride and plastic pellets pressurized the 27,28 and 32 cars which began to vent and bum. The fire became so intense that the 36th car, loaded with motor fuel anti-knock compound, exploded about 19 hours after the derailment, propelled into the pine grove north of the derailment. A second explosion occurred 82 hours following the derailment. The south tank head of the 29th car, loaded with vinyl chloride, was propelled 225 feet south. Most of the tank rocketed 425 feet north. Airborne fragments set fire to a 55-foot mobile home 500 feet south of the derailment site. Other parts traveled as far as 1,500 feet south.

On October 4, concern over the stability of burning styrene monomer prompted emergency personnel to extinguish the fire and demolish the car with explosive charges the next day. On October 11, 6 vinyl chloride cars were detonated. In all, 36 cars were destroyed. The car chemical products lost:

Commodity	Gallons
Vinyl chloride	163043
Styrene monomer	23145

Motor tiel anti-knock compound	5666
Toluene diisocyanate	2259
Phosphoric acid	148552
hydrofluosilicic acid	19780
Sodium hydroxide	15363
Perchloroethylene	14028
ethylene glycol	20840

Most of the chemicals not burned were captured from catch basins and diked drainage ditches. More than 100 truckloads of recovered and neutralized chemicals were transported to designated dump sites. More than 60,000 cubic yards of soil were toxically contaminated and trucked 150 miles to a dump site. Extensive scorching of trees, etc within a 1000 foot radius of the derailment.

29) Vinyl Chloride Monomer Release from a Railroad Tank Car and Fire, Formosa Plastics Corporation Plant, Baton Rouge, Louisiana, July 30,1983

At 3:45 AM on July 30, 1983, vinyl chloride monomer under pressure escaped from a railroad tank car at the loading facility within the Formosa Plastics Corp manufacturing plant. The released VCM was ignited and a large billowing fire ensued. VCM is a flammable compressed gas, easily ignitable, producing hazardous combustible gases composed of hydrogen chloride and carbon monoxide. The tank car had a capacity of 24,859 gallons and a fully loaded weight of 90 tons. One fire burned for 120 hours.

30) Denver and Rio Grande Western Railroad Company Train Yard Accident Involving Punctured Tank Car, Nitric Acid and Vapor Cloud and Evacuation, Denver, Colorado, April 3,1983

About 4AM on April 3, 1983, a Denver and Rio Grande Western Railroad Company switch crew was switching 17 cars in the North Yard in Denver, Colorado when a coupler broke on the fourth car, leading to a 150 foot separation between the 3rd and 4th car. The engineer accelerated and plowed into a loaded car ahead at a speed of 10-12 mph. Upon impact, the end sill of the fourth car, an empty box car, over-rode the coupler of the loaded tank car and punctured the tank head. Nitric acid spilled from the car, formed a vapor cloud which dispersed over the area. As a result, 34 persons were injured and 9,000 persons were evacuated from the area. The fire department arrived at 4:12 AM. But at 4:23 AM, the Denver Hazardous Materials Coordinating Chief arrived on the scene and called off the firefighters. They withdrew to a safe distance -1200 feet. Seven cars of soda ash were located, 780 tons and arrived at 11 AM. A snow blower spread the soda ash, and it took about 1 1/2 hours. The coupler between the loosened cars had failed completely.

31) Derailment of St Louis Southwestern Railway Company (Cotton Belt) Freight Train and Release of Hazardous Materials Near Pine Bluff, Arkansas, June 9,1985

About 1:33 PM on June 9, 1985, St Louis Southwestern Railway Company freight train extra 4835 north derailed while passing over a ballast deck pile trestle located about 3.3 mi southwest of Pine Bluff, Arkansas. 18 of the 42 derailed cam were loaded tank cars

and 14 of these contained regulated hazardous or toxic chemical commodities; 4 others contained non-regulated flammable petroleum. Fire broke out in the wreckage; two tank cars subjected to intense thermal exposure exploded. More than 2800 persons were evacuated from a 1-mile radius.

Fire broke out immediately in the wreckage of 31 cars south of the bridge. Two tanks cars containing butyl acrylate, a combustible liquid, rupture and ignited. Burning liquid engulfed an insulated tank car loaded with liquid synthetic plastic and an insulated car containing ethylene oxide, a flammable liquid. Two derailed cars contained vinyl chloride and two tanks cars contained hydrogen fluoride anhydrous, a dangerous corrosive chemical.

The first fire crews were on the scene at 1:39 PM, 6 minutes after the accident. The conductor gave details of tank contents and instructions to the asst fire chief. For ethylene oxide, the recommended evacuation zone was 5000 foot radius. Rather than fight the fire, an estimated 2,840 persons were evacuated.

Initially the fire was caused by liquid butyl acrylate released from two punctured tank cars, but it spread rapidly to pelletized synthetic plastic that was spilled from four covered hopper cars, two of which were on top of the still intact ethylene oxide car. The car exploded at 6:40 AM on June 10, 17 hours after the accident occurred. A torch fire burned a large hole in one of the derailed tank cars containing liquid synthetic plastic (polyethylene polyphylisocyanate). This car burned and another filled with the same material exploded about 4:30 AM on June 11. After this, the fire diminished and unmanned fire hoses were set up by the fire department. The emergency was removed at 2:12 PM on June 15.

32) Collision and Derailment of Montana Rail Link Freight Train with Locomotive Units and Hazardous Materials Release, Helena, Montana, February 2, 1989

About 4:30 AM on February 2, 1989, freight cars from, Montana Rail Link west bound train 1-121-28 rolled eastward down a mountain grade and struck a stopped helper locomotive. Train 121:3 helper units, 3 road units, 49 car train. 15 cars derailed including 3 tank cars containing hydrogen peroxide, isopropyl alcohol and acetone. Hazardous material released resulted in a fire and explosions. About 3,500 persons in Helena were evacuated. The locomotiveless cars and helper unit 1 collided. 21 cars involved and 15 derailed Engineer saw three tank cars, one was venting a whitish gray cloud. No flames sighted.

At 4:40 yard clerk saw orange glow. Clear liquid flowing in trackside ditch westward towards Benton Ave. Saw flames 2 feet high. First explosion occurred 3 to 4 seconds later. A second explosion occurred 1 to 2 seconds later. Flames 100 feet in the air. Second explosion was blue-white flash and loud noise. The crew of 121 was still traveling down the mountain and saw the explosion about 1 mile away.

On February 2, the mayor declared a local disaster and ordered an evacuation beginning 5:30. The initial evacuation was more than 1/2 mile radius, later reduced. By 10 on February 4, the evacuation was ended. About 3,500 people were involved. Extensive damage to a college dormitory. Damage to homes within 3 mile radius of accident, including homes penetrated with fragments weighing several hundred pounds. Carroll College reported major damage to 10 buildings.

All the hydrogen peroxide (18,950 gallons) and all the isopropyl alcohol were released.

38% of the hydrogen peroxide (7,300 gallons) in another tank car released. A mixture of hydrogen peroxide and molten polyethylene could explode. Estimated force of second explosion equivalent to 10 tons of TNT (**interaction between 9.1 tons of 70% hydrogen peroxide and 0.9 tons of polyethylene.**

33) Burlington Northern Inc Monomethylamine Nitrate Explosion, Wenatchee, Washington, August 6, 1974

At 12:32 PM on August 6, 1974, a shipment of Monomethylamine Nitrate solution detonated during routine switching operations in the BN Apple Yard in Wenatchee, Washington. The explosion killed two persons, injured 113 and destroyed equipment and buildings. On July 29, about 10,000 gallons of PRM was shipped by DuPont, Biwabik, MN to DuPont, Wash. The tank car arrived, after several stops, in Wenatchee at 6:55 AM on August 6, 1974. The shipment was involved in switching operations when it began to spew smoke and fire then detonated.

Apple Yard lies on the west bank of the Columbia River, south of Wenatchee. The T was 82°F. At the time there were nine cars adjacent to the car. The area surrounding the yard was residential.

Parts of the tank car were found one mile from the accident. Many cars were ignited and hundreds of acres of grassland burned. Most of the structural damage was within a radius of one mile, but broken glass was reported 3.5 mi east and 2.5 mi north. 71 cars and 4 containers were demolished. The cargo was PRM crystals in a water solution, to be used in a explosive product called TOVEX.. About 4000 pieces weighing 3,760 lbs or 19% of the tank shell were recovered.

34) Southern Pacific Transportation Co. Freight Train 2nd BSM 22 Munitions Explosion, Benson, Arizona, May 24, 1973

At 4:30 PM on May 24, 1973, Southern Pacific Co.'s freight train, 2nd BSM 22, left Lordsburg, New Mexico, a stop enroute from San Antonio to San Francisco. Cars 35 through 46 contained MK 82, 500-lb bombs. A series of explosions occurred between 6:50 PM and 1:15 AM that destroyed 12 munitions boxcars. The first explosion occurred with car 38. The explosion did not interfere with the progress of the train and occurred without the knowledge of the train crew. The conductor in the caboose notices burning crossties and notified the engineer who began braking. The train was traveling at 30 mph at the time.

A second explosion occurred which blew 6 bombs and a portion of a 7th from car 38. When the conductor saw fire and black smoke, he placed the train brakes in emergency and jumped from the caboose. Reconstruction of the accident showed that a piece of flooring was exposed to a fire of 1500 °F for 25 minutes. The outside of the board burned about 5 minutes.

As car 98 passed the point of the original explosion, a low order explosion of one of the bombs that had been expelled from car 38 produced a small crater. The train separated between cars 35 and 34. Explosions of varying intensity continued until 1:15 AM on May 25 (7 hours later!).

The accident occurred in a sparsely populated region of Arizona; the nearest residence was 5 miles away.

The MK 82 bombs consisted of coated steel casing filled with tritonal, fuse wells and

charging tubes for arming the bombs.

The major explosions produced a 115 foot by 93 foot crater, 25 feet deep and scorched the desert 1/4 mile in all directions. The force of three of the main explosions were recorded by Seismological Observatory in Tucson, Arizona as 1.6, 1.4 and 1.2 on the Richter scale. Several cars exploded at about the same time. About 500 of the 2600 bombs were recovered unexploded. Bombs were blown as far as 1 mile from the main crater area. Windows were shattered in a home 5 miles from the accident. Spacer cars between explosive cars would have been helpful.

35) Derailment of Southern Pacific Transportation Company Freight Train on May 12, 1989 and Subsequent Rupture of Calnev Petroleum Pipeline on May 25, 1989, San Bernardino, California

About 7:36 AM on May 12, 1989, Southern Pacific Transportation Co freight train 1-MJLBP-111 consisting of a 4 unit locomotive on the head end of the train, 69 hopper cars loaded with trona and a 2 unit helper locomotive on the rear of the train derailed at milepost 486.8 in San Bernardino, California. The entire train was destroyed. Seven homes were totally destroyed and 4 were extensively damaged. 2 crew members died and 3 were injured. Two residents were killed and one injured. Homes in the surrounding area were evacuated because of concern the adjacent 14 inch Calnev pipeline carrying gasoline and under the wreckage would rupture. Residents returned to their homes 24 hours after the derailment.

About 8:05 AM on May 25, 1989, 13 days after the train derailment, the pipeline ruptured at the site of the derailment and ignited. 2 residents were killed, 3 received serious injuries and 16 reported minor injuries. Eleven homes were destroyed and 3 received smoke damage. 21 motor vehicles were destroyed. Residents within a four block area were evacuated.

Total injured: 6 serious, 23 minor. Total killed: 6

36) Derailment of CSX Transportation Inc Freight Train and Hazardous Materials Release Near Freeland, Michigan on July 22, 1989

About 11:20 am July 22, 1989 CSX Transportation Inc freight train R-331-22 derailed near Freeland, Michigan. The train consisted of 2 locomotives, 17 loaded cars, 15 empty cars and an unoccupied caboose. Of the 14 derailed cars, 6 were tanks cars. About 1000 residents were evacuated for 7 days.

At about 11:20 AM the train crew felt a slight lurch followed almost immediately by the train going into emergency. When they looked back, they saw cars derailing amid a large fireball and black smoke. About 1000 residents were evacuated within a 1/2 mile radius of the accident site. Hazardous materials burned for 6 days. The evacuation order was lifted at 8:56 PM on July 29.

Of the 15 cars that contained hazardous materials, 7 derailed. They included cars loaded with styrene monomer, acrylonitrile, acrylic acid, petroleum naphtha and a mixture of chlorosilanes, including trimethylchlorosilane. Styrene and acrylic acid are flammable, corrosive and can polymerize, releasing heat in the process. Acrylonitrile and trimethylchlorosilane are flammable liquids, corrosive and difficult to extinguish. The latter forms hydrochloric acid in the presence of water.

On July 23, all parties decided to allow the burning to proceed. On July 25, with the

trimethylchlorosilane still burning, the fire chief tried sodium bicarbonate. A reaction occurred that created hydrogen gas that ignited. Tried increased air to accelerate burning. Still burning on July 28. Tank cars emptied and evacuation lifted at 8:56 pm on July 29.

37) Southern Railway Company Train 154 Derailment with Fire and Explosion, January 25, 1969

Southern Railway Company train 154 was wrecked at Laurel, Mississippi, about 145 mi north of New Orleans, on January 25, 1969 at about 4:15 am when 15 tank cars of liquefied petroleum gas derailed. The train, with four locomotives, 139 cars and caboose was moving northward at 30 mph when the west wheel on the lead truck of the 62nd car broke. The car derailed about 256 feet north; the entire train behind the 62nd car derailed 2,146 feet further north.

For about 40 minutes after the derailment there were continued explosions; pieces of tank cars ranging in size from 3/4 of a tank car to small parts were hurled up to 1,600 feet from the wreck, igniting dwellings and commercial buildings. At least 3 tanks rocket-propelled over long distances and started fires where they came to rest. Residents were evacuated from an area about 10 blocks square. A total of 54 residences were substantially destroyed and over 1350 residences suffered some damage. On January 26 residents returned and slow speed service was restored at 5:30 PM.

The first 61 cars remained on track. The rear 63 cars remained on track, with the 76th car stopping about 20 feet from the derailed cars. Large mushrooms of flaming propane shot hundreds of feet into the air. 19 pieces of tanks were hurled off the right of way. One piece of tank car was hurled into a pump-house of a city well and cut an 8 inch water main, reducing the pressure. The fires in the residential area were under control by 11 am, 6 1/2 hours after the wreck occurred.

A 37 foot section was propelled 1000 feet in the air from the wreck, bouncing several - times and coming to rest 1600 feet from the wreck center. A 37 foot section was propelled 800 feet from the wreck, striking the peak of a roof, then bounced to about 1100 feet from the wreck.

The Police Chief issued instructions to seal off the area and evacuate residents at 4:20 AM. There was no telephone and electric power in parts of the city. No explosions after 5 AM. A damaged tank car was exploded. Residents returned at 10:30 AM January 26. Broken windows as far south as 3 mi from Laurel. 2 fatalities and 33 persons hospitalized.

38) Chicago, Burlington and Quincy Railroad Company Train Derailment and Collision with Tank Car Explosion, Crete, Nebraska, February 18, 1969

At about 6:30 AM on February 18, 1969, Chicago, Burlington and Quincy Railroad Company Train 64 derailed the 72nd to 90th cars at a turnout. The derailed cars struck standing cars on a siding south of the main track and the cars of train 824 standing on a track north of the main track. A tank car in 824 was completely fractured by the impact and released 29,200 gallons of anhydrous ammonia. A gas cloud was released and blanketed the area for quite some time due to weather conditions. 3 trespassers on train 64 were killed and 6 people were killed and 53 injured as a result of the ammonia cloud. The train had parted on the 71st car. The conductor and flagman saw a dense cloud forming, smelled ammonia and ran westward. The 72nd to 75th cars derailed southward

and struck a boxcar and came to rest about 700 ft east of the initial derailment. The 76th and following cars were diverted northward and struck the standing cars of No. 824, including the 3 tank cars loaded with anhydrous ammonia. The 38th and 40th cars containing ammonia were turned on side, east and west of Unona Ave. The tank of the 39th car shattered after being struck by derailed cars, the tank divided into two sections. The top portion, about 16 ft in length, was propelled 200 ft over Highway 33 and landed in the front yard of a residence. The bottom portion of the head, with part of the center sill attached, was hurled northward about 140 feet where it landed along Unona Ave. Anhydrous ammonia is a liquid that boils at -28°F at atmospheric pressure. One part liquid volume becomes 877 parts gas volume. Because of the inversion and lack of wind, the gas cloud remained. 5 people were killed immediately and 28 people injured seriously. Another person died subsequently. Between 200 and 300 people were evacuated with difficulty. Extra marshes were found at the local grain mill and National Guard armory. Evacuees returned home at 11 am February 20th.

39) Penn Central Transportation Co Freight Train Derailment, Passenger Train Collision with Hazardous Material Car, Sound View, Connecticut, October 8, 1970

8 cars of the westbound freight train Advance CB-1 derailed at Sound View, at 8:50 PM on October 8, 1970. This was immediately prior to the arrival of eastbound passenger train No. 174. This is a double track line. The entire passenger train was derailed and continued through flames. The derailment was due to the breakage of a truck side frame of a car on the freight train.

40) Derailment of Tank Cars with Subsequent Fire and Explosion on Chicago, Rock Island and Pacific Railroad Company Near Des Moines, Iowa, September 1, 1975

At 4PM on September 1, 1975, 17 cars of a Chicago, Rock Island and Pacific Railroad Company train derailed on the main line near Des Moines, Iowa. Eleven of the derailed cars contained LPG.

About 4 PM, either the rear truck of car 26 or the lead of car 27 traversed the frog of a left-hand turnout and derailed towards the east. The coupler of car 28 penetrated the trailing end of car 29. The first of several explosions occurred about 9 minutes after the initial derailment. Parts of 3 tanks rocketed; 3 exploded and formed flat sheets and others burned.

Local firefighter responded immediately but before setting up a 2nd explosion occurred and they decided not to fight the fire. After retreating another car exploded and cast fragments into a nearby storage facility of LPG.

About 15 minutes after the train derailed, the Iowa State Fire Marshall observed the area from a helicopter and ordered that it be evacuated. The area was declared safe for reentry on September 5, 4 days after the accident. An estimated 300,000 gallons of LPG were consumed in the fire.

41) St Louis Southwestern Railway Company Freight Train Derailment and Rupture of Vinyl Chloride Tank Car, Lewisville, Arkansas, March 29, 1978

About 12:10 AM on March 29, 1978, 4 locomotive units and 43 cars of St Louis Southwestern Railway Company freight train SRASK derailed. The body of the 13th car struck and

ruptured the tank head of the 12th car releasing vinyl chloride into the air which ignited. Bldgs within 1500 ft of the ruptured car were damaged and 1700 residents evacuated. The body of the 13th car struck and ruptured the tank head of the 12th car releasing vinyl chloride into the air which ignited. The fire engulfed the locomotive and the first 16 cars, a fireball that extended 1000 ft. The intensity of the fire decreased over 24 hours. Residents were allowed to return the next day.

42) Derailment of Louisville & Nashville Railroad Company's Train No. 584 and Subsequent Rupture of Tank Car Containing Liquefied Petroleum Gas, Waverly, Tennessee, February 22,1978

About 10:25 PM on February 22, 1978,23 cars of a Louisville & Nashville Railroad Company's Train No. 584 derailed at a facing point switch in Waverly, Term. At 2:53 PM on February 24, a derailed tank car containing LPG ruptured, igniting with explosive force. As a result 16 persons died and 43 were injured. 18 buildings and 26 motor vehicles were destroyed. The Waverly fire equipment was destroyed in the fire, but equipment from neighboring communities was brought in.

43) Head-On Collision of Two Penn Central Transportation Company Freight Trains Near Pettisville, Ohio, February 4,1976

About 11:52 PM on February 4, 1976, Penn Central Transpiration Company freight train NY-12 collided head-on with freight train BM-7 near Pettisville, Ohio. The 3 locomotives and 21 cars of NY-12 and the 4 locomotives and 4 cars of BM-7 were derailed. The head locomotive unit of each train was destroyed and the two crew members in each unit were killed.

A Letter of Opposition to the South Coast Rail Project, Stoughton Alternative

Wendy Van Dyke
12 Woodland Drive
South Easton, MA 02375

This letter is intended to act as notice for the record that I am completely opposed to the expansion of the commuter rail line via the proposed Stoughton alternative. My reasons are listed below:

L-085.01

Impacts on Natural Environments/Habitats

First and foremost, the irrevocable damage to the Hockomock Swamp, an Atlantic White Cedar swamp and Area of Critical Environmental Concern, (ACEC), is completely unacceptable. The DCR names it as the largest vegetated freshwater wetland system in Massachusetts, with outstanding natural resource qualities and one of the most extensive inland wildlife habitats in southeastern MA, all of which qualify the Hockomock as BioMap Core Habitat. It contains rare acid fen plant wetland communities and is listed by the MA Natural Heritage and Endangered Species Program, (NHESP) as a Priority Natural Community.

A minimum of 34 vernal pools lie along the proposed Stoughton route, all of which have obligate species and are certified or certifiable. Although the route would follow an existing rail bed and utilize a MA DOT right of way, that rail bed has not been used in over 50 years and is at points virtually indiscernible from the surrounding swamp and forest. The new line would fragment the Hockomock, an environmental problem with its own consequences: "Habitat fragmentation is among the most important of all threats to global biodiversity and 'edge effects'---diverse physical and biotic alterations associated with the artificial boundaries of fragments---are dominant drivers of change in many fragmented landscapes. Edge effects can have serious impacts on species diversity and composition, community dynamics and ecosystem functioning."¹ Routing a rail line through the Hockomock would severely impact and quite possibly destroy its unique and valuable qualities that have been recognized thus far, and which should afford it protection under numerous state and federal laws.

The Hockomock is not the only ACEC which the Stoughton line would fragment: the Fowl Meadow/Ponkapoag Bog area, the Canoe River Aquifer and the Three-Mile River area would be traversed as well. What is the point of designating ACEC's if not for protection?

Water Resource Impacts

The Stoughton alternative would carry trains within the protection Zone II of five of Easton's public wells. (Zone I is a 100 ft. – 400 ft. radius around a wellhead and Zone II comprises an area of an aquifer beyond Zone I that contributes water to a well.) The Stoughton line would pass just 500 ft. west of Easton Well #1. Thus construction impacts and storm water discharge, (significant if a diesel train line is built), would also be present just 500 ft. away from this well, approximately 1,600 ft. and 2,000 ft. away

L-085.02

¹ Laurance, William F., et al., "Habitat Fragmentation, Variable Edge Effects, and the Landscape Divergence Hypothesis", 2007, <http://www.plosone.org>

from Wells #4 and #2, respectively, and somewhat further from Wells #3 and #5. This is a grave risk to Easton's water supply and thus, public health, and should not be a risk that is taken.

L-085.02

Economics/Feasibility

As if the environmental cost is not enough, the financial cost of the South Coast Rail project is currently estimated at over \$2 billion. As MA residents have seen with the Big Dig, projected costs are often far lower than the final, actual cost in dollars. The ridership estimates have been and remain controversial, laden with assumptions that passengers would flock to the new line instead of using existing routes, as well as assumptions that enough passengers would pay the train fare and parking fees for the new route to make it economically viable. Neither the Commonwealth, nor the MBTA, nor we the taxpayers can afford this fiscally irresponsible project.

L-085.03

Town Safety/Character

Seven grade-level crossings in Easton would substantially impact this small town in terms of safety and effects on historical buildings and on neighborhoods. Each crossing poses a threat to children and a delay to emergency vehicles trying to reach nearby hospitals and/or people in need of police, fire or medical assistance. The trains on the Stoughton alternative would pass within 25 ft. of historic buildings not built to withstand the vibrations, potentially damaging or destroying them. By passing within 25 ft. – 50 ft. of some neighborhoods and businesses, the rail line would negatively alter the overall character of this town, something residents have fought to preserve over many years of development.

L-085.04

In short, this project is contrary to public interest and the Army Corps of Engineers should NOT issue permits for the Stoughton alternative.

L-085.05

From: Cathy Voci [cathden@comcast.net]

Sent: Monday, May 23, 2011 5:38 PM

To: S CREIS, NAE

Subject: South Coastal Rail Project

Mr. Alan Anacheke-Nasemann

U.S. Army Corps of Engineers

New England District, Regulatory

696 Virginia Road

Concord, MA 01742-2751

Fax: 978-318-8303

Email: SCREIS@usace.army.mil

RE: SOUTH COAST RAIL PROJECT

This letter is intended to act as notice for the record that for the reasons listed below I am completely against the expansion of the commuter rail and additional freight line proposed by MASSDOT via the proposed Stoughton Alternative.

E-045.01

Cost – the \$2 Billion dollar plus cost of the project fails the cost/benefit analysis.

E-045.02

Feasibility – it's unlikely the line would see enough passengers from New Bedford or Fall River willing to pay \$275 - \$300 plus parking to ride a train for a minimum of 1 hour 15 minutes each way for a job in Boston, or vice versa. Moreover, the ridership analysis is flawed, as it assumes people in Mansfield, Attleboro, Lakeville and Middleborough will take the new line instead of a train that leaves from their own town.

E-045.03

Environment – Trains are an environmentally unfriendly mode of transportation. The Commonwealth should not be investing billions of dollars in a fossil fuel technology that moves people from one point to another. Jobs are moving into the suburbs, and more people are telecommuting. The proposed train will harm drinking water supplies, flood storage, and wildlife habitat, and will bisect a nationally renowned Area of Critical Environmental Concern (ACEC).

E-045.04

Well Water Impact – The Commonwealth's preferred route takes the train within the Zone I of

E-045.05

E-045.05

one of Easton's most productive wells. This is an unacceptable risk.

E-045.06

7 traffic crossings – these crossings provide a safety risk for children and traffic and a major noise and vibration disturbance.

E-045.07

Historical Areas and building compromised – the proposed train route will come within less than 25 feet of historic building that are not built to withstand the vibration and will be damaged or destroyed.

E-045.08

Dividing the town impedes Police/Fire/Ambulance access to people in need, and route to closest hospital is severed as well. The MBTA already runs in a deficit in excess of \$130 million dollars, this line would only add to that. There are neighborhoods and businesses along route that come within 25 – 50 feet of train passing.

E-045.09

The bottom line is despite the marketing by the DOT this project is contrary to public interest and the Army Corps of Engineers should not issue the permit for the Stoughton alternative even if ultimately that results in the No Action Alternative. The Rapid Bus is clearly the LEDPA and a more fiscally responsible project.

Name: Catherine Voci

Address: 11 Arthur Rd. N. Easton, MA

Phone or Email: cathden@comcast.net

From: Joel N. Weber II [joel@joelweber.com]
Sent: Thursday, May 26, 2011 12:09 AM
To: SCREIS, NAE; aisling.o'shea@state.ma.us; aisling.oshea@state.ma.us
Cc: gm@mbta.com; Joel N. Weber II
Subject: Massachusetts South Coast Rail DEIR/DEIS comments

E-056.01

On May 25, 2008, a 5 year old boy rode his bike around the crossing gates at Oak Island Road in Revere after an MBTA train cleared the crossing. Shortly after this train passed, another MBTA train came in the opposite direction on the second track, which killed the boy.

While education may be effective at reducing accidents like this, I am concerned that education will never be 100% effective, and the numerous at grade crossings that the South Coast rail project proposes to convert to double track at grade crossings create numerous additional opportunities for an accident similar to the May 25, 2008 accident to recur.

E-056.02

I believe the South Coast Rail FEIS/FEIR should explain in better detail what purpose reverse-peak service will serve in the South Coast Rail operating pattern.

Broadly speaking, reverse-peak service can be useful for repositioning equipment, and for carrying passengers who are making a reverse commute.

E-056.03

Because of the length of the trip from the South Coast to Boston, the Fall River and New Bedford lines will probably have few opportunities for trainsets to make two peak direction trips during a peak period.

For example, if a train is scheduled to make its second morning trip from New Bedford to arrive at South Station at 9:00 AM, in the Stoughton Diesel alternative with the 85 minute travel time cited on page 4.1-70, it will need to depart New Bedford at 7:35 AM. Assuming the MBTA schedules a 20 minute recovery period, a reverse-peak train would need to arrive at New Bedford around 7:15 AM in order to make the 7:35 AM departure to reach South Station around 9:00 AM. To arrive at New Bedford at 7:15 AM, it would need to depart South Station at 5:50 AM. To be able to depart South Station at 5:50 AM, it would need to arrive around 5:30 AM if 20 minutes of recovery time is scheduled at South Station. The train from New Bedford that would arrive at South Station at 5:30 AM would likely be too early to attract significant ridership, at least for boardings from New Bedford, though perhaps it would attract more ridership at Stoughton.

E-056.04

The trip to Fall River will be slightly faster; the table on page 4.1-70 should be updated in the FEIS/FEIR to explain what the Fall River travel times will be for the various alternatives.

The table on page 4.1-70 should also be revised to list estimated times via Middleboro with both diesel and electric alternatives if enough track capacity were available. For example, this would be helpful in understanding if mid-day service that would carry tourists from Battleship Cove in Fall River to the Fore River Shipyard in Quincy could be practical. (This might include estimates with the Middleboro to Taunton track maintained for 59 MPH operation, as well as an estimate if that track is only maintained for 30 MPH operation.)

If an afternoon train were to depart South Station at 3:00 PM for its first outbound peak run of the day, in the Stoughton Diesel alternative, it would reach New Bedford at 4:25 PM. Assuming a 20 minute recovery time, it could then depart New Bedford at 4:45 PM, and reach South Station at 6:10 PM. Perhaps with 20 minute recovery time, a 6:30 PM departure time from South Station would still fit into the evening peak.

E-056.05

The FEIS/FEIR should be revised to include a complete proposed schedule based upon a plausible set of stations, showing the times at each of those stations, and indicating where reverse-peak trains which have value in repositioning rolling stock to enable that rolling stock to make two peak direction trips in a single peak period will need to meet peak direction trains. This would also be helpful in giving readers a sense of the travel

time between each station pair on each route.

E-056.06

Because the value of reverse-peak trips for equipment positioning will be minimal in the South Coast Rail system, a thorough study of passenger demand for reverse-peak service would be a valuable thing to include in the FEIS/FEIR. This study should look at whether reverse-peak bus service would be a feasible alternative to reverse-peak rail service, as the roads may be less congested in the reverse-peak direction than the peak direction, and reverse-peak ridership may not justify the costs associated with constructing a second track or running a nearly empty diesel hauled train.

Providing minimal or no reverse-peak service may also be beneficial in reducing the number of times the crossing gates close during peak commute times, thus reducing the impact of the South Coast Rail project on local traffic.

E-056.07

The FEIS/FEIR should also be revised to explore what infrastructure would be needed to operate all peak direction South Coast Rail service via Stoughton, with all reverse-peak service needed for any equipment repositioning operated via the Middleboro Line.

I have often been baffled that the MBTA has been able to find money to install double tracks along some parts of the north side of the commuter rail system where the double track is used by only a single line, but meanwhile has left in place some single tracks that all Middleboro, Plymouth/Kingston, and Greenbush trains must use, such as at JFK/Umass Station. I recognize that some of these upgrades are in areas with significant freight traffic, and/or Amtrak Downeaster service; but if the MBTA were to commit to double tracking the entire length of the route from South Station to where the Plymouth/Kingston Line diverges from the Middleboro Line, what impact would that have on making Middleboro Line capacity available for some South Coast rail trains, especially reverse-peak South Coast Rail trains?

E-056.08

If there is a need for double tracking to allow reverse-peak trains to pass peak direction trains on the Stoughton route, the area from Bridge St in Taunton to Foundry St in Easton appears to be a relatively long stretch free of crossings. The FEIS/FEIR should clearly explain whether a schedule could be developed which would make this the primary passing location for reverse-peak trains, assuming flexibility in scheduling operations at South Station and the potential for adjustments to schedules on other lines. In particular, it may be desirable to fix the schedule of those trainsets which will complete a peak direction trip, a reverse-peak trip, and a second peak direction trip during a single peak period first, and then adjust the schedule of any trainsets that will only be able to make a single peak direction trip during a peak period to put the meets where they can minimize the need for additional double track, especially at grade level crossings.

E-056.09

For any at grade crossing, the FEIS/FEIR should include an estimate of the cost and impacts of a grade separation, to justify not using a grade separation.

E-056.10

The FEIS/FEIR should have a table exploring costs of grade crossings vs grade separations. This table should have one line for each crossing between Canton Junction and Fall River / New Bedford, as well as a line at the bottom with grand totals. It should have columns for estimated cost for crossing gates, paving, etc if the crossing is built at grade, estimated cost to construct a grade separated crossing, estimated deaths and injuries per year, ten years, or hundred years if built as a level crossing, estimated average annual property damage cost from accidents if built as a level crossing, estimated total hours each year spent waiting at that crossing (number of people waiting times average time spent waiting), and estimated lost wages from the time wasted waiting at the crossing.

The FEIS/FEIR should also list the estimated number of people who will travel on the road each day at each crossing, and the number of people who will travel in passenger trains through each crossing each day, and provide a comparison to the number of people who travel on the least heavily traveled portion of the Interstate Highway system. As the entire Interstate Highway system is fully grade separated, this will help readers of the FEIS/FEIR to understand whether any claimed unaffordability of any potential grade separation in the South Coast Rail project is consistent with historical federal expenditures.

E-056.11

The FEIS/FEIR should discuss the feasibility of using the ALP45-DP locomotive in South Coast Rail service. Both New Jersey Transit and Montreal's AMT have placed orders for these locomotives, which use overhead catenary power where it is available, and diesel

engines otherwise. This might improve travel times, lower emissions, and reduce the cost of energy for the Canton Junction to South Station portion of the Fall River / New Bedford trips, while at the same time reducing the infrastructure costs relative to installing catenary along the entire route.

E-056.11

(I suspect the substation(s) feeding power to the Providence Line's existing overhead wires might need to be upgraded to handle a higher wattage than they currently do if the MBTA were to start drawing power from those wires, and negotiation with Amtrak over how to divide the electric bill would obviously be required.)

The FEIS/FEIR should also explore the feasibility of using an ALP45-DP with a modification to remove one of its two 2100 horsepower Caterpillar diesel generators, and replacing it with several Tesla Roadster style battery packs of a total weight similar to one of those 2100 horsepower diesel generators.

The FEIS/FEIR should spell out how much weight would be saved by removing one of those 2100 horsepower diesels, how many kilowatts the diesel(s) in a 4200 horsepower locomotive produce at full throttle, how many kilowatts the diesel generator(s) are expected to produce on average during the Canton Junction to Fall River / New Bedford portion of the run at the actual throttle settings that would be used, and how many kilowatt hours can be stored in a set of several Tesla Roadster battery packs that weigh as much as a single 2100 horsepower diesel.

http://www.teslamotors.com/display_data/TeslaRoadsterBatterySystem.pdf has some specifications on the battery pack used in a Tesla Roadster, though it would also be good to solicit information about the battery packs used in the Nissan Leaf, Ford Focus Electric, and Chevy Volt.

I am under the impression that removing one of the two diesels from an ALP45-DP may remove a weight equal to enough Tesla Roadster battery packs to store the full output of the two diesel generators for about a half hour.

While the Canton Junction to New Bedford run is nearly an hour, I suspect that a diesel would not be run at full power for the vast majority of the run, and moreover, with batteries, regenerative braking may be more effective than on a simple diesel. This implies that a battery pack replacing one of the two diesels might last significantly more than a half hour; depending on how the numbers work, such a battery pack might be able to cover the entire trip from Canton Junction to New Bedford.

(Regenerative braking might still be possible without batteries if the braking energy is used for lighting, heating, and air conditioning in the coaches; the FEIS/FEIR should comment on whether the diesel alternatives will offer this sort of regenerative braking.)

Additionally, the ALP45-DP used by New Jersey Transit has a main transformer that can operate on the 25 hz power used in New Jersey.

The catenary Amtrak uses in Massachusetts is a newer design that uses 60 hz power, and my understanding is that a transformer which can run only on 60 hz power will be smaller and lighter than one which can also handle 25 hz power. I believe the FEIS/FEIR should clearly state the weight of the 25 hz main transformer in an NJT ALP45-DP, and the weight that could be saved with a 60 hz only transfer, along with mention of how many additional kilowatt hours of batteries might be carried by taking advantage of that weight savings.

I assume that with a catenary / battery / diesel hybrid locomotive, installing substations and overhead wires at the terminal stations at Fall River and New Bedford (and potentially Forge Park/495 and Needham Heights) and overnight and mid-day layover facilities would be desirable.

E-056.12

I believe that battery prices have the potential to come down rapidly over the next several years, as automakers build more and more cars like the Tesla Model S, the Nissan Leaf, and the Ford Focus Electric.

There may be a significant change in the economic feasibility of a battery powered commuter rail locomotive today vs when the South Coast Rail project finally is ready to have rolling stock delivered.

I hope that 10-15 years from now, commuters will not be in the difficult position of needing to choose between riding a diesel powered commuter train using a locomotive that

is less than halfway through its useful life (and which MBTA fare payers and Massachusetts taxpayers are less than halfway through paying off the bonds for) or driving a zero emissions automobile on a highway that Massachusetts taxpayers might prefer to avoid paying to widen.

E-056.12

Joel N. Weber II
225 Summer St #3
Somerville MA 02143

145 Smith Avenue
Stoughton, Massachusetts 02072-3938
May 10, 2011

United States Army
Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Dear Sir / Madam,

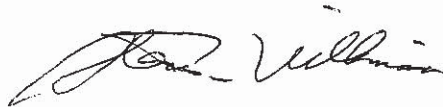
I am writing with regard to the South Coast Rail proposals. Having reviewed the choices, it makes no sense that the Stoughton alternative is preferred. It requires the most construction and disruption with potentially adverse environmental impact. I ask you to re-consider the alternatives and move to use as much existing infrastructure, through the Attleborough or Middleborough alternatives, as possible, at least, to test the theory that rail service to New Bedford is warranted before engaging in massive construction.

L-025.01

Furthermore, the announced justification for this project is passenger rail service. If passenger service is not the real reason for this expansion, that should be stated so that the citizens of the Commonwealth can truthfully evaluate whether they want this expansion before investing vast sums of taxpayer funds on a rail line that may not be significantly used by the passengers for which it is being justified.

Thank you, very much, for your consideration.

Regards,



Steven E. Wilkinson

MAY12'11 REG DIV

From: Rosemary Zehntner [razehntner@gmail.com]
Sent: Thursday, May 05, 2011 10:56 AM
To: SCREIS, NAE; shea@state.ma.us
Subject: South Coast Rail Environmental Impact Statement/Report

Dear M. Anacheke-Nasemann and Secretary Sullivan,

I am writing in support of the South Coast rail project. It is the intelligent way of the future as gas prices rise and global warming continues.

The project would clearly benefit the Greater New Bedford area. However, I also believe there will be substantial benefit to the greater Boston area as well as Cape Cod & the Islands. Think about the possibility of Boston area residents taking a train to New Bedford, then hopping on a ferry to Martha's Vineyard and/or Nantucket without ever getting into a car. This scenario eliminates vast numbers of ferry-bound cars crossing the Cape Cod bridges adding to traffic congestion on the Cape. It would also reduce traffic congestion on the Islands as folks arrive without their cars to use local public transportation which in turn boosts the islands' economies.

E-023.01

When my husband and I moved to South Dartmouth ten years ago he commuted to Boston every day. Four years later that was history as the commute was too daunting to keep up. If the train had been running he very well might have continued to work in Boston.

I am in support of the shortest, most efficient route from New Bedford to Boston.

E-023.02

Thank you for your consideration.

Rosemary Zehntner
307 Smith Neck Road
S. Dartmouth, MA 02748

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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

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

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

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

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

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 Anacheke-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 limits 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.

23
24 * * * * *

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 Anacheke-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.

1
2 **APPLICANT:** Massachusetts Department of Transportation,
3 10 Park Plaza, Boston, Massachusetts 02116
4

5 **ACTIVITY:** Discharge fill material into waters of the
6 United States, including adjacent wetlands. All
7 work is incidental to installation of transportation
8 infrastructure (rail and/or road grades) for
9 proposed commuter passenger public transportation
10 service. A detailed description of the proposed
11 activity is provided below. This work is proposed
12 in waters of the United States, including adjacent
13 wetlands, along existing active or abandoned
14 railroad, new track on lands currently not used as a
15 transportation corridor, and/or highway grades
16 between Boston and the Cities of New Bedford and
17 Fall River, Massachusetts.
18

19 **AUTHORITY**

20 Permits are required pursuant to:

21 ____Section 10 of the Rivers and Harbors Act of 1899

22 XXSection 404 of the Clean Water Act

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

1
2 The New England District, U.S. Army Corps of
3 Engineers (Corps) has prepared a Draft Environmental
4 Impact Statement (DEIS) to evaluate the proposed
5 establishment of commuter passenger transit service
6 between Boston and the cities of New Bedford and
7 Fall River, MA. The DEIS has been prepared pursuant
8 to section 102(2)(c) of the National Environmental
9 Policy Act (NEPA) of 1969, as implemented by the
10 Council on Environmental Quality regulations (40 CFR
11 parts 1500-1508), in response to this Department of
12 the Army permit application.

13
14 The DEIS has also been prepared to serve as a Draft
15 Environmental Impact Report (DEIR) to satisfy the
16 requirements of the Massachusetts Environmental
17 Policy Act (MEPA; 301 CMR 11.00 et seq.). The MEPA
18 review is being conducted simultaneously with the
19 NEPA process.

20
21 The joint DEIS/DEIR evaluated a range of alternative
22 transportation routes. Alternative routes evaluated
23 in detail included three principal rail routes and
24 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., Qualters
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).

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/](http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/southcoastrail.htm)
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

Street, Quincy, MA

19. Turner Free Library, 2 North Main Street

Randolph, MA

20. Raynham Public Library, 760 South Main Street,

Raynham, MA

21. Sharon Public Library, 11 North Main Street,

Sharon, MA

22. Stoughton Library, 84 Park Street, Stoughton, MA

23. Taunton Public Library, 12 Pleasant Street,

Taunton, MA

24. West Bridgewater Public Library, 80 Howard

Street, West Bridgewater, MA

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

(X) Permit, License or Assent from State.

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

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

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

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 permissible 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.

H-001.01

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.

H-001.02

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.

H-001.03

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

H-001.04

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.

H-001.04

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.

H-001.05

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.

H-001.06

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.

H-001.07

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.

H-001.08

24 Otherwise, when they talk about the

H-001.09

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

H-001.09

H-001.10

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,

H-002.01

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

H-002.01

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.

H-002.02

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

H-002.03

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

H-003.02

H-003.03

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

H-004.01

H-004.02

H-004.03

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.

H-004.03

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.

H-004.04

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.

H-005.01

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.

H-005.01

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.

H-005.02

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.

H-005.03

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.

H-005.04

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.

H-005.04

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.

H-005.05

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

H-005.06

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.

H-006.01

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.

H-006.02

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.

H-006.02

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.

H-006.03

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

H-006.04

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

H-006.04

H-007.01

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.

H-007.01

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.

H-007.02

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

H-007.03

H-008.01

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

H-008.01

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.

H-008.02

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.

H-008.02

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.

H-008.03

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.

H-008.04

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

H-008.05

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.

H-009.01

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 Anacheke-Nasemann, Army Corps
12 of Engineers, and Secretary Richard K. Sullivan,
13 EOE.

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. Anacheke 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

H-010.03

H-010.04

H-010.05

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,

H-011.01

H-011.02

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

H-011.02

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.

H-011.03

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.

H-011.04

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.

H-011.04

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.

H-011.05

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.

H-012.01

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 permissible 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

H-012.02

H-012.03

1 want to leave you with three important thoughts.

H-012.03

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.

H-012.04

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

H-012.05

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.

H-012.06

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.

H-013.01

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.

H-013.02

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

H-013.02

H-013.03

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

H-013.03

H-013.04

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?

H-014.01

H-014.02

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?

H-014.02

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.

H-014.03

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.

H-014.04

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.

H-014.05

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.

H-014.05

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?

H-014.06

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.

H-014.07

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.

H-015.01

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.

H-015.02

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.

H-015.03

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.

H-016.01

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.

H-016.02

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.

H-016.02

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?

H-016.03

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

H-016.04

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.

H-016.05

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

H-016.06

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 Drobni s.

22 STEVEN DROBNIS: Drobni s.

23 MR. ROSENBERG: Drobni s.

24 Thank you, si r.

H-016.06

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.

H-017.01

H-017.02

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.

H-017.03

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.

H-017.04

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

H-017.05

1 of them a Cadillac with free fuel for life.

H-017.05

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.

H-017.06

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.

H-018.01

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.

H-019.01

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

H-019.02

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,

H-019.02

H-019.03

H-019.04

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.

H-020.01

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

H-020.02

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.

H-020.02

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.

H-021.01

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.

H-021.02

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.

H-021.03

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.

H-021.04

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.

H-021.04

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.

H-021.05

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

H-021.06

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.

H-022.01

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.

H-022.02

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.

H-022.02

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.

H-022.03

13 Thanks.

14 MR. ROSENBERG: Thank you, sir.

15 (Applause.)

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

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.

H-023.01

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

H-023.02

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

H-023.03

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.

H-023.04

24 Fact: It is compatible with the

H-023.05

1 existing rail system.

H-023.05

2 Fact: It is a straight shot to Boston.

3 Fact: It adds another direct rail line

H-023.06

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,

H-023.07

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.

H-023.08

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 Di Nicola.

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.

H-024.01

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.

H-024.02

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.

H-024.03

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 -- Di Nicola.

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. H-025.01

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. H-025.02

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.

H-025.02

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.

H-025.03

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

H-025.04

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 Almquist-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.

H-026.01

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.

H-026.01

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?

H-026.02

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.

H-026.03

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

H-026.04

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.

H-026.04

H-027.01

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.

H-027.01

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

H-027.02

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

H-027.02

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.

H-027.03

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.

H-027.04

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.

H-027.05

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.

H-028.01

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.

H-028.02

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.

H-028.03

15 Thank you.

16 MR. ROSENBERG: Thank you, sir.

17 (Applause.)

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

20 JOHN MONI Z: Moni z.

21 MR. ROSENBERG: Moni z. Thank you, sir.

22 Mr. Moni z will be followed by
23 Sally -- it looks like K-0-S.

24 JOHN MONI Z: 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.

H-029.01

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

H-029.02

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

H-029.02

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

H-029.03

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 K0 -- it looks like K-0-S or K-0-G.

23 AUDIENCE MEMBER: Any Sallys?

24 MR. ROSENBERG: Yeah, from Westwood?

H-029.03

1 No.

2 Donald Bennett?

3 AUDIENCE MEMBER: He's not here.

4 MR. ROSENBERG: Kevin Sullivan?

5 Abdul Shibli?

6 Stephen Drown?

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

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

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

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

21 Each question or issue raised will be
22 addressed in our Final EIS regarding the
23 Commonwealth of Massachusetts South Coast Rail
24 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.)

14
15 (At 9:08 p.m., the public hearing was
16 adjourned.)

ORAL STATEMENTS

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

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

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

H-030.01

1 other reason. They were not in the other towns
2 because apparently the other towns did not take that H-030.01
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 H-030.02
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. H-030.03

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.

H-030.03

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.

H-030.04

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,

H-031.01

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

H-031.01

H-031.02

H-031.03

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.

H-031.03

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.

H-031.04

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.

H-031.05

24 And another thing not mentioned is that

H-031.06

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

H-031.06

H-032.01

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.

13
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24

H-032.01

WRITTEN STATEMENTS

* * * * *

Written Statement of M. Abdul Shibli

From: Shibli, Abdul

Sent: Wednesday, April 20, 2011

To: ccorona@easton.ma.us

Subject: Commuter rail through Easton

Dear Colleen,

It was nice talking with you this afternoon. As I mentioned to you, I have lived in South Easton for almost 24 years and have been following the developments relating to the commuter rail project since I moved from Boston to Easton to work as a professor at Stonehill College. Before I moved to Easton in 1987, for three years, I commuted to Stonehill from Boston. My wife, who graduated from Stonehill in 1990, commuted to Fall River for her job there in 1990-1991. I myself became a railroad commuter in 2000 when I started working for Harvard University and commuted until 2005 from

H-033.01

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

H-033.01

H-033.02

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 H-033.02
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 H-033.03
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.

17
18 * * * * *

19
20 Written Statement of Randall H. Kunz, Chair
21 Southeastern Regional Planning and Economic
22 Development District
23

24 May 4, 2011

1
2 Mr. Alan Anachecka-Nasemann

3 Army Corps of Engineers

4 696 Virginia Road

5 Concord, MA 01742-2754

6
7 Secretary Richard K. Sullivan Jr., EOEEA

8 100 Cambridge Street, Suite 900

9 Boston, MA 02114

10 Attn.: MEPA Office (Aisling O'Shea)

11
12 RE: Comments by SRPEDD on the Draft Environmental
13 Impact Statement on South Coast Rail Released by the
14 U.S. Army Corps of Engineers

15
16 Dear Mr. Anachecka-Nasemann and Secretary Sullivan:

17
18 The Southeastern Regional Planning and
19 Economic Development District (SRPEDD) voted
20 unanimously on April 27, 2011 to commend the United
21 States Army Corps of Engineers for a thorough and
22 objective analysis of the South Coast Rail Project
23 in the Draft Environmental Impact Statement/Draft
24 Environmental Impact Report, dated February, 2011.

H-034.01

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.

H-034.02

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.

H-034.03

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.

H-034.04

24 SRPEDD further agrees with the analysis

H-034.05

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.

H-034.05

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.

H-034.06

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.

H-034.07

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.

H-034.08

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.

H-034.09

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

1 c.c. Kristina Egan, Mass. DOT.

2
3 * * * * *

4
5 Written Statement of Roy Nascimento

6 President and CEO

7 New Bedford Area Chamber of Commerce

8
9 Comments of Roy Nascimento

10 President and CEO

11 New Bedford Area Chamber of Commerce

12
13 Before a public hearing of the
14 U.S. Army Corps of Engineers on
15 the Draft Environmental Impact Statement
16 on South Coast Rail

17
18 Wednesday, May 4, 2011

19 Quarters Middle School

20 Mansfield, MA

21 7:00 p.m.

22
23 Good evening. I would like to thank you
24 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.

H-035.02

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

H-035.03

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

H-035.04

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.

H-035.04

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

H-035.05

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.

H-035.05

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.

H-035.06

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
7

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

H-036.01

H-036.02

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

H-036.02

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?

H-036.03

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?

H-036.04

24 There are also a myriad of safety issues

H-036.05

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.

H-036.05

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.

H-036.06

16
17 Mel anie-Jane Deware

18 Chai rman

19
20 * * * * *

21
22 Written Statement of Priscilla Chapman

23 Taunton Watershed Advocate

24 Mass Audubon

1
2 Comments to the
3 U.S. Army Corps of Engineers and the
4 Massachusetts Environmental Policy Act Office
5 Regarding the South Coast Rail Project,
6 Draft Environmental Impact Statement and
7 Environmental Impact Report
8 Public Hearing, May 4, 2011
9 Priscilla Chapman, Taunton Watershed Advocate
10

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

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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.

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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,

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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).

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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

H-037.04

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.

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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

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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.

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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

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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;

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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.

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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

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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).

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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);

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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.

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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

H-037.11

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.

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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).

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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

H-037.13

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.

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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.

H-037.14

22 Thank you for considering these comments.

23
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C E R T I F I C A T E

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

/s/ Marianne Kusa-Ryll
Marianne Kusa-Ryll, RDR, CRR

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

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COMMONWEALTH OF MASSACHUSETTS

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

MAY 5, 2011

KEITH MIDDLE SCHOOL AUDITORIUM

225 HATHAWAY BOULEVARD

NEW BEDFORD, MASSACHUSETTS

7:00 p.m.

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P R O C E E D I N G S

MR. ROSENBERG: Good evening.

Good evening and welcome to this public hearing on the Draft Environmental Impact Statement regarding the application submitted by the Massachusetts Department of Transportation, for a permit to discharge fill material in wetlands and waterways for the construction of a new passenger rail and other transportation facilities, connecting the terminal stations of Fall River and New Bedford with South Station in Boston.

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

Our hearing officer tonight is Lieutenant Colonel Steven Howell, the Deputy District Engineer for the Army Corps of Engineers in New England.

Should you need copies of the public notice or any of the other pertinent information, it's available at the registration table, at the entrance to this hall.

1 I should point out that the Corps of
2 Engineers has made no decision regarding the permit
3 application request.

4 Okay. The agenda for this public
5 hearing is following this introduction, Kristina
6 Egan of the Massachusetts Department of
7 Transportation will give a brief overview of the
8 project.

9 Following Ms. Egan, our Hearing Officer
10 Lieutenant Colonel Howell will address this hearing.
11 Colonel Howell will then be followed by the Corps'
12 permit manager who will discuss the Corps' role and
13 an overview of the permit and following that, the
14 Massachusetts Environmental Policy Act Office will
15 review the role of the Commonwealth in this process.

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

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

1 provided at the registration desk.

2 Now, as there are many here that have
3 signed up to comment, we will provide three minutes
4 to do so, no more; but as an added convenience, an
5 additional stenographer is available just out the
6 door, to the left, near the registration area should
7 you wish to provide a comment on the record without
8 the imposed time restriction.

9 These statements, along with any other
10 written statements submitted, will receive equal
11 consideration with those presented here this
12 evening.

13 One additional comment: We are here
14 to receive your comments, not to enter into any
15 discussion of those comments or to reach any
16 conclusion.

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

20 Thank you.

21 Ladies and gentlemen, I'd like to
22 introduce Kristina Egan who will give you an
23 overview of the proposed project.

24 (Applause.)

1 MS. EGAN: Thank you very much.

2 Good evening to all of you and thank you
3 very much to the Army Corps of Engineers and to the
4 Massachusetts Environmental Policy Act Office for
5 allowing Massachusetts Department of Transportation
6 this opportunity to present the project to all of
7 you tonight.

8 I also want to thank all of you here
9 tonight. The panel, of course, will be listening to
10 your comments but so will Mass. DOT. We'll be
11 taking them very seriously.

12 Tonight I am joined by Frank DePaola who
13 is the Assistant General Manager of Design and
14 Construction at the MBTA and is also doing the other
15 job of being the acting highway commissioner. So
16 we're very lucky to have him tonight.

17 The purpose of my presentation tonight
18 is to give you a very brief overview of the project,
19 and I'll give you a little insight as to how the
20 Massachusetts Department of Transportation is
21 interpreting the analysis that the Army Corp of
22 Engineers has put forward in the Draft Environmental
23 Impact Statement and report.

24 This project, South Coast Rail, is a top

1 transportation priority of the Patrick-Murray
2 Administration because it addresses a long-standing
3 inequity in transportation services within
4 Massachusetts.

5 The Fall River, New Bedford, and Taunton
6 area have been disconnected from the economy of
7 Boston, of the greater Boston area, and there's also
8 been limited mobility due to the congestion on
9 Route 24.

10 So one of the central purposes of this
11 project is to provide more mobility, and we're
12 estimating about eight to 9,000 riders per day will
13 be using the system. This provides economic justice
14 benefits to environmental justice populations as
15 well as the broader communities in New Bedford and
16 Fall River and the surrounding cities and towns.

17 We also estimate that there will be
18 significant economic development benefits. We've
19 done a study that shows that we can have about \$500
20 million in new business sales every year just by
21 connecting the economies of the cities with Boston.
22 Because it's so congested, there is a disruption
23 between the -- disruption between the labor market
24 and employers. So this creates economic value just

1 by putting in mobility connection; and we're also
2 estimating about 3,800 permanent new jobs resulting
3 from the project.

4 The project also has environmental
5 benefits. We're estimating that it will take about
6 300,000 miles that are driven every day off the
7 road. That's significant in air quality terms as
8 well as in climate change terms.

9 An important component of the project is
10 clustering homes and jobs near the transit stations
11 and into downtowns, while preserving the farms, the
12 fields, the forests that make the South Coast so
13 special.

14 With "smart growth," which is what we're
15 calling it, we were trying to implement a plan to
16 help shape the growth that's coming into the area.
17 We're estimating that there will be about 10,000
18 fewer acres that would be developed on residential
19 tracts.

20 We're estimating that about -- of that
21 10,000, about 6,000 will be forest and 3,000 would
22 be farmland that would be saved because of the
23 project.

24 We would also reduce household water

1 consumption by about 21 gallons per day, which is
2 significant in the South Coast region that faces
3 some water issues.

4 In looking at how best to do this
5 project -- where is Joe? Thank you.

6 Looking at how best to do this project,
7 we have looked at a lot of different alternatives.
8 We went out to the public, and we got 65 different
9 alternatives. We looked at everything from running
10 rail up from -- up through the Middleborough line
11 here, to doing monorail and light rail, up the
12 highway as well as the bus system, to using an old
13 right-of-way that went here through Mansfield as
14 well as going into Attleboro, backing up, and going
15 up this way. We looked at 65 all together.

16 The Draft Environmental Impact Statement
17 explores all these 65, but then looks at a narrower
18 set of three corridors. We're looking at three main
19 corridors: One is the Rapid Bus, which would use a
20 zipper lane that goes up this way (indicating) and
21 ties into 93, into South Station.

22 One that would use this rail corridor
23 here, which is the Northeast Corridor, for AMTRAK
24 and for the commuter rail. It goes over a new

1 bypass. This is new rail here, and it goes down to
2 New Bedford and Fall River.

3 The last one is Stoughton. We extend
4 service that's existing to Stoughton right now
5 through an abandoned rail right-of-way down to
6 Taunton, Fall River, and New Bedford. There is a
7 variation on that. It's called the Whittenton
8 Alternative that would go this way, and over this
9 way (indicating), and tie back up into Stoughton.

10 We're looking at electric and diesel
11 as two different options for each of the rail
12 alternatives.

13 In order to start the process of
14 elimination, there are three different questions
15 that have been asked to try and narrow down the
16 alternatives. It's a three-step sequential process.

17 The first question is do these
18 alternatives meet the project purpose? And we know
19 that the bus actually gets caught in congestion, and
20 it's going to be over an hour and a half long ride,
21 which means that fewer riders are going to use it
22 than the rail.

23 We're seeing with the rail alternatives
24 doubling the ridership because the trip time is much

1 faster. In fact, if it was electric rail, it would
2 be about an hour and 15 minutes. For diesel, it
3 would be 10 more minutes. For Whittenton, it would
4 be 11 to 12 more minutes because it is so serpentine
5 as you go through this area of Taunton and up this
6 way (indicating); so you add 10 to 12 minutes in
7 that area. But what we do find is that it doubles
8 the riders for all of the rail alternatives.

9 What you see down here in purple is a
10 quotation from the Army Corps' analysis in the Draft
11 Environmental Impact Statement, which basically
12 indicates that the Rapid Bus does not perform.

13 So we're going to go to the second step
14 in the sequential process of elimination of the
15 alternatives. And the question is is it practicable,
16 which is a technical word, but it basically means
17 can it operate? Is it feasible to run? Is it cost
18 effective?

19 So when we look at this, there are two
20 main differences between the Attleboro Alternative
21 and the Stoughton Alternative. The Attleboro
22 Alternative runs along the Northeast Corridor. It
23 is a heavily congested rail corridor. We would have
24 to add 38 new trains a day to that corridor. In

1 order to do that, we would have to add a third track
2 that runs all this distance (indicating), and then
3 eventually, we would have to run a fourth track to
4 eliminate a traffic jam that comes in this area.

5 When we looked at adding that fourth
6 track, it added \$2.4 billion to the already high
7 price tag of the Attleboro Alternative. We're
8 looking at an over \$4 million project. We believe
9 at Massachusetts Department of Transportation that
10 this is impracticable. It is not something cost
11 effective. It's not something that we can really
12 invest in.

13 So the last question is which of these
14 alternatives has the least amount of environmental
15 damage. So if you did still have the bus on the
16 table, and you did still have the Attleboro
17 Alternative on the table, how would you compare the
18 different environmental impacts of these?

19 There's been a lot of focus on the
20 environmental impacts of the Stoughton Alternative.
21 Surprisingly the analysis finds that far fewer
22 wetlands acres would be impacted by the Stoughton
23 Alternative. In fact, it's about half, and that is
24 because we -- the other alternatives have to go

1 through wetlands areas also. They're less talked
2 about in the public forum and in the media, but
3 there's a lot of wetland impact that happens in this
4 area and also along this bus corridor to put in a
5 zipper lane.

6 So you get more acres of impact for
7 the -- for the Attleboro Alternative and Bus
8 Alternative. There are other resources that are
9 important to evaluate too. There's species.
10 There's other types of water issues. There's
11 habitat fragmentation. And so you can't look at all
12 acres as being equal; and not all wetland acres are
13 created equal.

14 So, in particular, there's been a lot of
15 focus on the Hockomock Swamp and the impact of the
16 Hockomock Swamp. When we looked at the Hockomock
17 Swamp, we decided that we really wanted to put the
18 rail up on a trestle. The trestle is an elevated
19 structure that will allow for animals to go underneath
20 it. It reduces the fragmentation in the ecosystem.
21 It's already fragmented because the old rail berm
22 was there; so, the hydrology is different on either
23 side.

24 So we want to try to do as much

1 connectivity as much as we can to try to connect
2 the ecosystems and create a good passage for the
3 different species there. We're able to do that
4 through our design, and we found that our acres are
5 really limited to just wetlands that have cropped up
6 on the old right-of-way. We actually don't take any
7 new wetlands in the Hockomock Swamp because we're
8 able to confine our impact to where the right-of-way
9 is right now.

10 I want to say one word about Whittenton
11 versus Stoughton. And Whittenton's the variation on
12 Stoughton. The Massachusetts Department of
13 Transportation does not believe that the Whittenton
14 Variation is the best alternative. It takes longer.
15 It serves about the same number of people as the
16 Stoughton Alternative, but it picks up less riders
17 from Fall River and New Bedford, and we really need
18 to serve those riders as well.

19 There are also an additional seven grade
20 crossings, which raise some safety concerns, and
21 there are noise impacts that would impact the
22 environmental justice communities in the center of
23 Taunton.

24 So, in conclusion, the Massachusetts

1 Department of Transportation believes that the best
2 alternative is the Stoughton Alternative, either
3 electric or diesel.

4 And we believe this project is a green
5 project. It's a green project because it will yield
6 air quality benefits. It will be part of the
7 solution that we need for climate change. It will
8 bring many economic development benefits to the area
9 by connecting the economies of the cities with
10 Boston, and it's a project that will yield these
11 benefits for decades to come.

12 Again, I want to thank you all for
13 coming tonight. We're looking forward to hearing
14 your comments.

15 Thank you.

16 (Applause.)

17 MR. ROSENBERG: Ladies and gentlemen,
18 our Hearing Officer Lieutenant Colonel Steven
19 Howell.

20 (Applause.)

21 LIEUTENANT COLONEL HOWELL: I'd like
22 to welcome you today to this public hearing on
23 a request for permit by the Commonwealth of
24 Massachusetts, Department of Transportation, for

1 their proposal to establish passenger rail service
2 between Boston and the communities of New Bedford
3 and Fall River, under Section 404 of the Clean Water
4 Act.

5 Before we begin, I would like to thank
6 you for involving yourself in this environmental
7 review process. Please feel free to bring up any
8 and all topics that you feel need to be discussed on
9 the record. I assure you that all of your comments
10 will be considered during this process.

11 I am Lieutenant Colonel Steve Howell,
12 Deputy District Engineer for the New England
13 District of the United States Army Corps of
14 Engineers. Our headquarters is located in Concord,
15 Massachusetts.

16 Other Corps engineer representatives
17 with me tonight include Jennifer McCarthy, our
18 regulatory -- Chief of Regulatory Division; Alan
19 Anacheke-Nasemann, our Permit Project Manager; John
20 Ashley, our Chief of Counsel; Kate Atwood, our Staff
21 Archeologist; and Larry Rosenberg, our Chief of
22 Public Affairs, who will facilitate tonight's
23 meeting.

24 Tonight's hearing is being conducted as

1 part of the National Environmental Policy Act
2 requirements and the Corps of Engineers' regulatory
3 program solely to listen to your comments.

4 This request before us involves
5 placement of fill in waters of the United States,
6 including wetlands, in order to construct new public
7 transportation facilities connecting the Cities of
8 Fall River and New Bedford with South Station in
9 Boston.

10 The proposed work would be located in
11 wetlands on or adjacent to existing active or
12 inactive rail or highway corridors in several towns
13 in Southeast Massachusetts.

14 Wetlands and other waterway impacts
15 would range between roughly 10.3 and 21.5 acres,
16 depending on the alternatives selected. These
17 impacts are dispersed along the roughly 60-mile
18 transportation corridors between Boston and the
19 terminal stations in New Bedford and Fall River.

20 The project facilities are subject to
21 the jurisdiction of the Corps under Section 404
22 of the Clean Water Act and the United States
23 Environmental Protection Agency under Section 402
24 of the Clean Water Act.

1 The Corps' jurisdiction for this
2 proposed activity is limited to Section 404 of the
3 Clean Water Act, which I will discuss in more detail
4 in a moment.

5 The focus of this comment period and
6 these hearings is to receive comments on the Draft
7 Environmental Impact Statement and the proposed
8 placement of fill material in the wetlands and
9 waterways, the Corps' primary area of jurisdiction
10 for this project.

11 I would like to briefly review the Corps
12 of Engineers' responsibilities in this process.
13 First, the Corps jurisdiction -- the Corps'
14 jurisdiction in this case is Section 404 of the
15 Clean Water Act, which regulates the discharge of
16 dredged or fill materials in waters of the United
17 States, including wetlands.

18 Second, the detailed regulation that
19 explains the procedure for evaluating permit
20 applications and unauthorized work is Title 33, Code
21 of the Federal Regulation, Parts 320 through 332.

22 Third, the Corps' decision rests upon
23 several important factors to include Section 404(b)(1)
24 of the Clean Water Act which stipulates that the

1 Corps can only issue a permit for the Least
2 Environmentally Damaging Practicable Alternative or
3 LEDPA for meeting the overall project purpose.

4 In addition, the Corps must reach the
5 conclusion that issuance of a permit for the LEDPA
6 is not contrary to public interest. Our decision
7 will reflect the national concern for both the
8 protection and utilization of important resources,
9 to include the benefits that may reasonably occur
10 from the proposal must be balanced against its
11 reasonably foreseen detriments, and these factors
12 will be considered in our determination on issuance
13 of a permit; and all factors which may be relevant
14 to the proposal will be considered prior to our
15 making a decision, and those factors include but are
16 not limited to conservation, economics, aesthetics,
17 wetland values, fish and wildlife values, historic
18 properties, recreation, water supply, food
19 production, and, in general, the needs and welfare
20 of the American people.

21 The Corps conducts a broad-based public
22 interest review. This hearing is part of that
23 review. All factors affecting the public will be
24 included in our evaluation. Your comments will help

1 us reach a decision.

2 The DEIS was also prepared to serve as a
3 joint Massachusetts Environmental Policy Act, MEPA,
4 and NEPA document to meet the procedural requirements
5 of both the state and federal law and serve as a
6 combined DEIS, Draft Environmental Impact Report.
7 The State's MEPA review is being conducted
8 simultaneously with the NEPA process.

9 Lastly, to date, no decision has been
10 made by the Corps of Engineers with regard to this
11 permit. It is our responsibility to evaluate both
12 the environmental and socioeconomic impacts prior to
13 our decision, and in order to accomplish that, we
14 need your input.

15 The record of this hearing will remain
16 open, and written comments may be submitted tonight
17 or by mail until 27 May 2011. All comments will
18 receive equal consideration.

19 I would now like to introduce my project
20 manager, Alan Anacheke-Nasemann, who will give you
21 more details on the Corps' role, and the information
22 about the permit.

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

24 Good evening and welcome. Thank you for

1 attending this hearing and participating in the
2 Corps Draft Environmental Impact Statement or DEIS
3 process.

4 My name is Alan Anacheke-Nasemann, and
5 I'm the Senior Ecologist with the Corps, and the
6 Project Manager for review of Mass. DOT's permit
7 application.

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

11 The US Army Corps of Engineers received
12 an application for a permit from Mass. DOT to fill
13 wetlands in order to construct new transportation
14 corridors and facilities. All of the alternative
15 transportation corridors cross wetlands and other
16 waters of the United States.

17 Specifically, they would involve
18 expansion of existing passenger, freight, and/or
19 highway corridors into wetlands; reconstruction of
20 rail lines on existing but abandoned railroad lines
21 that contain wetlands; and/or construction of
22 brand-new rail corridors into wetlands.

23 The Corps of Engineers has authority
24 over this proposal under Section 404 of the Clean

1 Water Act. This law requires a Corps permit to
2 discharge fill material into waters of the United
3 States, including adjacent wetlands.

4 In reviewing this permit application, we
5 must determine the Least Environmentally Damaging
6 Practicable Alternative or LEDPA, ensure that that
7 LEDPA will not cause or contribute to significant
8 degradation of waters of the United States, perform
9 a public interest review, and finally determine
10 whether or not to issue a permit for the LEDPA.

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

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

23 The Corps must determine the Least
24 Environmentally Damaging Practicable Alternative,

1 but we do not have a preferred alternative. At the
2 end of the process, the Corps is required to render
3 a permit decision, but we are not required to
4 resolve every issue or concern that you may have.

5 So, why is the Corps writing an
6 Environmental Impact Statement? Because like all
7 other federal agencies, we are subject to the
8 National Environmental Policy Act or NEPA. This act
9 requires that all federal agencies must ensure that
10 environmental amenities and values may be given
11 appropriate consideration in decision-making, along
12 with economic and technical considerations.

13 Decision-making is the key phrase here.
14 Specifically, a decision we must make is whether or
15 not to issue a permit to Mass. DOT for this proposal.

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

21 One other aspect of NEPA is that it
22 encourages the federal government to work with the
23 state and local levels of government to prevent
24 duplication of effort. So the Corps, in cooperation

1 with the Commonwealth, decided to write a joint
2 Federal Environmental Impact Statement and State
3 Environmental Impact Report.

4 The state and federal governments do
5 have different processes, but the outcome is very
6 similar. An environmental review document seeks
7 to fully disclose the impacts of the alternatives
8 under consideration. The major difference is that
9 in a DEIR, the applicant names their preferred
10 alternative.

11 As indicated in this document, DOT
12 provided the preface where they have indicated their
13 preferred alternative, but, again, the Corps of
14 Engineers does not have a preferred alternative.

15 So our DEIS is a discussion of
16 alternatives, but it is not a selection of a
17 particular alternative. It is a full disclosure
18 of the impacts of each alternative, but it is not
19 a decision. Finally, it is a statement of the
20 consequences of a permit to build the project, but
21 it is not a permit itself.

22 Our comment period closes on May 27,
23 2011. After that, the Corps will review all of the
24 comments, request any additional data needed from

1 Mass. DOT to further identify impacts, and at that
2 point write a Final Environmental Impact Statement,
3 at which time we will name the Least Environmentally
4 Damaging Practicable Alternative and provide a more
5 detailed evaluation of that alternative.

6 After that, the Corps will write a
7 Record of Decision and either issue a permit, issue
8 a permit with conditions, or deny the permit.

9 To summarize, Section 404 of the Clean
10 Water Act is our regulatory authority in this
11 matter, and NEPA is our process for reviewing and
12 evaluating the proposal and its environmental
13 consequences.

14 Our proposal must run its full course
15 before we can make a decision on this permit
16 application.

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

21 Aisling.

22 MS. O'SHEA: Good evening. I'd like to
23 give you a brief overview of our MEPA process and
24 some information on how to submit comments on the

1 Draft DEIR, and Draft DEIS.

2 The MEPA office is the Massachusetts
3 Environmental Policy Act, and I just wanted to give
4 you, for those that might not be familiar with it,
5 just an overview of the purpose of our office and
6 our review.

7 MEPA requires that state agencies and
8 any other proponents study the consequences of their
9 actions including the potential environmental
10 impacts of the project that's being proposed, and
11 that the proponent also looks at all -- studies
12 alternatives and looks at all possible measures to
13 avoid and minimize impacts to the maximum extent
14 feasible and where impacts are avoidable, to develop
15 appropriate mitigation.

16 Our thresholds for review can be found
17 on our website and in our regulations. Not all
18 projects are subject to MEPA review, but typically
19 there are -- the requirements include that a project
20 trips one of our thresholds and needs a state
21 action. In this case, the proponent is a state
22 agency, and there are a number of state permits
23 required.

24 For -- the other thing I wanted to

1 highlight was the -- part of the MEPA process, of
2 course, is to make sure that there is public input
3 in the process. We don't -- MEPA office doesn't
4 approve or deny a project. The purpose of our
5 review is to ensure full disclosure and public input
6 and an environmental impact assessment that's
7 conducted and that's adequate. The decision that
8 the secretary will make eventually at the end of
9 this part of our review process is on the advocacy
10 of the Draft Environmental Impact Report.

11 Now, the Environmental Impact Report
12 itself is the primary mechanism for collecting the
13 information and for making it available for public
14 review. The Draft Environmental Impact Report, as
15 Alan mentioned, is a combined document that has been
16 submitted to serve both the federal and state
17 information needs.

18 Just to give you a sense of some of the
19 thresholds that are relevant for this project where
20 it requires a mandatory Environmental Impact Report.
21 One of them being the impacts to wetlands and
22 alteration of more than one acre of bordering
23 vegetative wetlands trips a threshold for a
24 mandatory EIR.

1 It also requires a variance from the
2 Wetlands Protection Act, and so that's one of the
3 permit requirements; and as many of you are aware,
4 there are some state-listed species potential
5 impacts associated with the project, and the various
6 alternatives that would require a Conservation and
7 Management permit from Natural Heritage and
8 Endangered Species Programs. So the project is
9 subject to review under the Massachusetts Endangered
10 Species Act as well.

11 So just a brief on where we are today in
12 terms of the review. Some of you may have been
13 involved earlier at the Environmental Notification
14 Stage which was a couple years ago. The secretary
15 issued the certificate on April 3, 2009, which laid
16 out the scope of work for the Draft Environmental
17 Impact Report, and this is the document that we have
18 now which we will be reviewing in the context of
19 that scope; and to the extent that all of the
20 requirements from the scope are met, we'll welcome
21 all of your comments that you may have on the
22 document itself, on the alternatives, any comments
23 you may have on them, on mitigation, and other
24 impacts. So that will help feed into our review.

1 As I mentioned earlier, we don't approve
2 or deny a project. The part of this -- the MEPA
3 review will help state agencies in making their
4 decisions and providing information that they need.
5 State agencies -- for projects that are subject to
6 MEPA review and need the EIR, the state agencies
7 have to make a Section 61 finding under MEPA, under
8 the act, to make a statement that, yes, all of the
9 impacts have been avoided and minimized to the
10 maximum extent, and that mitigation's appropriate.
11 So this review process and your input will help in
12 scoping what additional information analysis might
13 be needed for the Final EIR.

14 Now, typically, under MEPA for EIRs,
15 there's a 30-day comment period. There is a
16 provision of the regulation to extend typically not
17 more than 30 days. This project we have a 65-day
18 public comment period, and we've coordinated the
19 dates to coincide with the Corps as well; so,
20 comments to MEPA are also due on May 27, and they
21 should be submitted in writing. Obviously we'll
22 take into account, you know, everything we hear
23 tonight, but under the MEPA regulations, we do
24 require that if you want your comments to be on

1 the record with the Commonwealth, that they are
2 submitted to the secretary in writing.

3 And just in terms of timeline, probably
4 a month, about a month afterwards, we're scheduled
5 for June 29th, that once we've reviewed all the
6 comments and completed our review of the documents
7 and consulted with agencies, et cetera, the
8 secretary will be issuing a certificate, and that
9 will determine, you know, the adequacy of the Draft
10 EIR and lay out the scope of work for Final EIR.

11 So this is information here on where to
12 submit your comments. I also wanted to draw your
13 attention to a handout on the table outside at the
14 DOT's table, which has that information also and my
15 contact information. Feel free to call or e-mail if
16 you have questions afterwards. We take comments by
17 fax, e-mail, or regular mail; and then DOT's
18 brochure, I believe, also has information on
19 submitting comments to MEPA.

20 Thank you.

21 MR. ROSENBERG: Ladies and gentlemen, it
22 is crucial to this public process that your voice is
23 heard, and we're here to listen, to listen to your
24 comments, understand your concerns, and to provide

1 you an opportunity to put your thoughts on the
2 record, should you care to do so.

3 The hearing tonight will be conducted in
4 a manner that all who desire to express their views
5 will be given an opportunity to do so.

6 To preserve the right of all to express
7 their views, I ask, one, there be no interruptions;
8 and two, that all speakers abide by the time
9 restrictions, so that all who wish to speak will
10 have an opportunity.

11 We do not wish to have one individual
12 deny others the rights to express their opinions and
13 their views on the proposed project. Furthermore,
14 in order to make any decisions regarding this permit
15 application, we, the United States Army Corps of
16 Engineers need to have you involve yourself in this
17 environmental review, not just tonight but
18 throughout the entire process.

19 When you came in, copies of the public
20 notice and procedures to be followed this evening
21 were available. If you did not receive these, both
22 are still available at the registration area, at the
23 entrance to the hall. I will not read either the
24 procedures or the public notice, but they will be

1 entered into the record.

2 A transcript of this hearing is being
3 prepared. And the record will remain open, and
4 written comments may be submitted tonight or by
5 mail, up until May -- up and to and including
6 May 27, 2011. All comments receive equal
7 consideration. Anyone who wishes to send written
8 comments should forward those comments to our
9 headquarters in Concord, Massachusetts.

10 Lastly, I'd like to reemphasize that
11 the Corps of Engineers has made no decision with
12 regards to this permit. It is our responsibility
13 to fully evaluate the Massachusetts Department of
14 Transportation's proposed activity and its impact
15 on the aquatic resources prior to any decision.

16 Please note that the Corps does not have
17 a preferred alternative and has not yet selected a
18 permissible transportation route at this time.

19 The Corps must first identify the Least
20 Environmentally Damaging Practicable Alternative.
21 That's where it starts. The process will not be
22 completed until the Final Environmental Impact
23 Statement is released.

24 Now, although the Massachusetts

1 Department of Transportation has a very ambitious
2 schedule for the completion of the necessary
3 environmental reviews and the permitting, the Corps
4 of Engineers has not developed a schedule for the
5 preparation of the Final EIS. The timing of the
6 Final EIS and our Record of Decision are contingent
7 upon the public comments we receive and the data
8 that needs to be gathered to fill any data gaps.

9 Again, we are here to receive your
10 comments and not to enter into any discussion of
11 those comments or to reach any conclusion.

12 Any questions you have should be directed
13 to the record and not to the individuals on the
14 panel.

15 So if there's no objection from the
16 Hearing Officer, I will now dispense with the
17 reading of the public notice of this hearing, and
18 I'll have it entered into the record.

19 LIEUTENANT COLONEL HOWELL: (Nods.)

20 MR. ROSENBERG: Thank you, sir.

21 * * * * *

22
23 PUBLIC NOTICE
24

1 US Army Corps of Engineers®

2 New England District

3 696 Virginia Road

4 Concord, MA 01742-2751

5
6 Comment Period Begins: March 23, 2011

7 Comment Period Ends: May 27, 2011

8 File Number: NAE-2007-00698

9 In Reply Refer To: Alan Anacheke-Nasemann

10 Phone: (978) 318-8214

11 E-mail: SCREIS@usace.army.mil

12 -----
13 Department of the Army Permit Application, Notice of
14 Availability of Draft Environmental Impact Statement
15 and Announcement of Public Hearings: Proposed South
16 Coast Rail Project, Massachusetts Department of
17 Transportation.

18
19 The District Engineer has received a permit
20 application from the applicant below to conduct work
21 in waters of the United States as described below.

22
23 **APPLICANT:** Massachusetts Department of Transportation,
24 10 Park Plaza, Boston, Massachusetts 02116

1
2 **ACTIVITY:** Discharge fill material into waters of the
3 United States, including adjacent wetlands. All
4 work is incidental to installation of transportation
5 infrastructure (rail and/or road grades) for
6 proposed commuter passenger public transportation
7 service. A detailed description of the proposed
8 activity is provided below. This work is proposed
9 in waters of the United States, including adjacent
10 wetlands, along existing active or abandoned
11 railroad, new track on lands currently not used as a
12 transportation corridor, and/or highway grades
13 between Boston and the Cities of New Bedford and
14 Fall River, Massachusetts.

15
16 **AUTHORITY**

17 Permits are required pursuant to:

18 ____Section 10 of the Rivers and Harbors Act of 1899

19 XXSection 404 of the Clean Water Act

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

22
23 The New England District, US Army Corps of Engineers
24 (Corps) has prepared a Draft Environmental Impact

1 Statement (DEIS) to evaluate the proposed
2 establishment of commuter passenger transit service
3 between Boston and the cities of New Bedford and
4 Fall River, MA. The DEIS has been prepared pursuant
5 to section 102(2)(c) of the National Environmental
6 Policy Act (NEPA) of 1969, as implemented by the
7 Council on Environmental Quality regulations (40 CFR
8 parts 1500-1508), in response to this Department of
9 the Army permit application.

10
11 The DEIS has also been prepared to serve as a Draft
12 Environmental Impact Report (DEIR) to satisfy the
13 requirements of the Massachusetts Environmental
14 Policy Act (MEPA; 301 CMR 11.00 et seq.). The MEPA
15 review is being conducted simultaneously with the
16 NEPA process.

17
18 The joint DEIS/DEIR evaluated a range of alternative
19 transportation routes. Alternative routes evaluated
20 in detail included three principal rail routes and
21 one bus route: (1) the "Attleboro Alternative," (2)
22 the "Stoughton Alternative," (3) the "Whittenton
23 Alternative," and (4) the "Rapid Bus" Alternative.
24 A No Build/Transportation Surface Management

1 alternative was also evaluated. Additional
2 permutations, including a "Middleborough Rail -
3 Rapid Bus Hybrid" and an "Attleboro Fourth Track"
4 configuration were also examined.

5
6 Two Public Hearings will be held, as follows:

- 7
8 1. Wednesday, May 4, 2011, 7:00 P.M., Qualters
9 Middle School, 240 East Street, Mansfield, MA
10 2. Thursday, May 5, 2011, 7:00 P.M., Keith Middle
11 School, 225 Hathaway Blvd, New Bedford, MA

12
13 Registration for each hearing will begin at
14 6:00 P.M. on the dates and locations listed above.

15
16 In order to properly evaluate the proposal, we are
17 seeking public comment. Anyone wishing to comment
18 is encouraged to attend one of the hearings noted
19 above or submit written comments. **Written comments**
20 **must be received no later than: Friday May 27, 2011.**

21 Written comments can be sent to Mr. Alan
22 Anacheke-Nasemann, Project Manager, US Army Corps of
23 Engineers, New England District, Regulatory
24 Division, 696 Virginia Road, Concord, MA, or by

1 email to: SCREIS@usace.army.mil. Written comments
2 may also be turned in to Corps staff during the
3 public hearings noted above. All comments will be
4 considered a matter of public record. Copies of all
5 comments will be forwarded to the applicant.

6
7 FOR FURTHER INFORMATION CONTACT: Mr. Alan
8 Anacheke-Nasemann, (978) 318-8214, email:
9 SCREIS@usace.army.mil.

10
11 **Background.** Section 404 of the Clean Water Act
12 requires a Department of the Army (DA) permit for
13 the discharge of dredged or fill material into
14 waters of the United States, including adjacent
15 wetlands. MassDOT has submitted an application for
16 a DA permit to discharge fill material into waters
17 of the U.S. incidental to establishment of commuter
18 public transportation service between Boston and the
19 cities of New Bedford and Fall River, MA, and known
20 as "South Coast Rail." Impacts to waters of the
21 U.S. would range in area from approximately 10.3
22 acres to approximately 21.5 acres, depending on the
23 alternative selected. The overall project purpose
24 is to more fully meet the existing and future demand

1 for public transportation between Fall River/New
2 Bedford and Boston, MA and to enhance regional
3 mobility. The cities of New Bedford, Fall River and
4 Taunton, Massachusetts are reportedly the only
5 cities within 50 miles of Boston not currently
6 served by commuter passenger rail service. The
7 project envisions up to approximately 9600 passenger
8 daily trips between Boston and New Bedford/Fall River.

9
10 The DEIS is intended to provide the information
11 needed for the Corps to perform a public interest
12 review for the Section 404 permit decision.

13 Evaluation of impacts of the various alternatives
14 will include application of the guidelines of
15 Section 404(b) of the Clean Water Act. Issues
16 analyzed in the DEIS include impacts to water of the
17 U.S. (including vernal pools and other wetlands);
18 transportation, land use; socioeconomics,
19 environmental justice, visual effects, noise,
20 vibration, cultural resources; air quality; open
21 space; farmland, hazardous materials, biodiversity;
22 threatened and endangered species; and water
23 resources. Several alternatives were evaluated for
24 comparative purposes, including the No-Action

1 Alternative under which no new transportation would
2 be built.

3
4 **Alternatives.** The "Attleboro Alternative" would add
5 new service via the existing AMTRAK® Northeast
6 Corridor, with added capacity, new track and
7 existing freight lines, from Boston via Attleboro
8 and Norton to Taunton. The new track ("Attleboro
9 bypass") would be laid in the Town of Attleboro,
10 near Chartley Pond in the vicinity of an existing
11 National Grid electrical line right-of-way. This
12 alternative would add approximately 20 new trains to
13 the existing Northeast Corridor between Attleboro
14 and Boston. Eight new commuter rail stations would
15 be constructed (Barrowsville, Downtown Taunton,
16 Taunton Depot, King's Highway, Whale's Tooth,
17 Freetown, Fall River Depot, and Battleship Cove) and
18 major reconstruction would occur at three existing
19 commuter rail stations (Canton Junction, Sharon,
20 Mansfield).

21
22 The "Stoughton Alternative" would extend the
23 existing Stoughton commuter rail line from its
24 current terminus in Stoughton along presently

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

15
16 The "Whittenton Alternative" is a variant of the
17 Stoughton Alternative, and would extend the existing
18 Stoughton commuter rail line from its current
19 terminus in Stoughton along presently abandoned
20 railroad rights-of-way through Easton and Raynham to
21 Taunton. This would follow the existing, abandoned
22 railroad grade that crosses Hockomock Swamp and then
23 an abandoned, serpentine (winding) railroad grade to
24 the west side of Taunton. This alternative would

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

13
14 Continuation of all three rail alternatives from
15 Taunton would follow existing, active freight lines
16 through Lakeville and Freetown to New Bedford and
17 Fall River. These links between Taunton and New
18 Bedford/Fall River are common to all three rail
19 alternatives identified above.

20
21 The "Rapid Bus" Alternative would provide commuter
22 bus service, in lieu of rail, from New Bedford, Fall
23 River and Taunton to South Station via I-93, Route 24,
24 and Route 140. North of I-495, buses would use a

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

10
11 The approximate locations of the proposed build
12 alternative transportation alignments and rail
13 station locations are shown on the enclosed plan
14 entitled "Figure 4.15-11: South Coast Rail Project
15 Alternative Alignments," and details of the proposed
16 impacts to waters of the United States are identified
17 in the DEIS/DEIR, Chapter 4.16 (Wetlands).

18
19 The No-Build Alternative would provide enhancements
20 to existing bus services with limited improvements
21 to the existing transit and roadway system, but
22 otherwise no major infrastructure improvements.

23
24 The decision whether to issue a permit will be based

on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments received will be addressed in the Final

1 Environmental Impact Statement and considered by the
2 Corps of Engineers to determine whether to issue,
3 modify, condition or deny a permit for this
4 proposal. Comments are used to assess impacts on
5 endangered species, historic properties, water
6 quality, general environmental effects, and the
7 other public interest factors listed above.

8
9 **Mitigation:** Implementation of a mitigation plan to
10 compensate for unavoidable losses to aquatic
11 resource functions will be required if a permit is
12 issued. The DEIS/DEIR provides a conceptual outline
13 of MassDOT's proposed mitigation program; however
14 specific mitigation measures have not been
15 identified at this point.

16
17 **Section 106 Coordination:** All of the proposed
18 alternative routes would affect historic and
19 cultural resources, including properties eligible
20 for listing on the National Register of Historic
21 Places, National Historic Landmarks, and historic
22 districts that have cultural importance in the
23 affected communities. Consultation with the State
24 and Tribal Historic Preservation Offices on the

1 extent of the impacts on these resources is ongoing
2 as part of the NEPA and §404 review processes,
3 pursuant to Section 106 of the National Historic
4 Preservation Act, as amended.

5
6 **Endangered Species Consultation:** The New England
7 District, Army Corps of Engineers has reviewed the
8 list of species protected under the Endangered
9 Species Act of 1973, as amended, which might occur
10 at the project site. It is our preliminary
11 determination that the proposed activity for which
12 authorization is being sought is designed, situated
13 or will be operated/used in such a manner that it is
14 not likely to adversely affect any federally listed
15 endangered or threatened species or their designated
16 critical habitat. By this Public Notice, we are
17 requesting that the appropriate Federal Agency
18 concur with our determination.

19
20 **Coastal Zone Management Act:** The State of
21 Massachusetts has an approved Coastal Zone
22 Management Program. Where applicable the applicant
23 states that any proposed activity will comply with
24 and will be conducted in a manner that is consistent

1 with the approved Coastal Zone Management Program.
2 By this Public Notice, we are requesting the State's
3 concurrence or objection to the applicant's
4 consistency statement.

5
6 **Availability of the DEIS/DEIR:** Interested parties
7 may view and download the DEIS/DEIR online at:
8 [http://www.nae.usace.army.mil/projects/ma/](http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/southcoastrail.htm)
9 [SouthCoastRail/southcoastrail.htm](http://www.nae.usace.army.mil/projects/ma/SouthCoastRail/southcoastrail.htm). A printed copy
10 of the document is also available to review at each
11 of the following locations:

- 12
13 1. State Transportation Library of Massachusetts
14 10 Park Plaza, 2nd Floor, Boston, MA
- 15 2. Russell Memorial Library, 88 Main Street,
16 Acushnet, MA
- 17 3. Attleboro Public Library, 74 North Main, Attleboro,
18 MA
- 19 4. Berkley Public Library, 3 North Main Street,
20 Berkley, MA
- 21 5. Boston Public Library, Central Library,
22 700 Boylston Street, Boston, MA
- 23 6. Thayer Public Library, 798 Washington Street,
24 Braintree, MA

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

20. Raynham Public Library, 760 South Main Street,
Raynham, MA

21. Sharon Public Library, 11 North Main Street,
Sharon, MA

22. Stoughton Library, 84 Park Street, Stoughton, MA

23. Taunton Public Library, 12 Pleasant Street,
Taunton, MA

24. West Bridgewater Public Library, 80 Howard
Street, West Bridgewater, MA

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

(X) Permit, License or Assent from State.

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

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

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

Jennifer L. McCarthy
Chief, Regulatory Division

* * * * *

MR. ROSENBERG: A transcript of this hearing is being made to assure a detailed review of all the comments. A copy of the transcript will be available in our Concord, Massachusetts headquarters for review, on our website for your use, or you may make arrangements with the stenographer for a copy at your own expense.

Individuals speaking today will be called to the microphone in the order they signed in and as provided by our hearing protocol that was distributed in the reception area.

When making the statement, come forward to one of the microphones. One's located on each aisle. State your name, and then the interest you represent.

And as I said, as there are many who wish to provide comment, you will be provided three minutes to speak, no more. Once again, please keep to this time restriction, so you will avoid denying others the right to speak.

Thank you.

Now, this traffic signal behind me

1 indicates the following: The green light -- when
2 the green light comes on, it will indicate that you
3 have two minutes remaining. When the amber light
4 comes on, you have one minute left, and, of course,
5 when the red light comes on, that indicates your
6 time has expired.

7 Please identify if you're speaking for
8 or representing a position of an organization. If
9 you speak for yourself, just say that.

10 I want to emphasize again that all who
11 wish to speak will have the opportunity to do so;
12 and once again, we have an additional stenographer
13 located outside the hearing room should you wish to
14 dictate an individual statement for the record
15 without the time restrictions.

16 We will now begin to receive your
17 comments according to our hearing protocol.

18 Our first speaker tonight will be Mayor
19 Scott Lang, and Mayor Lang will be followed by
20 Senator Mark Montigny.

21 MAYOR SCOTT LANG: Good evening. Thanks
22 very much for coming to New Bedford. We sincerely
23 appreciate it. We welcome the Army Corps and all
24 the officials that are here tonight.

1 I want to speak in favor of the South
2 Coast Rail Project. I want to speak in favor of the
3 Hockomock Route. I want to lay it out very, very
4 quickly for you.

H-038.01

5 The first thing that I want to emphasize
6 is that this is a very important economic development
7 project for our area. It is also an important
8 project for the state.

9 This will provide immediate jobs in the
10 planning and building of the rail and then provide
11 jobs along the rail itself. It will allow us to
12 move individuals rapidly north and south.

H-038.02

13 Eventually we would hope that the United States
14 would continue to build and will go east and west as
15 well.

16 We believe it moves passengers as well
17 as freight. We have looked at this project for a
18 very long period of time. We are now one of the
19 fastest growth areas in the state, and it's
20 absolutely something that's vital to continue this
21 economic development.

22 The second thing that I would like to
23 say is that this is a matter of social, economic,
24 and environmental justice for everyone in the state.

H-038.03

1 If you traveled on 195, 140, 24, 93, you know that
2 that -- that these roadways, in essence, will be
3 obsolete with \$4-a-gallon gasoline, with the fact that
4 we have tremendous concerns about the environment,
5 and the fact that it is nearly impossible to move,
6 without denigrating the quality of life of all our
7 citizens because of the time frames involved. Having
8 rapid mass transportation by way of rail from our
9 section of the state, north/south is extremely
10 important.

H-038.03

11 The last or the number of other things
12 that I want to say is that we don't believe an
13 extension is warranted. We've been waiting for this
14 project for decades, and we believe a May 27th
15 deadline is completely appropriate. This entire
16 project has been open, transparent, and public
17 engagement has started from the first day, about
18 four years ago.

H-038.04

19 I've been to so many meetings in which
20 the public's been involved, in which routes have
21 been vetted, checked, that it would not be right to
22 continue with an extension.

23 The other thing that I will say -- and
24 I've got a yellow light now -- is that we don't want

H-038.05

1 an iron horse built. This is the 21st Century. We
2 believe electric, fast start, fast stop, get us to
3 Boston or get us north quickly.

4 Environmentally friendly is appropriate.
5 This rapid mass transit by way of rail, to go by
6 diesel continues to have us depend on oil, have us
7 continue to pollute the environment. It doesn't
8 make sense, and 10 years later we'll be looking to
9 try and convert to electric trains.

10 So let's build a 21st Century product
11 with the tech that has people, as I've said before,
12 from Tokyo saying I want to ride the rail from
13 New Bedford to Boston.

14 So I thank you. This is of utmost
15 importance for our region, and we hope that you will
16 act expeditiously and favorably to this project.

17 Thanks very much.

18 MR. ROSENBERG: Thank you, sir.

19 (Applause.)

20 MR. ROSENBERG: Our next speaker is
21 Senator Mark Montigny who will be followed by State
22 Representative Antonio Cabral.

23 SENATOR MARK MONTIGNY: Thank you,
24 folks. For the record, I am Senator Mark Montigny.

H-038.05

H-038.06

1 I represent about 160,000 folks, not only their
2 aspirations, but in this case, several thousand of
3 whom I think I represent tonight their frustrations.

4 I want to say first to you, Lieutenant
5 Colonel, thank you for your service to the United
6 States of America; and to all the staff of the Army
7 Corps, we appreciate your indulgence.

8 (Applause.)

9 SENATOR MARK MONTIGNY: I understand
10 last night that there was some folks who did what we
11 all tend to do express some frustration. I think
12 not in my backyard is a natural instinct. I'd like
13 to suggest tonight that you'll hear from folks that
14 are passionate and are saying, please, put it in our
15 backyard.

H-039.01

16 We've been saying it for decades, some
17 of us, in my case, longer than I care to admit. I
18 will just cite a couple of instances so you'll
19 understand that although we're excited and passionate,
20 we're also frustrated.

21 In 1991, Governor Weld looked at me at a
22 podium when I was President of the Fall River
23 Chamber of Commerce and said if you don't have
24 commuter rail by 1997, sue me. I've been looking to

H-039.02

1 sue his trust fund for over a decade. It hasn't
2 worked.

H-039.02

3 In two thousand -- excuse me -- in 1993,
4 the Secretary of Transportation said sure, Senator,
5 if you can earmark the money for a study, we will
6 gladly study the Attleboro Alternative, and then two
7 years later, you can do it again if that doesn't
8 work, and we'll study the Stoughton Route, and I
9 said, no thank you and earmarked three and a half
10 million dollars, and we studied these alternatives
11 that you are looking at tonight, in 2011. So we are
12 frustrated.

H-039.03

13 A succession of governors didn't include
14 the Army Corps unfortunately. This governor, a true
15 champion of the project, was wise enough to understand
16 that it required cooperation.

H-039.04

17 I want to say one thing very clearly.
18 It's been studied to death. We ask you not to
19 extend the comment period. We ask you to do as
20 you're capable. We know you're thorough, and we
21 will win from that, but we ask you to do this within
22 the year, and we know that you can do it in even
23 less time.

H-039.05

24 There is no question in our minds

H-039.06

1 because we've participated in literally hundreds of
2 meetings and watched this study after study by very
3 competent environmental experts. The Stoughton
4 Route is the alternative. The Whittenton -- I'll
5 call it the Whittenton Delay Option is not a
6 feasible alternative.

H-039.06

7 And the only thing that we would ask
8 understand that we truly believe that this is not
9 only an issue of economic justice. We understand
10 what it will do, and I will say to you unequivocally
11 it is the most important economic project for this
12 region. I would suggest also looking at the
13 environmental aspects. There is nothing that will
14 do more to take thousands of cars off the road every
15 day than this project.

H-039.07

16 And, lastly, quoting economists that sat
17 before me as the Chairman of Ways and Means in the
18 Senate and suggested the singular -- singularly the
19 biggest challenge to the economic development of
20 Massachusetts, not the South Coast, was, in fact,
21 the lack of growth in the workforce because of a
22 congested capital city and a cost of living that was
23 unbearable for most; and they suggested, without
24 provocation from me as a champion of this project,

H-039.08

1 that commuter rail to the South Coast for a variety
2 of reasons would help solve that issue.

3 So I close by again thanking you for
4 your indulgence, but I ask that you expedite the
5 process. We have waited far too long. The project
6 works. It is necessary, and we need it quickly.

7 Thank you very much for your time.

8 MR. ROSENBERG: Thank you, sir.

9 (Applause.)

10 MR. ROSENBERG: Thank you, sir.

11 The next speaker is Representative
12 Antonio Cabral, who will be followed by State
13 Representative Stephen Canessa.

14 REPRESENTATIVE ANTONIO CABRAL: Thank
15 you. For the record, it is State Representative
16 Antonio Cabral, from the City of New Bedford.

17 Good evening and welcome to New Bedford
18 and thank you for your extraordinary thorough Draft
19 Environmental Statement and your report.

20 I'm here to support the South Coast
21 Rail. We've been working on this project, as the
22 Senator said, for several decades now. We don't
23 believe that the date of May 27 should be extended,
24 and we believe strongly that the Stoughton Route is

1 the most effective, the most cost-effective, the
2 most fastest route for us to get to Boston, and we
3 don't need any buses. We have already buses from
4 New Bedford and I believe from all the other cities
5 in Southeastern Mass.

H-040.01

6 This project would mark a turning point
7 for us. It's certainly, as the Mayor said, one of
8 the biggest economic projects that we could have in
9 our region and in our city, particularly, New
10 Bedford. As you know, the Cities of New Bedford,
11 Fall River, and Taunton are the only cities of their
12 size in the eastern half of Massachusetts without
13 rail service of any kind.

H-040.02

14 How can you have cities like ours not
15 connected to the biggest city, not only in
16 Massachusetts, the biggest city in New England, the
17 biggest economic engine of New England. It's like
18 we were saying all roads used to lead to Rome, but
19 we need to be connected to Boston by rail.

20 There's no other -- there is no
21 coincidence why we have some of the highest
22 unemployment rates in New England. This project
23 will allow our cities to take advantage of our many
24 strengths, to build our prosperity, based on our

H-040.03

1 strengths, as the mayor has said and others have
2 said before.

H-040.03

3 I want to briefly address the concerns
4 you heard last night in Mansfield. I can understand
5 the disappointment of someone who took the risk of
6 purchasing a home along existing railroad tracks,
7 hoping that the tracks wouldn't be used. They used
8 to be used only a few years ago. The last time the
9 rail was used was 1959.

H-040.04

10 No one likes to lose the battle, but I
11 believe the opposition of those living along the
12 tracks, the northern stretch of the proposed
13 Stoughton Route, does not reflect views even of a
14 majority of those community residents, much less the
15 majority of our region's residents.

H-040.05

16 In 2007, the residents of both Raynham
17 and Easton voted against opposing this project
18 through a local referendum, directed their elected
19 leaders to instead work with the state to mitigate
20 any impact to their communities.

21 As for Environmental Impacts, your
22 report makes clear that the actual impact to the
23 land and wetlands are much smaller than even the
24 projects' strongest supporters, like myself,

H-040.06

1 believe. You point out, for instance, that the
2 project would affect only, only half of an acre of
3 wetlands in the Hockomock Swamp.

4 On the other hand, the project would
5 take more than 8,000 cars off the roads of
6 Southeastern Massachusetts every day and eliminate
7 62,000 tons of CO₂ from our atmosphere.

8 MR. ROSENBERG: Thank you, sir. Thank
9 you very much.

10 Since you have a longer statement, I
11 invite you to use the stenographer out there, but,
12 please, sir, make sure that we get a copy of that
13 statement.

14 REPRESENTATIVE ANTONIO CABRAL: I will
15 be submitting written comments before the 27th both
16 to you and to MEPA.

17 MR. ROSENBERG: Thank you, sir.

18 REPRESENTATIVE ANTONIO CABRAL: Thank
19 you.

20 MR. ROSENBERG: Thank you.

21 (Applause.)

22 MR. ROSENBERG: Our next speaker is
23 State Representative Stephen Canessa, and he will be
24 followed by State Representative Christopher Markey.

1 REPRESENTATIVE STEPHEN CANESSA: Good
2 evening. And first I want to thank you for this
3 important public hearing. I know it's a very
4 critically important part of this process; so, I do
5 want to thank you and acknowledge you for hosting a
6 hearing in New Bedford.

7 I'm going to be brief because I know
8 that you've heard from us, and when I say us, the
9 delegation on several occasions regarding our
10 position on this issue.

11 You'll undoubtedly hear from many people
12 on this issue. I know you've heard from several
13 last night. You'll hear from several tonight, and
14 as this process unfolds through May 27th, I'm sure
15 you'll hear from quite a few; and those who you'll
16 hear from will have a variety of views, for a
17 variety of reasons. They will be opposed. They
18 will be in favor, and they will express their
19 opinions.

20 Please keep in mind that when -- there
21 are some folks who may be opposed in this process
22 who already benefit from rail service. The New
23 Bedford, Fall River, and Taunton region currently do
24 not benefit from this service, and I certainly think

H-041.01

1 that is something that our region does deserve.

H-041.01

2 We've expressed the frustration at times
3 regarding the length of time of this process;
4 however, I do want to very sincerely thank you and
5 show my extreme appreciation for the thoroughness
6 and the detail that you put into this, what as I
7 think have been a --

H-041.02

8 MS. EGAN: DEIS.

9 REPRESENTATIVE STEPHEN CANESSA: -- the
10 two-year DEIS project. I do think that in the long
11 run, that will be an extreme benefit for all of us
12 in this region.

13 I do want to go on record in support of
14 the Stoughton Extension for a variety of reasons,
15 which includes economic development, accessibility
16 for the residents of this area, and also educational
17 opportunities, which could be achieved for the
18 residents of this area in the greater Boston region.

H-041.03

19 I do also want to publically thank
20 Kristina Egan who has been absolutely wonderful in
21 this process as well.

22 Thank you.

23 MR. ROSENBERG: Thank you, sir.

24 (Applause.)

1 MR. ROSENBERG: Our next speaker is
2 State Representative Christopher Markey who will be
3 followed by Mayor Charles Crowley, Mayor of Taunton.

4 REPRESENTATIVE CHRISTOPHER MARKEY:
5 Thank you for the opportunity to be here this
6 evening.

7 I'm educated as a lawyer, and I look at
8 things and try to be as logical as I can, and I know
9 you, your group, the Army Corps has taken a lot of
10 heat for the extension of the time of your
11 evaluations and your report. However, I must say
12 that that time, I think, in the end -- at the end of
13 the day is going to be the savior and the effort
14 that you put into it in preventing significant
15 litigation for this case -- this project.

H-042.01

16 The thoroughness of that, the ability
17 for you to dissect the entire project in bits and
18 pieces, and at the end of the day when you look at
19 the Stoughton line, and you realize that it's only
20 impacting one half acre of wetlands is significant.

H-042.02

21 And I think that everyone should be
22 grateful for the opportunity that you have given
23 us to review those documents and to take a look at
24 the opportunity -- the opportunities that exist; and

H-042.03

1 I would just say to you the environment will not
2 be hindered or would not be affected to the degree
3 if it went down to the Attleboro line or the
4 Middleborough line. The most effective, both
5 environmentally and economically, is the Stoughton
6 line; and I would just say from the history of the
7 Army Corps and if anybody understands the economic
8 impact of a significant state and federal
9 infrastructure development it is the Army Corps.

H-042.03

10 I said it during my most recent campaign
11 if you look about 25 miles to the east of us, the
12 Cape Cod Canal, those bridges were built before we
13 even had highways, before most people even had cars.
14 The idea now that we're going to develop some type
15 of commuter rail all the way down to New Bedford
16 when every other area has it, it's not novel. It is
17 simply the most effective way for our state to
18 develop, and it's the most effective way for our
19 community to seek serious, serious economic
20 development, something that will tie us into Boston.

H-042.04

21 I hope that you seriously consider the
22 Stoughton line. I think it's the most effective way
23 environmentally and economically; and I gratefully,
24 on behalf of my constituents, thank you for making

H-042.05

1 such a thorough document that's going to push this
2 thing forward. Thanks again for your time and
3 efforts.

4 And, Kristina Egan, I can't thank you
5 enough for your efforts and your ability to be fair
6 and impartial throughout the whole process.

7 MR. ROSENBERG: Thank you, sir.

8 (Applause.)

9 MR. ROSENBERG: The next speaker is
10 Mayor Charles Crowley. The Mayor will be followed
11 by Jean Fox.

12 MAYOR CHARLES CROWLEY: Thank you very
13 much. It's a pleasure to be here to speak to you
14 again on my support, my enthusiastic support for
15 South Coast Rail for Southeastern Massachusetts.

16 It is -- we look forward in Taunton to
17 be the gateway to the South Coast because the one
18 thing that I've emphasized here everyone talks about
19 it having the benefit it will be for us here down
20 in the South Coast to get to Boston to enjoy the
21 amenities there, but I think there's so many
22 qualities in Southeastern Massachusetts that we
23 believe that many people from Boston should be able
24 to come down to enjoy those qualities that we have

1 down here, the attractions down here. Let's expose
2 those elements in here, in Southeastern Mass., to
3 the people in Boston, and I think they'll enjoy what
4 we have down here.

H-043.02

5 But I'm enthusiastically in support,
6 along with my constituents, for the Stoughton Route,
7 the direct Stoughton Route. It has been a railroad
8 bed, a railroad coming through there since 1845, all
9 the way down to the last train in 1959, the last
10 passenger train. It's gone through the Hockomock
11 Swamp. It's not like we're putting a path through
12 the swamp that has been, you know, on a virgin type
13 of swamp area. It's been there since 1845, and far
14 more detrimental locomotives, from an environmental
15 standpoint, than they have today. So we believe
16 that's the most attractive route.

H-043.03

17 If it takes me an hour and 15 minutes to
18 go through one of these obscure routes like Attleboro
19 and the Whittenton Alternative to get to Boston, and
20 it's quicker for me to get the car, I'm going to
21 still take the car; so, all the investment will be
22 worth nothing.

H-043.04

23 It makes sense to build the direct route
24 through the Stoughton Route, and that's the one we

H-043.05

1 enthusiastically endorse. The Attleboro Route has
2 15 grade crossings. If we were to take that, plus
3 the time element there, it would devastate our
4 community as it would crisscross the area where -- a
5 highly congested area where the houses are virtually H-043.05
6 as close as if you put the train down the corridor
7 here. The houses are right there. You can stick
8 your hand out the train, you'll probably hit the
9 houses. The mitigation efforts on that would be
10 enormous, in my opinion.

11 The Whittenton Alternative is 14 grade
12 crossings in our city and crisscrosses the city. It
13 would interfere with public safety response H-043.06
14 vehicles, ambulances, and so forth like that in our
15 community.

16 The Stoughton Route only has five grade
17 crossings, and it adds two stations, one for the
18 downtown area, the historic district, where it would
19 be, as well as the regional station behind the H-043.07
20 Target store. It would allow people to be able to
21 take advantage of this, not only locally but
22 regionally.

23 I think it's the best thing that's ever
24 happened there. I applaud the Governor for taking

1 the initiative to put his efforts and his money
2 where his mouth is. He's been very refreshing.

3 And also, Kristina Egan, she's been a
4 champion of this project, and I applaud her efforts
5 too.

6 I thank you, and count me as absolutely
7 in favor of this, along with our 56,000 people from H-043.08
8 the City of Taunton.

9 Thank you.

10 MR. ROSENBERG: Thank you, sir.

11 (Applause.)

12 MR. ROSENBERG: Our next speaker will be
13 Jean Fox, who will followed by Jane Gonsalves.

14 JEAN FOX: Thank you. I am Jean Fox,
15 Freetown Selectman, resident of Freetown, and I'm
16 also with the Greater New Bedford Workforce
17 Investment Board.

18 I want to thank you very much for
19 inviting us all here, for having this hearing. I am H-044.01
20 personally in favor of an electric train along the
21 Stoughton Route.

22 I'm not in favor of any extension of the
23 public comment period as all salient information has H-044.02
24 been available since the fall of 2009, with little,

1 if any, new information since that time being made
2 available. Any delay will negatively impact access
3 to important federal funding.

H-044.02

4 South Coast Rail is South Coast
5 Renaissance. It's the rebirth of this nation's
6 vitality and promise. It means accessibility. It
7 means jobs. It opens up the region to tremendous
8 economic development potential, connecting employers
9 and businesses to our most noteworthy resource, our
10 human resource. For the first time in close to a
11 century, it provides a public link between the South
12 Coast and the rest of the state.

H-044.03

13 For the region's workforce and economy,
14 commuter rail is a boon. It offers jobs,
15 transportation options, reciprocal connectivity,
16 and an important economic shot in the arm with
17 implications that stretch far beyond the South
18 Coast.

19 For station sites, South Coast Rail has
20 a chance to undertake smart growth -- smart growth
21 strategies that weave development with cultural
22 heritage all within the parameters of community
23 engagement and environmental stewardship, through
24 the identification of priority development and

H-044.04

1 priority protection areas.

2 South Coast Rail has already proven its
3 mettle, bringing key stakeholders to the table,
4 promoting smart growth, assessing public transit in
5 the aggregate, rather than in silos, encouraging
6 extensive public comment and input. Technical
7 assistance support has allowed Freetown and other
8 communities to move ahead with transit-oriented
9 design and development.

10 New Bedford has three bridges that are
11 being renovated and readied for the train thanks to
12 TIGER grant funding, obtained through South Coast
13 Rail, and for the 31 communities involved, extensive
14 examination of impacts and benefits has been
15 accomplished.

16 Thanks to the efforts of the Governor,
17 the Lieutenant Governor, Kristina Egan, SRPEDD and
18 the South Coast Rail Task Force, as well as all the
19 communities, we are where we are, and we need to
20 continue the momentum.

21 I am strongly in favor of the Stoughton
22 Alternative, and I thank you for this extensive
23 study, and we're ready to move forward.

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

1 (Applause.)

2 MR. ROSENBERG: Next speaker, Jane
3 Gonsalves who will be followed by David Kennedy.

4 JANE GONSALVES: Good evening. I'm Jane
5 Gonsalves. I'm a member of the New Bedford City
6 Council.

7 I'm here to speak in favor of South
8 Coast Rail, and, in particular, the Stoughton Route.
9 I'd like to advise you that the New Bedford City
10 Council has already gone on record in support of
11 South Coast Rail and the Stoughton Route, and if you
12 haven't seen the letters yet, you should be seeing
13 them shortly. We took a vote on that at our last
14 City Council meeting, one of many votes.

H-045.01

15 The City Council of New Bedford has been
16 a strong, staunch supporter of the rail extension to
17 Southeastern Massachusetts. It certainly is an
18 important economic development tool for this area.
19 It will give us the ability to seek more work
20 opportunities in the Boston area. The route, as you
21 know, according to the documents that have already
22 been published, has less environmental impact than
23 other routes and also a quicker travel time.

H-045.02

24 It is a critical, critical piece of our

H-045.03

1 economic recovery in this area, and I consider it a
 2 matter of economic justice for this area, since New
 3 Bedford/Fall River are the only cities of their size
 4 that do not have access to mass transportation in
 5 the form of rail in the State of Massachusetts.

H-045.03

6 I'd also say that the City Council is
 7 not in favor of an extension of time for this
 8 process. We believe that those documents having
 9 been available on the website since the fall of 2009
 10 have given the public adequate opportunity to make
 11 comment at this time; and, further, that the delay
 12 and extension of time would affect South Coast
 13 Rail's ability to access federal transportation
 14 funding, and we appreciate your meeting with us in
 15 New Bedford, so we can give you our comments here.

H-045.04

16 And I also want to comment on Kristina
 17 Egan's wonderful ability to work on this project and
 18 gather support and work to make it a reality.

19 Thank you.

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

21 (Applause.)

22 MR. ROSENBERG: The next speaker is
 23 David Kennedy, who will be followed by Derek Santos.

24 DAVID KENNEDY: Good evening, and thank

1 you. My name is David Kennedy, and I appear this
2 evening as a life-long resident of New Bedford,
3 currently serving as the City Planner.

4 I wish to express my strong support for
5 the recently completed South Coast Rail DEIR,
6 prepared by the Army Corps. This report is probably H-046.01
7 the most thorough evaluation of a proposed
8 transportation initiative that I have ever reviewed
9 in my 35 years of public service.

10 Fifty years ago, the intent of public
11 rail service was simply to connect New Bedford to
12 Boston. The current proposal seeks to establish new
13 economic opportunity along the entire 50-mile
14 corridor. The proposed commuter rail service is
15 being intentionally planned to maximize economic H-046.02
16 benefit to all 31 communities along its route. This
17 initiative overcomes long-standing environmental
18 justice issues by reestablishing transportation
19 equity to the South Coast just as other gateway
20 communities have benefitted from statewide.

21 The DEIR examines, in great detail, how
22 the most practicable environmental alternative, the
23 proposed Stoughton Electric Alternative is the least H-046.03
24 damaging solution in creating job access, lessening

1 urban and suburban sprawl, and anticipating the
2 consequences of impending climate change on a
3 regional level.

H-046.03

4 With the uncontrollable rise in fuel
5 prices, there's no better time in American history
6 than the present to move this transportation project
7 forward.

H-046.04

8 The Corridor Planning Study underwent
9 a robust civic engagement process, meeting in over
10 100 different settings while examining dozens of
11 alternative routes, economic variables, and
12 scenarios.

13 It appears that the Stoughton
14 Alternative has risen as the preferred, most
15 practical alternative, affording convenient,
16 reliable Boston access within 70 minutes.

17 New Bedford has recently completed a
18 comprehensive master plan. Consistent with this,
19 plan abundant reference to the reestablishment of
20 commuter rail is acknowledged in the transportation,
21 economic, and educational sections. This particular
22 rail project will complete the City's intermodal
23 port to rail capacity.

H-046.05

24 The City has also begun a long-awaited

H-046.06

1 rezoning process to become consistent with this
2 proposed rail corridor plan. This effort has
3 produced two transit-oriented development sites here
4 in New Bedford.

H-046.06

5 In closing, I respectfully urge you and
6 the Executive Office of Energy and Environmental
7 Affairs to support this Stoughton Alternative as the
8 Corps continues onward towards the initiation and
9 swift completion of a Final EIR.

H-046.07

10 MR. ROSENBERG: Thank you, sir.

11 (Applause.)

12 MR. ROSENBERG: Our next speaker will be
13 Derek Santos, who will be followed by George Smith.

14 DEREK SANTOS: Good evening. My name is
15 Derek Santos.

16 I'm here speaking tonight not only as a
17 life-long resident of New Bedford but an incredibly
18 proud resident of the City, on behalf of Matthew
19 Morrissey, the Executive Director of the NBEDC, who
20 is this evening with an expert team from the EDA,
21 who are here in New Bedford exploring the connection
22 of our fishing industry and its impact on our
23 overall economic environment and growth here in New
24 Bedford.

1 The New Bedford Economic Development
2 Council would like to take this opportunity to
3 provide comment on the Draft Impact Statement for
4 the South Coast Rail Project, proposed by the
5 Massachusetts Department of Transportation.

6 The EDC fully supports South Coast Rail,
7 and specifically supports the proposed Stoughton
8 Electric Alternative as the most viable alternative,
9 with the least impact to wetlands and wildlife.

H-047.01

10 As the lead economic development agency
11 for the City of New Bedford, the NBEDC has a mission
12 to work in partnership at the city, state, and
13 federal levels to promote sustainable job retention
14 and creation for New Bedford citizens.

15 To achieve this mission, we are
16 implementing a balanced, aggressive, and
17 multifaceted growth strategy of which the
18 reestablishment of commuter rail service to Boston
19 is a critical component.

H-047.02

20 As such, this project is a central
21 element to our transportation goals outlined in the
22 city's master plan, New Bedford 2020, and will serve
23 as a catalyst for private investment and job
24 creation for decades to come.

1 The proposed Stoughton Electric
2 Alternative will spur targeted economic growth along
3 the entire corridor, creating 2,000 jobs and 228
4 million in private investment in New Bedford alone
5 by the project's completion in 2030.

H-047.03

6 Today we are now constructing three rail
7 bridges for the project through TIGER grant program
8 funds and are implementing new zoning in the areas
9 of two New Bedford station locations that will
10 promote the development of more than 1,700 new
11 housing units, as well as 750,000 square feet of new
12 commercial space.

H-047.04

13 New Bedford and Fall River have long
14 been an underserved region of the state, and the
15 proposed Stoughton Electronic Alternative will
16 support smart growth in urban centers, help protect
17 green fields from development, and provide faster
18 service that serves the greatest amount of
19 passengers.

H-047.05

20 Finally, this project has been fully
21 studied, is well planned, and under the leadership
22 of Governor Patrick, has had a thoughtful civic
23 engagement as a central element to its advancement.

H-047.06

24 We urge that the Final EIS and EIR

1 address only the Stoughton Electric Alternative, as
2 we begin to focus hopefully on the construction of H-047.06
3 this line from New Bedford to Taunton as soon as
4 possible.

5 Thank you.

6 MR. ROSENBERG: Thank you, sir.

7 (Applause.)

8 MR. ROSENBERG: Next speaker, George
9 Smith, followed by Raymond Medeiros.

10 GEORGE SMITH: Good evening. Welcome to
11 this great City of New Bedford. My name is George
12 Smith, currently last eight years, Chairman of the
13 Planning Board of the City of New Bedford. Prior to
14 that, I was City Council for eight years, and a
15 citizen of this terrific city.

16 My comments would be probably before any
17 of the lights come on, but I just want to thank you
18 again for being here. This is a really, really
19 important issue for this City of New Bedford.

20 First of all, I'd like to put my support
21 behind -- strongly support the Stoughton Electric
22 Alternative. A 70-minute trip is critical to ensure H-048.01
23 ridership and the success of a commuter rail service
24 to the South Coast.

1 The South Coast is not just about
2 getting to jobs in Boston. It's about connectivity
3 and opening the South Coast region for everyone to
4 enjoy.

H-048.02

5 We have a terrific university, the
6 University of Massachusetts here. We have Bristol
7 Community College. We probably have some of the
8 best beaches besides Cape Cod in the area. There's
9 so many things in New Bedford that people can't get
10 to because we do not have the rail.

11 I don't want to give you my age. I'm
12 67 years old. I'm probably not the oldest guy in
13 the building, but I can remember going down to the
14 old train depot we had in New Bedford many years ago
15 and seeing the train there. So it goes back some
16 time. But the train did come through New Bedford,
17 and we're looking forward to it coming again.

H-048.03

18 As we mentioned, and it's been mentioned
19 by several people, the master plan, 47 years this
20 city was without a master plan. It was adopted by
21 the planning board in November of 2010.

H-048.04

22 So we do have a master plan, and in that
23 master plan, rail was discussed; and the next step
24 of the master plan, the planning office will

1 undertake a complete revision of the city's zoning
2 code, including the recommendation to establish a
3 transit-oriented development at Whale's Tooth and
4 King's Highway, New Bedford's two local station
5 locations, a recommendation from the South Coast
6 Economic Development and Land Use Corridor Plan that
7 will protect and preserve our priority preservation
8 areas while enhancing our priority development
9 areas.

10 Again, I want to thank you very much for
11 coming to this great City of New Bedford, and I
12 appreciate anything you can do ahead of time to get
13 this passed.

14 Thank you.

15 MR. ROSENBERG: Thank you, sir.

16 (Applause.)

17 MR. ROSENBERG: Next speaker, Raymond
18 Medeiros who will be followed by Roy Tridib.

19 Raymond Medeiros.

20 Thank you, sir.

21 Sir, you will be followed by Roy Tridib.

22 RAYMOND MEDEIROS: Good evening. My
23 name is Ray Medeiros. I've been a citizen of New
24 Bedford all my life.

1 And I think the only route is a
2 Stoughton Route through the Hockomock Swamp. That's
3 the only route. The Attleboro route, forget it, and H-049.01
4 the buses, they shouldn't be considered. Nobody
5 wants to go to Boston in a bus.

6 Another thing I'd like to say is that
7 these people that use the environmental excuses in
8 the Hockomock Swamp, no matter what they do there, H-049.02
9 Mother Nature has its way of protecting it and
10 bringing everything back the way it was.

11 And as far as animals go, soon as you
12 make noise in there with big equipment, these H-049.03
13 animals, they're gone.

14 Now, there was a woman she wrote in
15 tonight's paper she mentioned the trains are going
16 to affect the wells. How's that going to be? H-049.04
17 Everybody's well's near the railroad tracks? And
18 she also complained, of course, of the environmental
19 problems in the swamp.

20 These people from Easton, they're just
21 against this thing coming to New Bedford. They're
22 all using excuses, and I don't think we should put
23 up with it.

24 I just hope that this is successful. I

1 don't think I'll live to see it. I'm too old, but
2 my grandchildren will. So that's why I come in here
3 to give my pieces of mind because I don't think I'll
4 see it. I'm too old.

5 Thank you.

6 MR. ROSENBERG: Thank you, sir.

7 (Applause.)

8 MR. ROSENBERG: Our next speaker is
9 Roy Tridib, who will be followed by Ronald
10 R-E-H-E-A-U-M-E, Rheaume.

11 RONALD RHEAUME: Rheaume.

12 TRIDIB ROY: Thank you. I am T.K. Roy
13 Tridib or Tridib is my first name. I am a retired
14 faculty of U. Mass. Dartmouth, and I am speaking on
15 my behalf, but I know in my heart, I represent the
16 sentiments of thousands of residents through the
17 faculty, the families, students, and the parents,
18 and other community members of this area.

19 As I -- I sincerely thank both the
20 committees for having these public hearings on the
21 South Coast Rail Project to collect information
22 regarding the impact of the project on the
23 environment and the economy and other implications.

24 As a resident of this area for more than H-050.01

1 three decades, I honestly and strongly believe that
2 the South Coast Rail is not only a need but a
3 necessity for this region to grow and continue with
4 its full potential to the States of Massachusetts,
5 Rhode Island, and the nation as a whole.

H-050.01

6 Why I believe so. Well, I have a few
7 points that I have written down, and I have to watch
8 the light there, but it is off right now, but
9 I -- just remind me when my time is over. If I
10 have -- if I need extra time, I'll give it to the
11 other committee.

12 Number one, it will provide an
13 environment friendly and economic transportation
14 system between this region and Boston, Route 128
15 belt and beyond. It will reduce pollution from the
16 thousands of commuting vehicles now burning fossil
17 fuel. That means less carbon emissions and less
18 footprint.

H-050.02

19 Number two, it will also reduce the
20 dependence of imported oil, which is a scarcity
21 these days, and it will save millions of gallons of
22 gasoline each year that is used currently by the
23 commuters in cars and buses.

H-050.03

24 Number three, South Coast has a large

H-050.04

1 population of skilled workers such as trained
2 plumbers, carpenters, welders, electricians, masonry
3 workers, painters, landscapers, house estimating
4 experts, electronic and computer technology trained
5 technicians, graduating from the local vocational
6 schools and community colleges of this area.

H-050.04

7 There's a valuable human resource. The workforce
8 will be available to work in Boston and Route 128
9 belt area, where there is a dire need of these
10 services of such a hard-working and skilled
11 workforce.

12 These workers will have a better earning
13 from such employment, and spending their money in
14 this area will inject more economic power to the
15 community of this area, and it will improve the
16 quality of life.

17 This is a win-win situation for both
18 Boston and the Route 128 belt as well as the
19 community of this city.

20 Number four, it will bring tourists from
21 different areas. South Coast is endowed with
22 beautiful sight-seeing attractions, with its nice
23 clean city beaches, rivers, and creeks, ponds, and
24 parks, strewn over --

H-050.05

1 MR. ROSENBERG: Thank you, sir. Thank
2 you. I would like to invite you to go see our
3 stenographer in the hallway --

4 TRIDIB ROY: Sure.

5 MR. ROSENBERG: -- so you may finish
6 your statement.

7 TRIDIB ROY: Thank you.

8 MR. ROSENBERG: And I'm pleased if you
9 have a written statement, please send it on before
10 May 27th.

11 Thank you.

12 TRIDIB ROY: Thank you.

13 (Applause.)

14 MR. ROSENBERG: The next speaker will be
15 Ronald Rheaume. Please pronounce your name for me
16 and set me straight, sir, and you will be
17 followed --

18 RONALD RHEAUME: I will set you
19 straight. Ronald Rheaume.

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

22 And you will be followed by Peter Hanes.

23 RONALD RHEAUME: Okay. Thank you for
24 this opportunity. My name is Ron Rheaume. I'm a

1 representative with the New England Regional Council
2 of Carpenters. I'm also a person who is a
3 representative of the Southeastern Mass. Building
4 Trades here.

H-051.01

5 I don't know if you know, but there are
6 thousands of people every day who drive to Boston.
7 I personally drove to Boston for two years straight
8 every single day, leaving my home at 4:30, 5:00 in
9 the morning, to get to work at 7:00 in Boston, and
10 facing a two-hour ride home at night when I left
11 Boston at 3:30 in the afternoon.

H-051.02

12 During that time, in those two years,
13 talk about stress, driving with people doing
14 80 miles an hour, drinking coffee, putting on
15 makeup, and talking on the phone is not something
16 that is very conducive to a smooth day. The ride
17 home was equally as stressful, hours and hours, or
18 if there was an accident on the road or if it was
19 raining or snowing it was just terrible.

20 I literally quit my job after two years
21 of that, after seeing a number of deaths on the
22 highway, I just could not deal with that.

23 So this is personally to me it's a
24 quality of life issue for the people of the South

H-051.03

1 Coast. Being able to sit on a train, read the
2 paper, drink a coffee, for the ladies put their
3 makeup on, talk on the phone, all much safer than
4 doing it driving 80 miles an hour, up Route 24.

H-051.03

5 We talked about the environmental
6 impact. I want to talk about the economic impact as
7 well. The South Coast here is poised for great
8 growth. There's a 300-acre bio park opening up in
9 Fall River. First construction should probably
10 start in the fall, and there are a number of
11 projects that, you know, are lined up for the future
12 for the South Coast.

H-051.04

13 I just think it's totally important and
14 extremely important that we receive the economic
15 justice and the respect that we should have to be
16 able to go anywhere like anyone else in the state on
17 a train, an electric train, through Stoughton.

H-051.05

18 Thank you.

19 MR. ROSENBERG: Thank you, sir.

20 (Applause.)

21 MR. ROSENBERG: Next speaker, Peter
22 Hanes, who will be followed by Brian Gomes.

23 PETER HAWES: Peter Hawes, New Bedford.

24 Yes, I'd like to support the electric

H-052.01

1 rail through the Stoughton Route, and I don't see
2 really any reason for any more delay. I think if
3 we're -- we can save 300,000 car miles a day, that
4 we need to think seriously about that and get this
5 approved as soon as possible.

H-052.01

6 MR. ROSENBERG: Thank you, sir.

7 (Applause.)

8 MR. ROSENBERG: The next speaker, Brian
9 Gomes who will be followed by Michael Jolliffe.

10 BRIAN GOMES: Thank you very much. I'm
11 Brian Gomes, and I'm a Councillor-at-Large here in
12 the City of New Bedford. It's my home. It's been
13 my home all my life.

14 New Bedford deserves to have the rail
15 here. The people of this city have waited so long.
16 We've been deprived of things that other communities
17 have that have such a rail system. The City of New
18 Bedford can be a showcase to those that live in
19 Boston and outside as they come to the Commonwealth
20 of Massachusetts.

H-053.01

21 For too long has the rail been talked
22 about and not achieved. You have that opportunity.
23 We are asking you. It is so important to our
24 recovery. As we progress in this economic situation

1 that has hit the whole country, we look to recover.
2 It's part of our plan.

3 I know the administration has worked
4 very hard under the direction of Mayor Lang, and
5 there's been others before that. There was dates
6 that have been set. The dates should be set now to
7 bring the train to the City of New Bedford. The
8 City of New Bedford deserves it.

9 And while I have the opportunity I stand
10 here, Kristina Egan, if you're here, the City
11 Council would like to thank you or whoever is
12 responsible for the wall that we talked about when
13 you came to City Council along Purchase Street that
14 now will have the look of a rail the way it's
15 supposed to be and whoever was responsible for that,
16 thank you very much and those of your party.

17 Again, the City of New Bedford deserves
18 that rail. We would hope that you would move and do
19 the things that have to be done in order to bring it
20 here because, you know, there's some frogs that may
21 be relocated or some animals or whatever, but,
22 again, as the gentleman said that spoke, the elderly
23 gentleman just a moment ago so many people back, he
24 said that he would like to ride that rail, but he's

1 not sure that it will be here, but he wants it for
2 his grandchildren. We want it for him. He deserves
3 that, to ride on that rail. He's waited a long
4 time. The City of New Bedford has.

H-053.03

5 Thank you very much for the opportunity.

6 (Applause.)

7 MR. ROSENBERG: Thank you, sir. Next
8 speaker Michael Jolliffe, who will be followed by
9 Richard Connor.

10 MICHAEL JOLLIFFE: My name is Michael
11 Jolliffe. I actually am a civil -- trained as a
12 civil engineer, and I want to raise some issues
13 which have come up.

14 And, first of all, I'm certainly in
15 favor of the Stoughton Electric Line. There's no
16 question an electric train, as is demonstrated in
17 your presentation, is -- accelerates and decelerates
18 much faster than a diesel train, and if you look at
19 the timing between Boston and various locations, in
20 fact, it is considerably longer to go on the diesel
21 train than the electric train.

H-054.01

22 On top of that, really speed is an
23 important issue as I hear it from my friends who
24 travel to Boston every day. If you go up in the

H-054.02

1 morning during rush hour, it's going to take you
2 anywhere from an hour and 30 minutes to even two
3 hours. My wife, in fact, took two hours getting up
4 there at -- leaving at eight o'clock in the morning.
5 So it is a problem. So speed is an issue.

H-054.02

6 So one of the big issues is the number
7 of stops you have. A friend of mine in France tells
8 me it takes seven minutes for a stop on the TGV.
9 Here I would think every stop is worth five minutes,
10 which means if you stop ten times between New
11 Bedford and Boston, that's 50 minutes, which is a
12 lot of time.

13 So I think there are approaches where,
14 in fact, you do have faster trains and then shuttles
15 between the stations to the transfer stations, which
16 are at high speed that you have an opportunity for
17 everyone to get to Boston in less than 50 minutes,
18 somewhere between 60 and 50 minutes if you follow
19 the speeds and so on that are recorded in your
20 document, the EIR.

H-054.03

21 On top of that, as you look at
22 the -- between the diesel and the electric, the
23 number of passengers that would take the electric
24 are more than the diesel, and that's a very

H-054.04

1 important factor. So you will get more passengers
2 which, in fact, will be a more economical approach
3 to creating this connection between Boston and New
4 Bedford, so. So that, from an economic point of
5 view, because of the number of those passengers you
6 attract, you'll be much better off.

H-054.04

7 One of the issues I think that is
8 important in your -- in the environmental issue is
9 only having one track in certain portions of this
10 rail connection. You need two tracks, and you're
11 talking really about 14 feet of dimension, as I read
12 it, on your report.

H-054.05

13 So it seems to me that that 14 feet of
14 the pond or whatever it is is a very, very small
15 proportion of the amount of wetlands that we have.

16 And, in fact, if you look at --

17 MR. ROSENBERG: Thank you, sir. Thank
18 you very much.

19 (Applause.)

20 MR. ROSENBERG: Our next speaker is
21 Richard Connor who will be followed by James Mathes.

22 RICHARD CONNOR: I'm Richard Connor. I
23 live in New Bedford, and I'm just speaking for
24 myself.

1 I want to commend Mass. DOT for their
2 careful analysis and conclusion that the Stoughton
3 Rail -- the Stoughton Rail is the way to go. I'm
4 convinced, and it has to be electric. That's a
5 no-brainer. That shouldn't even be open to debate.

H-055.01

6 And it will be used. I often want to go
7 up to Boston for this or that event, and then I sit
8 there and I think about that drive and the traffic
9 and the parking, and I don't go, you know, because,
10 you know, is the event worth all the stress of going
11 up there the three hours at least, going and coming?
12 And if there's a comfortable train that's reasonably
13 fast, I'm on it. I'm on board, and I think a lot of
14 other people will be on board. So we will get the
15 riders, and I hope you expedite this, and we get it
16 soon.

H-055.02

17 Thank you.

18 (Applause.)

19 MR. ROSENBERG: Thank you, sir.

20 The next speaker is James Mathes who
21 will be followed by Joseph Lopes.

22 JAMES MATHES: Hi, my name is Jim
23 Mathes, 303 Brownell Avenue in New Bedford.

24 I'm here tonight to offer my support for

H-056.01

1 the extension of commuter rail service to New
2 Bedford and Fall River, specifically for the South
3 Coast Rail Project.

4 Additionally, when you reach the
5 appropriate point in this process, I urge you to
6 select the so-called Stoughton Route because it will
7 provide the fastest commuter trip time and the most
8 environmentally -- and it's the most environmentally
9 sound alternative.

10 Further, I hope you will endorse the use
11 of electric trains as opposed to diesel-powered
12 engines so as to maximize the potential of our new
13 rail service.

14 Among my reasons for publicly commenting
15 on this project is because I'm a member of a
16 community that is doing everything it can to pick
17 itself up by its boot straps and improve our lot in
18 life, not only for ourselves, but also for future
19 generations. We are doing everything we can with
20 the resources available to us to make our part of
21 Massachusetts a better place to live, work, and
22 raise a family.

23 For too long now the South Coast region
24 of Massachusetts has been without the vital

1 transportation services afforded by commuter rail
2 service. This lack of service has adversely
3 impacted our region's economy and quality of life.

H-056.02

4 Ironically, the primary opponents of
5 South Coast commuter rail are people living north of
6 us who already have commuter rail service available
7 to them. For decades now they've mounted efforts to
8 deny our region from having a primary transportation
9 system they have been using and enjoying for years.

H-056.03

10 We've listened to their complaints about
11 not wanting South Coast commuter rail trains passing
12 through their towns, yet scores of residents from
13 those very towns who seek to block our efforts climb
14 aboard commuter rail trains every day, trains that
15 pass through other communities on their trips to and
16 from Boston.

17 To be blunt, it's annoying to be on the
18 receiving end of their rather unsophisticated do as
19 I say and not as I do message. Personally, I don't
20 care what they say, but I'm determined to be able to
21 do the same things they're able to do. Nothing
22 more; nothing less.

23 Transportation systems are primary
24 assets that support a community's economy. The

H-056.04

1 Cities of New Bedford and Fall River suffer some of
2 the highest unemployment rates in Massachusetts.
3 There are literally tens of thousands of people who
4 are out of work in our region. These are good,
5 hard-working people who want and deserve the same
6 opportunities to access jobs that are currently
7 available to our northern neighbors presently
8 enjoying the benefit of commuter rail service.

9 It's been a long time since residents
10 have had an opportunity to become involved in an
11 effort to bring commuter rail to our region. That's
12 why there's so many of us here tonight. By every
13 measure commuter rail will be the same powerful
14 economic tool for us as it is in every other Eastern
15 Massachusetts city and town that already has it. We
16 want it too. We need it, and we deserve it.

17 Thank you for visiting our community,
18 for requesting our input, and for listening to what
19 we have to say.

20 Thank you.

21 MR. ROSENBERG: Thank you, sir.

22 (Applause.)

23 MR. ROSENBERG: The next speaker, Joseph
24 Lopes, who will be followed by Randall Kunz.

1 JOSEPH LOPES: First of all, I want to
2 thank you for coming down here, Army Corps of
3 Engineers, and, Kristina Egan, for all that you've
4 done. You've really championed Governor Deval's
5 promise to bring commuter rail to the South Coast.

6 As a life-long resident and member of
7 the New Bedford City Council, if you live in New
8 Bedford for a great time, you're dealing with the
9 largest inequality, and that is the ability to take
10 a train to Boston. As James Mathes said and other
11 people have said, if you live in communities that
12 have it, you don't care about the have-nots. Well,
13 we're the have-nots, and this is for our voice to be
14 heard. So please bring commuter rail to the area.

H-057.01

15 Thank you.

16 MR. ROSENBERG: Thank you, sir.

17 (Applause.)

18 MR. ROSENBERG: Next speaker, Randall
19 Kunz, who will be followed by Melinda Ailes.

20 RANDALL KUNZ: Good evening. I'm
21 Randall Kunz. I chair the Southeastern Regional
22 Planning District. That's 27 towns from North
23 Attleboro down through Wareham.

24 The Commission unanimously approved a

H-058.01

1 letter, which will be forwarded to you, brief
2 extracts of which are SREPPD, which is the
3 Southeastern Regional Planning District. SREPPD has
4 been deeply involved in this project for a long,
5 long time.

6 SREPPD supports the Stoughton Route,
7 highly recommends electric, recommends against the
8 Whittenton Alternative, and commends speedy completion
9 of the analysis.

10 Thank you.

11 MR. ROSENBERG: Thank you, sir.

12 (Applause.)

13 MR. ROSENBERG: The next speaker Melinda
14 Ailes, who will be followed by Jeffrey Pontiff.

15 MELINDA AILES: Hi. I'm Melinda Ailes.
16 I'm from Mattapoisett and just speaking as a
17 citizen.

18 Thank you very much for being here
19 tonight and listening and thank you to Kristina for
20 all you've done over the many, many years.

21 I've heard that there have been requests
22 for an extension for the review period. I would
23 respectfully ask that you deny that request. We've
24 been waiting a very, very long time, and the

1 information has been available public and
2 transparent for well over a year.

H-059.01

3 I'd like to voice my support for the
4 South Coast Rail Project and the Stoughton Electric
5 Alternative.

H-059.02

6 As your report shows, the Stoughton
7 Alternative is clearly the Least Environmentally
8 Damaging Practicable Alternative for a project that
9 is critical for the economic development throughout
10 the entire region.

11 We need the rail as a key component of
12 smart growth and economic development, and to
13 rectify the decades of economic injustice that has
14 been obvious in this region.

H-059.03

15 Thank you.

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

17 (Applause.)

18 MR. ROSENBERG: The next speaker,
19 Jeffrey Pontiff, who will be followed by Kreg
20 Espinola.

21 JEFFREY PONTIFF: Jeff Pontiff, Brownell
22 Avenue, New Bedford. Good evening.

23 I grew up in Fall River. I lived in
24 Plymouth for 25 years. Prior to the commuter rail

1 coming into Plymouth, I listened to the NIMBY
2 rhetoric for years, and then I was able to enjoy the
3 quality of life that came when that line came into
4 Kingston. I also was one of those commuters that
5 went back and forth every day on Route 3 by myself.

6 Thirteen years ago, I moved to New
7 Bedford. I'm a commercial real estate broker. I've
8 watched over a hundred million dollars been invested
9 in just our downtown over the last 13 years. I've
10 watched our store front vacancy rates go from
11 70 percent of vacancy to 90 percent of occupancy.

12 I've watched this city go from, for me
13 personally, it was why would you ever move to New
14 Bedford to becoming one of the coolest -- and I can
15 use that, Jim, because I've got gray hair -- coolest
16 cities on the South Coast, and certainly in
17 Southeastern Massachusetts.

18 My point is this: I brokered probably a
19 good portion of the transactions that have occurred
20 in this city revolving -- involving those
21 developments, and I don't say that as bragging but
22 maybe just to give some credence to my comments.

23 I firmly believe -- and this is the
24 point I want to make -- that we will not sustain the

H-060.01

1 growth that we have had over the last 10, 13 years
2 unless we get a more affluent populous here, and the
3 only way -- and it's been proven by the other
4 gateway cities, as has previously been mentioned
5 tonight -- the way to do that is through commuter
6 rail; so, for me, it's plain and simple. For us to
7 continue on our success, we need that commuter rail.

8 So thank you.

9 Colonel, I might add seeing the castles
10 there, you're very welcome in New Bedford. I don't
11 normally mention this, but I'd like to take the
12 opportunity to say that I privately served the Corps
13 as a platoon leader and a company commander with the
14 39th Combat Engineers in Vietnam.

15 So thank you.

16 MR. ROSENBERG: Thank you, sir.

17 (Applause.)

18 MR. ROSENBERG: The next speaker is
19 Kreg Espinola, which will be followed by Candace
20 Heel -- Heald.

21 KREG ESPINOLA: Hi. I'm Kreg Espinola.
22 I'm a resident of the City of New Bedford. I think
23 that's kind of a tough act to follow there, but I'll
24 do my best.

1 I'd just like to start out by thanking
2 you all for coming today. It's incredibly important
3 As you can hear from the testimony, this project is
4 incredibly important to the South Coast. I think
5 it's equally important to the rest of the state so
6 that they can be connected to us, as important it is
7 for us to be connected to them.

H-061.01

8 I'd like to mention about approximately
9 ten years ago, I think, I testified in Taunton at a
10 hearing for South Coast commuter rail. The issue
11 has been vetted. You know, I think Senator Montigny
12 had indicated it was 20 years ago that the issue had
13 come up. We vetted the issue over and over and over
14 again, and I think that the support is clear from
15 the testimony that you've heard today.

H-061.02

16 At the time, ten years ago I was
17 commuting to law school. It would have been great
18 to have commuter rail then. I was going to law
19 school in Boston. I don't think that I'd like to be
20 here ten years from now with no rail or 20 years
21 from now with kids that don't have the ability to
22 take rail to Boston. So we'd prefer the Stoughton
23 Alternative.

H-061.03

24 Thank you for coming down to New Bedford.

1 We appreciate it.

2 MR. ROSENBERG: Thank you, sir.

3 (Applause.)

4 MR. ROSENBERG: Next speaker, Candace
5 Heald followed by Bruce Duarte.

6 CANDACE HEALD: Good evening. Good
7 evening.

8 I read the executive summary of the
9 disseminated report from February 2011 with great
10 interest. For my reading the electric train to the
11 Stoughton pathway seems the clear alternative both
12 for the economic impact, the population served, with
13 the least disruption to domestic and business
14 pursuits.

15 I live in Mattapoisett. There's this
16 wonderful story about Oliver Wendell Holmes who was
17 a great jurist and a summer resident of
18 Mattapoisett. It's said that he took the train at
19 nine o'clock and ended up in his Cambridge office by
20 eleven, did his business, had lunch, and started
21 back at three, and arrived back at five. There was
22 this wonderful train called the Dude Special that
23 served this area, and that would be virtually
24 impossible to do now. There's not the technology.

H-062.01

H-062.02

1 There's not the time, and even if you use your car,
2 it would be virtually impossible to do that.

3 And the point is that the linkages
4 between residents, commerce, and cities of all size
5 has really been fractured; and so in this time of
6 great economic and environmental concern, I would
7 really urge the pathway, the Stoughton pathway and
8 the electric rail to kind of reconnect this area of
9 the South Coast with areas of commerce in cities
10 that were in the 19th century. We're not really
11 moving forward unless we do this. We've regressed
12 entirely.

13 Thank you very much.

14 (Applause.)

15 MR. ROSENBERG: Thank you very much.

16 Bruce -- I know I mispronounced your name, sir. I'm
17 sorry.

18 BRUCE DUARTE: You did a little bit.

19 MR. ROSENBERG: You will be followed by
20 Stephen Smith.

21 BRUCE DUARTE: The name is actually
22 Bruce Duarte, Jr. I'm a New Bedford City
23 Councillor. I represent -- proudly represent the
24 good folks from Ward 4.

1 And I just wanted to say that I support
2 obviously this rail for everything that's been
3 stated, including the economic impact, including
4 jobs, including environmental justice, but for me,
5 more than that. I support it because not only do I
6 believe that this rail will connect the South Coast
7 to Boston, but also I believe that it will connect
8 Boston to the South Coast.

9 I believe that we have so much to offer
10 down here, with everything from festivals, to our
11 working waterfront, to the -- to me, the most
12 beautiful city in the South Coast. That's what I
13 believe, we and this project can do is connect the
14 state where it has not been connected before.

15 Thank you.

16 MR. ROSENBERG: Thank you, sir.

17 (Applause.)

18 MR. ROSENBERG: The next speaker,
19 Stephen Smith who will be followed by Joshua
20 Freeman.

21 STEPHEN SMITH: My name is Steve Smith,
22 and I'm Executive Director of Southeastern Regional
23 Planning District. Randall Kunz made the official
24 statement of our agency earlier, but I wanted to add

H-063.01

1 some personal observations.

2 Senator Montigny talked about studies
3 that have been done on this project looking at
4 various alternatives, going back to the early 1990s,
5 and I read all those studies. I've been involved
6 with all those studies, and they all at that time
7 raised hopes which turned out to be false in terms
8 of this project coming soon.

9 They had -- they studied different
10 alternatives, but there was one constant among all
11 of them, and that was they pointed out the
12 long-standing inequity, as Kristina referred to, if
13 this region was not served by commuter rail.

14 When Governor Patrick came in 2007, four
15 years ago, and announced that he was restarting the
16 process and -- and inviting the Corps of Engineers
17 to be involved, there was a collective groan in this
18 region that here we go again. We've been down this
19 route before. He did relieve our anxiety a little
20 bit by naming Kristina Egan as project manager; but
21 it's been four years now, you have released your
22 study, and I will say the wait has been well worth
23 it. The study is thorough. It may tell us what we
24 thought we knew, but you have left no stone unturned

H-064.01

1 and really looked at the alternatives very well.

2 A couple of points: One is you make it
3 very clear that from an operational standpoint, the
4 Stoughton Alternative is really the only one that is
5 feasible. The Attleboro, Middleborough, Rapid Bus
6 Alternatives simply do not work; and, secondly,
7 you've told us that the Stoughton Route has the
8 lowest environmental impact. We've been hearing a
9 lot to the contrary to that from our neighbors up in
10 the north, but, frankly, we should have known that
11 because as we would remind you, the trains ran that
12 route as recently as 1958.

13 So I want to applaud the work you've
14 done so far, but I want to make three points going
15 forward. First of all, in selecting your LEDPA,
16 please give great consideration to travel time and
17 an alternative that has the lowest travel time.

H-064.02

18 We don't, as Mayor Lang referred to,
19 want another iron horse, and there's a strong
20 correlation between travel time and ridership.

21 Secondly, you would think from what
22 we've heard the last couple of decades that the only
23 environmental issue associated with this project is
24 the Hockomock Swamp. Don't forget -- and -- and the

H-064.08

1 important other impacts: the greenhouse gas
2 emissions, the smart -- the important smart growth
3 benefits, and the urban revitalization benefits that
4 you've heard about this evening.

H-064.08

5 And, finally, don't delay any longer.
6 We've waited a long time. Please move forward as
7 quickly as possible.

H-064.09

8 Thank you.

9 MR. ROSENBERG: Thank you, sir.

10 (Applause.)

11 MR. ROSENBERG: Our next speaker is
12 Joshua Freeman who will be followed by Anne Louro.

13 JOSHUA FREEMAN: That's fine. Hi. I'm
14 Joshua Freeman. I'm from Raynham, born in Taunton,
15 and I'm speaking for myself.

16 I'd like to see a -- well, I applaud
17 Kristina. I'm glad you helped get the Army in here.
18 The Army gets things done.

19 And I'd like to see the US Congress show
20 a financial support of this. I want to see the
21 money here so it can get done.

H-065.01

22 I've been trying to start a new business
23 for a long time. I'm having an extremely difficult
24 time. I'd like to see financial support from

H-065.02

1 Congress for people like me to get stuff done.

2 I support the Stoughton Route. You
3 should get to New Bedford as quick as possible. The
4 electric train -- Mayor Lang was talking about the
5 Tokyo. They have a fast train there. I know when I
6 was -- after college I went to -- graduated U. Mass.
7 Dartmouth. I went to Spain, and when I was in
8 Madrid, I wanted to go to Seville. I took a train,
9 and it was -- I'm not sure if it was electric or
10 what it was, but all I know is I got there fast. It
11 was far superior to the train system here. I don't
12 see any reason why you can't build an advanced train
13 system like some parts of the world have.

14 Thank you.

15 MR. ROSENBERG: Thank you, sir.

16 (Applause.)

17 MR. ROSENBERG: Our next speaker, Anne
18 Louro who will be followed by Roger Stanford.

19 ANNE LOURO: Good evening. My name is
20 Ann Louro. I'm the Preservation Planner for the
21 City of New Bedford. I'm also a New Bedford native
22 and lifetime resident.

23 New Bedford strongly supports the
24 Stoughton Electric Alternative. Its 70-minute trip

1 is critical to ensure ridership and the success of
2 commuter rail service to the South Coast.

H-066.01

3 New Bedford also prefers the electric
4 alternative because it is the most flexible fuel
5 source as it can be converted from solar, wind, and
6 other potential energy sources in the future.

H-066.02

7 South Coast Rail is an issue of equity.
8 New Bedford and Fall River are the only cities of
9 their size and population that do not have commuter
10 rail access; yet, we continue to pay taxes, thus
11 supporting public transit for all other regions of
12 the Commonwealth.

H-066.03

13 South Coast Rail is not about just
14 getting to Boston. It's also for folks to get here
15 as well. New Bedford has many great historical,
16 cultural, and architectural assets, including but
17 not least the New Bedford Whaling National
18 Historical Park, the New Bedford Whaling Museum, the
19 Feast of the Blessed Sacrament, which is the largest
20 Portuguese feast in the world, and the Buttonwood
21 Park Zoo, one of America's finest small zoos,
22 according to the American Zoological Association.

H-066.04

23 If you go to any thriving community with
24 a strong sense of community in place, you will note

1 that public transportation is critical as it ensures
2 access for everyone to our special places.

H-066.04

3 This year, New Bedford was named a Dozer
4 Distinctive Destination by the National Trust for
5 Historic Preservation, and South Coast Rail is the
6 key to providing public transportation to these
7 significant historical and cultural resources.

8 In November of 2010, the New Bedford
9 Planning Board adopted the first city master plan
10 since 1964. It's called New Bedford 2020. With an
11 eye on the future, yet valuing our past, this
12 document strongly supports the South Coast Rail
13 Project and both the economic and transportation
14 sections.

H-066.05

15 Over 1,100 people participated in the
16 civic engagement process for this plan, across all
17 ages, races, and ethnicities, continually showing
18 support for commuter rail service to our region.

19 Lastly, I want to stress that this
20 project is about equity, regional connectivity, and
21 access for residents and visitors to experience our
22 unique, authentic, and distinctive region, not just
23 getting to Boston.

H-066.06

24 We firmly support the Stoughton

H-066.07

1 Alternative and urge the Army Corps not to extend
2 the comment period, as the technical documents that
3 are the core of the DEIS and DEIR were completed and
4 posted online in the fall of 2009.

H-066.07

5 Further delays continue to limit the
6 project's asset -- excuse me -- access to federal
7 transportation funding since South Coast Rail has to
8 be permitted in order to be eligible to apply for
9 such funding.

H-066.08

10 I thank you for this opportunity this
11 evening.

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

13 (Applause.)

14 MR. ROSENBERG: Our next speaker, Roger
15 Stanford will be followed by Irene Schall.

16 ROGER STANFORD: Good evening. My name
17 is Roger Stanford. I live here in New Bedford and
18 with my wife and law partner, Irene Schall, I
19 practice law here in New Bedford.

20 I want to relate a personal experience.
21 A couple months ago Irene and I went to Philadelphia
22 for a long weekend. We arrived at the
23 Philadelphia --

24 AUDIENCE MEMBER: Into the mike, please.

1 ROGER STANFORD: We arrived at the
2 Philadelphia Airport, and we proceeded from the
3 terminal to the baggage claim. We picked up our
4 bags and between the terminal and the baggage claim,
5 Philadelphia had commuter rail service that serviced
6 every one of the terminals. We boarded the train,
7 which took us in a fast and efficient manner into
8 Philadelphia. We exited at a train station that was
9 about a block from our hotel.

10 The purpose of what I'm saying is
11 twofold. Number one, this is not just an issue of
12 the South Coast cities and towns. It's also an
13 issue for the Boston metropolitan area. In order
14 for a city like Boston to thrive and grow, there
15 must be a way of getting people into and out of that
16 city.

17 Next, it's also not just an economic
18 issue, it is a quality of life issue. The
19 availability of the cultural, sporting, entertainment,
20 and educational opportunities need to be available
21 to people that can get there quickly, and that's the
22 Stoughton Rail Alternative.

23 The environmental alternative to
24 building the Stoughton Rail Alternative line is to

H-067.01

H-067.02

H-067.03

1 dump more and more cars onto Route 24, with a
2 negative environmental impact of requiring more and
3 more parking facilities in Boston, expanding the
4 number of lanes on Route 24, burning more and more
5 expensive gasoline, and polluting the air with that
6 gasoline.

H-067.04

7 Thank you.

8 MR. ROSENBERG: Thank you, sir.

9 (Applause.)

10 MR. ROSENBERG: Next speaker, Irene
11 Schall, who will be followed by David Dennis.

12 IRENE SCHALL: Thank you. My name is
13 Irene Schall. I'm a resident of New Bedford.

14 Thanks everyone for being here and
15 allowing us all to participate so constructively and
16 actively in tonight's hearing.

H-068.01

17 I'd like to echo the support for the
18 Stoughton line, for that route as well as for the
19 electric train.

20 And I'd like to simply put a face on
21 some of the comments that I think we all have shared
22 and the concerns we have about the economics and the
23 equality issues.

24 I've recently had the opportunity to

H-068.02

1 travel to both Fitchburg and Lawrence and see in
2 both of those communities their lovely commuter rail
3 stations. Of course, we don't have one.

4 I have also had the opportunity to speak
5 to public officials in the City of Quincy; and for
6 those of you who may not know, the City of Quincy
7 was right behind us in this last census count, and I
8 joke that they were nipping at our heels, so to
9 speak, and the officials said to me, well, it's all
10 about rail, and it's all about the Red line. It's
11 all about connectivity to Boston, and that's what we
12 want, and that's what we deserve.

13 On a personal note, I can say I have a
14 son who has traveled to and from Boston for three
15 years. He works actually just a little bit south of
16 Boston, in Quincy. Unfortunately for me, as his
17 mother, he is going to be moving to that area
18 because the commute is horrendous.

19 I, like most other parents, would love
20 to have my children settle close to me. New Bedford
21 is a wonderful place. He has commuted this way for
22 three years, and this was not his choice. It simply
23 is a reality of life. His work draws him to Boston.
24 He would love to be here. The rail would help him

1 do that and would help other people make the same
2 choices. Perhaps they'd like to work in Boston and
3 live in New Bedford or alternatively perhaps we can
4 attract more people to move to New Bedford who
5 haven't yet realized the tremendous advantages that
6 our area brings.

7 Thank you very much.

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

9 (Applause.)

10 MR. ROSENBERG: Next speaker, David
11 Dennis who will be followed by Jon Mitchell.

12 DAVID DENNIS: Hi. My name is David
13 Dennis, and I'm a local attorney in the other great
14 city just down the road here, Fall River.

15 I want to just to lend my voice to the
16 support here of many others that you've already
17 heard from tonight by supporting the project and
18 supporting the Hockomock Route for the electric
19 train coming down to the South Coast, and I'm not
20 going to mention all the same reasons, but the
21 environmental reasons, the economic, and the social
22 reasons that are so important to this area.

H-069.01

23 Indeed, as many -- again, as many other
24 people have said, we've all waited a very, very,

1 very long time; and unlike this gentleman here who
2 was a little bit older than I am -- I'm 56 years
3 old -- I'm hoping that I get to ride on the train;
4 but I'm very confident that with the support and the
5 leadership of our Governor, certainly Kristina Egan,
6 and her agency has done an absolutely terrific job
7 moving this project along, that it will be a
8 reality, and it will be a reality very, very, very
9 soon.

10 One comment that I would like to make
11 and a recommendation, in Fall River there's a tour
12 bus going to be located near Crab Pond, which is
13 also right near the Ponta Delgada gates on the
14 Battleship Cove. That's very close to what we call
15 Crab Pond down there. One consideration may be, at
16 least environmentally, that maybe that terminal
17 could be relocated not very far away, in an area
18 that it is now -- or formerly known as Corrugated
19 Box Company. That may mitigate some of the
20 environmental concerns that you may have.

21 Again, I just want to say thank you very
22 much for coming. We appreciate you being here. We
23 appreciate your thoroughness and your efforts.

24 Please expedite this project. New Bedford, Fall

H-069.02

H-069.03

1 River, all the surrounding cities and towns need the
2 project for all the reasons that are stated. We
3 waited a very, very long time. Sooner in this case
4 is better.

5 Thank you.

6 MR. ROSENBERG: Thank you, sir.

7 (Applause.)

8 MR. ROSENBERG: Our next speaker, Jon
9 Mitchell who will be followed by Henry Bousquet.

10 JON MITCHELL: Thank you, and good
11 evening. My name is Jon Mitchell. I'm a resident
12 of New Bedford.

13 I'm not going to cover the same economic
14 environmental and psychic arguments that we've heard
15 all night. I will note that what is striking about
16 all of them is that there is near unanimity over a
17 course of the last two hours. We've heard the same
18 thing over and over again. We didn't rehearse this
19 all together. What you're hearing is a real
20 consensus coming out of Southeastern Massachusetts
21 in favor of rail generally and the Stoughton
22 Alternative in particular.

23 Let me address one, I think, narrower
24 issue and perhaps somewhat whirling issue. As I

1 understand it, your charge this evening is to
2 evaluate the relative practicality of the
3 alternatives, and I can speak to that, even though
4 it's sort of in one narrow way, but I think in an
5 authoritative way in the sense that I've been for a
6 long time a commuter from New Bedford to Boston.

7 I'm employed as a federal prosecutor in
8 Boston, and it's a job -- my job is one that doesn't
9 exist down here. There isn't a federal courthouse
10 in New Bedford unfortunately, and so -- and I've
11 done that commute in any number of ways. I've taken
12 every possible mode of transportation. I drive for
13 the most part. I drive admittedly in an unsafe way
14 because I spend most of my time on a cell phone
15 because I can't otherwise justify an hour-and-30,
16 hour-and-45-minute commute each way without at least
17 getting some work done. I've taken the train out of
18 Lakeville many times, up to three or four times a
19 week, and I've done the bus route.

20 I mention all this because those
21 commutes, invariably the drive during rush hour, the
22 bus, and the train, when you combine all segments:
23 travel to the train stop, the train ride itself, and
24 then the walk to work are all roughly about an hour

H-070.02

1 and 45 minutes, and it isn't sustainable over the
2 course of a career, and we're talking now one of the
3 justifications for extending rail down here or
4 reestablishing rail is to give people career-long
5 jobs in Boston and to be able to live down here.
6 And as you look at the alternatives, the only one
7 that makes any sense at all because there is so
8 much -- it would be such a shorter commute is
9 Stoughton. It really is a no-brainer in that sense.

10 Attleboro, the bus route, the Whittenton
11 route all promise very, very long commutes that
12 people, speaking from experience, cannot sustain in
13 the long run; and so in that way when you couple
14 that fact with the fact that it promises a much
15 lower environmental impact, and it will be cheaper,
16 it really is -- the Stoughton Route is a no-brainer.
17 So I leave you with that.

18 Thank you.

19 MR. ROSENBERG: Thank you, sir.

20 (Applause.)

21 MR. ROSENBERG: The next speaker is
22 Henry Bousquet, who will be followed by Thomas
23 LaPointe.

24 HENRY BOUSQUET: Good evening, ladies

1 and gentlemen. My name is Henry Bousquet. I'm here
2 to speak on behalf of the people of my neighborhood
3 essentially.

4 I'm excited to finally get to speak
5 about the great potential that a South Coast Rail
6 line brings to our city. New Bedford was once a
7 mighty economic engine for the State of Massachusetts.
8 With our historic successes in whaling, textiles,
9 and fishing, we were the -- once an enormous bread
10 basket that helped grow our state for decades.

11 New Bedford has suffered the exodus of
12 over 40,000 plus jobs in the last 50 years. We, the
13 people of the South Coast and New Bedford, have paid
14 for billions of dollars in countless other
15 Massachusetts infrastructure projects.

16 We on the South Coast now ask the people
17 of our state to, please, consider helping us build
18 our 80- or 90-minute commute, preferably the
19 Stoughton Electric Route, commute to Boston, and
20 connect the histories of Boston to that of our New
21 Bedford's history for the future and for that future
22 of our children.

23 Thank you very much.

24 MR. ROSENBERG: Thank you, sir.

H-071.01

1 (Applause.)

2 MR. ROSENBERG: Next speaker, Thomas
3 LaPointe, who will be followed by Chuck Dade.

4 THOMAS LaPOINTE: Hi. My name is Tom
5 LaPointe. I'm a life-long resident of Fall River.

6 I commute 24 daily. It's a major
7 hassle. The City of Fall River's been waiting for
8 commuter rail for over 20 years.

H-072.01

9 The City's suffered economically because
10 of the lack of job opportunities there. The
11 commuter rail would improve that dramatically.

H-072.02

12 I would -- am strongly in favor of the
13 Stoughton Electric Alternative. I -- excuse
14 me -- the NIMBYism from some of the northern
15 communities is getting a little tiring as a delaying
16 tactic it seems. If they delay, they win, and it's
17 a little ironic particularly considering both
18 Stoughton and Easton are noted for beautiful
19 historic railroad stations; so, I appreciate the
20 Army Corps of Engineers' input on this.

H-072.03

21 I think the Hockomock Swamp issue is
22 minor. Particularly with the trestle construction,
23 I think it would have very minor impacts on wildlife
24 there, and, again, I strongly -- you know, the City

H-072.04

1 of Fall River needs commuter rail yesterday.

2 MR. ROSENBERG: Thank you, sir.

3 (Applause.)

4 MR. ROSENBERG: The next speaker, Chuck
5 Dade who will be followed by Hannah Martin.

6 CHUCK DADE: Hi. Chuck Dade, Hawthorn
7 Street, New Bedford.

8 I would say New Bedford's ready. I
9 mean, they've already started to build the bridges
10 and such. They're waiting for the other end of this
11 to happen, whether it's from Attleboro or Stoughton,
12 but you've already decided that Stoughton is the
13 best economic -- environmental way. The time factor
14 shows it's the most -- it's the best way, and beyond
15 that, you know, diesels are antiques. I mean to me
16 a diesel train would be a look-back. The only way
17 we can really green power our train is to have the
18 electric train because we have -- you know, we're
19 going into a solar now, and if we have electric
20 trains, we can plug into that.

21 Beyond that, New Bedford's ready for
22 that too. New Bedford has Cape Wind coming in. It
23 could probably be up and running by the time the
24 train's running, and if the state negotiated the

1 right deal, half the Cape Wind Power is still
2 available; so we could actually power -- power the
3 train partially at least with Cape Wind.

4 Let me see. To me, if you're going to
5 go up through Attleboro, you might as well go
6 through Providence and then you could go to New York
7 City and everywhere else, but that's another matter.

8 To me, the only reason for an extension
9 would be if you did come up with Attleboro because
10 then we'd have to find reasons to change your mind.

11 MR. ROSENBERG: Thank you, sir.

12 (Applause.)

13 MR. ROSENBERG: Thank you very much.

14 The next speaker, Hannah Martin.

15 Ms. Martin?

16 Ariane Martin?

17 David Oliveira.

18 Mr. Oliveira will be followed by Mark
19 Hess.

20 DAVID OLIVEIRA: Good evening. My name
21 is David Oliveira. I'm a resident of the Town of
22 Dartmouth. I'm also a commuter to Boston.

23 Like the previous speaker mentioned,
24 I've taken the bus. I've taken the train, and I

1 drive on many occasions. I would say that those are
2 not viable alternatives when considering the
3 Stoughton Rail.

H-074.01

4 The commuting time has gotten to be
5 intolerable. It's not good for families. It
6 takes -- it can wind up being a 12-hour day or
7 longer.

8 The Stoughton Route is going to become
9 an absolute necessity for this region. The incomes,
10 the wages that one can gain from Boston have
11 incredible impact on the environmental health of
12 this region.

H-074.02

13 The awful alternative is to move.
14 That's what I've seen happen in Washington, D.C. for
15 those that used to have an hour-and-a-half drive to
16 two-hour drive; and, yet, those that took the train
17 from West Virginia were able to sustain it over
18 lengthy careers.

H-074.03

19 The reinvestment of those wages and of
20 this project will lead to environmental enhancements
21 and a better quality of life for this region. And
22 when I talk about the congestion, that's after we
23 spent \$14 billion on the Big Dig, not before.

H-074.04

24 The Rapid Bus, I've always been a fan of

1 it. I think it's good for America as a whole. It's
2 quick, and it's cost effective, but in this case,
3 I'm disheartened to learn that it's -- it's not
4 financially feasible. It's not technically
5 feasible. I don't believe that it's second class
6 transportation. That's not why I oppose it. It's
7 just that it just won't work because of the 93
8 Route 3 split, and the costs involved with that. So
9 the electric alternative is faster. It offers
10 greater frequency of service and will be a huge
11 benefit.

H-074.04

12 In terms of environmental issues and
13 transportation issues, they often come into
14 conflict, but we have an obligation to properly
15 balance the needs of population growth, economic
16 growth, and environmental protection.

H-074.05

17 We did this with the additional runway
18 at Logan, and we did it with the Big Dig, and those
19 had awful environmental impacts, but ultimately we
20 had an obligation to the future, and those projects
21 moved forward.

22 Stoughton is a great congestion mitigation
23 project and has many positive benefits to the entire
24 Route 93 corridor.

1 Finally, I'd like to add that 11 years
2 ago, I asked the then Secretary of Environmental
3 Affairs about a NEPA study, and he said it was not
4 necessary; so here we are 11 years later, and,
5 please, no more delays.

6 Let's just wrap up the comment period
7 and move forward. We're going to be entering the
8 phase for the reauthorization of T Little, which
9 provides an opportunity to get federal money. We
10 have to have our ducks in a row to do that.

11 Thank you.

12 MR. ROSENBERG: Thank you, sir.

13 Next speaker, Mark Hess, who will be
14 followed by Len Coriaty.

15 MARK HESS: Thank you. My name is Mark
16 Hess. I'm a resident of New Bedford. I also work
17 for an owner and developer of housing. It has about
18 6,500 units between Charlotte, North Carolina, and
19 Burlington, Vermont; and my official position is in
20 support of the Stoughton Electric Route, and I'm
21 against postponing the comment period.

22 And in terms of my big picture opinion
23 on this project, this isn't just a South Coast
24 project. I mean, I'm down here because I believe in

H-074.06

H-075.01

H-075.02

1 the rail. I believe in what New Bedford has to
2 offer, but this is also an important project for the
3 State of Massachusetts. We have all sorts of
4 development pressures. We have problems with flight
5 and quality of labor from the high-cost living
6 areas, such as Boston, and here in New Bedford, in
7 the South Coast, we have a hard time creating
8 quality jobs and getting the investment in this
9 area. So, creating this link creates a more
10 efficient market between people in Boston who would
11 love to find -- the fair market rent after utilities
12 in New Bedford is about -- the HUD fair market rent
13 for 2011 is about \$750. You know, you're going to
14 pay at least double that in Boston for equivalent
15 housing.

16 So there is a lot of opportunity to
17 offer on an already existing urban infrastructure
18 without developing new housing very, very expensive
19 housing to build it in Boston with all sorts of
20 subsidies to service the growing needs of businesses
21 and workforce in Boston. Here we have something to
22 offer.

23 And, meanwhile, in terms of the social
24 justice front, in New Bedford, you have access to

1 more jobs and a quality workforce with the good work
2 ethic down here that simply needs a more efficient
3 connection to job opportunities in the Boston area;
4 and in terms of quality of life, you know, I spend
5 many days a week up in Boston myself, and I think
6 that having an opportunity to give to your family
7 and to your community is important, and when you
8 spend three hours in a car on your way home every
9 day, it's a major sacrifice, and I don't think that
10 it's -- it should be what we have to experience here
11 down in New Bedford. I would rather spend that time
12 with my family and in my community; and that's my
13 comment.

14 Thank you.

15 MR. ROSENBERG: Thank you, sir.

16 (Applause.)

17 MR. ROSENBERG: Next speaker, Len
18 Coriaty, who will be followed by Michele Paul.

19 LEN CORIATY: Good evening and welcome
20 to New Bedford.

21 Thank you for making this opportunity
22 available to us and thank you for all your work in
23 making the case for why commuter rail to the South
24 Coast makes so much sense.

1 I stand in support of commuter rail to H-076.01
2 the South Coast, the Stoughton Alternative, and the
3 electric train; and I stand before you in three
4 capacities: a taxpayer, a parent, and the Executive
5 Director of the Greater New Bedford Workforce and
6 Investment Board.

7 A life-long resident of the South Coast,
8 I was born and brought up in Fall River. I
9 presently live in Dartmouth, and I work in New
10 Bedford, and I have traveled Route 24 for some H-076.02
11 30 years, and the traffic on 24 has gotten worse and
12 worse and worse each year. There was a time you
13 could make it all the way down to Route 128. Now
14 you can get backed up from Brockton or Bridgewater
15 or Taunton, and then it's just a miserable ride
16 going and sometimes coming back. It's very
17 stressful. It does impact the quality of life for
18 the commuters that have to do the traveling.

19 As a parent, my son is a second-year H-076.03
20 student in college in Boston, and he would come home
21 a lot more often, and my wife and I would love to
22 have him, if it was more convenient. Right now he
23 does come into Lakeville. Sometimes we pick him up
24 in Quincy, and sometimes we take him back and forth,

1 but that's an issue that a lot of parents in this
2 area have to deal with and students have to deal
3 with.

4 As a taxpayer, you've made a very
5 compelling case. It's a cost-benefit thing, and I
6 won't get into all of it, but it just clearly makes
7 a lot more sense that we -- and the benefits
8 outweigh tremendously the costs of not taking action
9 on this and doing that as quickly as we possibly
10 can.

H-076.04

11 And, finally, as Executive Director of
12 the Workforce Board, it is a jobs matter. It's
13 economic development as well as environmental issues
14 that would make a strong case for. Again, the
15 benefits far outweigh the costs.

H-076.05

16 So we would ask that you would work in
17 support of a commuter rail to the South Coast as
18 quickly as we possibly could have it.

19 Thank you.

20 MR. ROSENBERG: Thank you, sir.

21 (Applause.)

22 MR. ROSENBERG: Our next speaker,
23 Michele Paul who will be followed by Jeffrey Rocha.

24 MICHELE PAUL: Hello. My name is

1 Michele Paul. I'm here on behalf of the City of
2 Fall River, the Fall River Office of Economic
3 Development. I'm also a life-long resident of the
4 Town of Swansea, and I'm an environmental engineer;
5 and from each of these perspectives, I can
6 wholeheartedly support the electric route through
7 Stoughton.

H-077.01

8 I can, you know, echo all of the
9 sentiments and all of the reasons to come to the
10 South Coast and all of the reasons that we need
11 to -- to have that connectivity to Boston.

H-077.02

12 Economic development, just feeling like
13 we're actually part of the community of
14 Massachusetts. It's been a long time coming, and my
15 two favorite gateway cities of Fall River and New
16 Bedford cannot afford to have Lucy pull the football
17 from Charlie Brown any more.

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

19 (Applause.)

20 MR. ROSENBERG: Next speaker, Jeffrey
21 Rocha.

22 JEFFREY ROCHA: Good evening. My name
23 is Jeffrey Rocha. I am a CPA and resident of both
24 New Bedford and St. John, in the US Virgin Islands.

H-078.01

1 I wanted to approach this from a
2 different perspective for the Army Corps of
3 Engineers. Let you know you can get this done.

4 The island of St. John is 20 square
5 miles. It's three by seven. It's two-thirds US
6 National Park. Okay? In the wintertimes, we
7 transport 200,000 people a day through the national
8 park waters, through the national parks, so people
9 touch it, feel it, see it, smell it, and send them
10 right back over those federal park waters again
11 undamaged. Please don't let our neighbors to the
12 north let you believe for a minute it can't be done.
13 Because it can. And that same place up north is
14 where the traffic jam starts on Route 24. Okay?

15 Lastly, shortest distance between two
16 points is a straight line. Stoughton is the
17 straight line, and I was surprised it didn't happen
18 sooner. Cape Wind is here. It's coming. This is
19 the staging area for it. We have the power coming
20 in the form of electricity to operate the train
21 safely and efficiently.

22 Thank you.

23 MR. ROSENBERG: Thank you, sir.

24 (Applause.)

1 MR. ROSENBERG: Next speaker, Hannah
2 Martin.

3 Ariane Martin.

4 Ladies and gentlemen, is there anybody
5 here who did not -- who did not speak, did not fill
6 out a card to speak, or who wishes to speak now?

7 Please, sir, come on down.

8 When you come down to the microphone,
9 please state your name. If you would spell your
10 last name for our stenographer and provide us your
11 comment.

12 CHRISTIAN SMITH: My name is Christian
13 Smith. Do you need help with that?

14 (Laughter.)

15 CHRISTIAN SMITH: Okay. I'm the
16 President of GreenFleet. We're an after-school
17 program here in New Bedford. We encourage at-risk
18 youth to believe in their futures and to believe in
19 themselves through hard work, job skills, and
20 environmental stewardship.

21 Now, this rail project is an opportunity
22 for them. It's also an opportunity for
23 Massachusetts in the environmental sense. We're
24 going to take all these cars off the road.

H-079.01

1 Everybody's said all this before. We've heard it, H-079.01
2 but this is important for my kids' futures, not only
3 in the respect that they're going to have a good
4 environment to be in, but they're going to have job
5 opportunities that are going to exist, not only in
6 New Bedford from what we bring in with the commuter
7 rail, but also the ability to stretch out and flap
8 their wings a little bit and get out of New Bedford
9 in order to find some work and to come back and be a
10 part, a meaningful part of this community.

11 So, I implore you, please, do everything H-079.02
12 you can to make sure that we have an environmentally
13 sensitive electric rail running through Stoughton to
14 New Bedford.

15 Thank you very much.

16 MR. ROSENBERG: Thank you, sir.

17 Is there anybody here who has not spoken
18 that wishes to provide comment?

19 Yes, sir, please come down to the
20 microphone. State your name, spell your last name.

21 THOMAS SARGENT: Thank you. My name is
22 Thomas Sargent, S-A-R-G-E-N-T. I live in New
23 Bedford.

24 And I would like to register my support H-080.01

1 for the Stoughton route, and all of the reasons that
2 have been explained and so forth. I say, you know,
3 let's get the show on the road.

4 Thank you.

5 MR. ROSENBERG: Thank you, sir.

6 (Applause.)

7 MR. ROSENBERG: Ladies and gentlemen, is
8 there anybody here who has not spoken but wishes to
9 provide comment?

10 Ladies and gentlemen, Lieutenant Colonel
11 Howell.

12 (Applause.)

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

17 Again, written statements may be
18 submitted to the Corps of Engineers until 27 May
19 2011. They will receive equal consideration with
20 those presented tonight.

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

24 We, the Corps of Engineers, extend our

1 appreciation to all who took the time to involve
2 themselves in this public review process.

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

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

12 Good night and best travels.

13 (Applause.)

14
15 (At 9:19 p.m., the public hearing was
16 adjourned.)
17
18
19
20
21
22
23
24

ORAL STATEMENTS

CHUCK DADE: Hi. My name's Chuck Dade, D-A-D-E, and I live in New Bedford, Mass., a native and long-time resident of the general area, and my descendants are as well. I am a vet. My father was a vet, and my great grandparents were the parents of the largest veteran family in the country ever who hence served in World War II.

Okay. I'm also an Army engineer, but it happens to be in power generation. What I would like to say is pretty simple. I'm just thinking if they're thinking about changing the location to Attleboro, as opposed to Stoughton, this is an idea that I have been thinking about for a long time. Attleboro would make it an even easier decision, I would think, is that I think instead of having a train go directly to Boston, we should have a train that goes to Providence, because Providence is already connected to Boston. Providence is connected to New York. Providence is connected to D.C., and all points connected to those points. So I would think it would be a better expenditure of federal dollars, both from the Nation's perspective

H-081.01

1 of access to the South Coast and Cape Cod and the
2 islands as well as South Coast, Cape Cod and the
3 Islands' access to the rest of the country if we had
4 a train that went to Providence, because they
5 wouldn't give us not only that, but it would give us
6 access to Providence, so you would be able to hop a
7 daily to Providence, if you live in Providence, and
8 back you wouldn't have to use a car, and you would
9 be able to have maybe a ten minute extra ride to
10 Boston to transfer, because there probably a high
11 speed train 20 minutes to Boston -- I mean to
12 Providence, and probably 40 minutes to Boston from
13 there. I just think that is the way we should go.
14 I don't think we should go directly to Boston. From
15 a federal perspective, I think we should go to
16 Providence and then to Boston. I think that's a
17 much better way of doing it once and for all.

18 I think that's good. Okay. Thank you.

19 Well, I should add if you are going to
20 spend billions of dollars, you should get it right
21 the first time, not play catch-up to an old idea.
22 The old idea -- we have been fighting in this region
23 to be treated with equity to have train access to
24 get to Boston, and there has been a lot of -- the

1 general mentality, we're at that last hurdle to get
2 to Boston, but they may miss the boat to the bigger
3 idea of getting to New York, D.C. and Boston.

4 Okay. Thank you.

5 SCOTT W. LANG: My name is Scott W. Lang.
6 I'm the mayor of the City of New Bedford. My last
7 name is spelled L-A-N-G. My address is 3 Stetson
8 Street, New Bedford.

9 I was elected in November of 2005 and
10 have been keenly focused on bringing rail to New
11 Bedford, Fall River, Taunton by way of the South
12 Coast Rail Project. I believe that it is an
13 absolutely vital transportation project for our
14 portion of the state, which is the fastest growing
15 region in Massachusetts.

H-082.01

16 I believe that it restores appropriate
17 freight service, as well as passenger service, by
18 way of a 21st century infrastructure project that
19 will bring not only economic development opportunities
20 for our area, but also fulfill a social, economic
21 and environmental justice agenda for Southeastern
22 Massachusetts. It will provide construction jobs in
23 its inception during a period in our economy when we
24 are struggling to get out of the worse recession

1 that we've had since the Depression.

2 It will then provide for detailed smart
3 growth type projects along the rail, which will lead
4 to enhancement of quality of life by way of better
5 housing stock, better commercial and retail
6 opportunities, and a transportation network that
7 will allow our citizens to travel efficiently,
8 inexpensively, and not only to the north, towards
9 Boston, but also from Boston to our area. It is a
10 project that in this area of the state has been
11 discussed for the past 30 years.

12 In the late '50s rail service for
13 passengers ceased in this area, and the people of
14 Southeastern Massachusetts have desired a new look
15 and then a project since the mid '80s.

16 Governor Dukakis, Governor Weld, Governor
17 Cellucci, Governor Swift, Governor Romney have all
18 made various statements on it, but Governor Patrick
19 decided to bring this project to fruition. There
20 has been a great deal of planning work done in the
21 past four years, and I believe that the planning has
22 been thorough and appropriate for this type of 21st
23 century project.

24 A number of different routes have been

1 looked at, as well as a number of different
2 possibilities for moving people en mass, but it's
3 clear to us that the only viable alternative is
4 rail, and that it's completely appropriate to go
5 through the Hockomock Swamp from Taunton through the
6 swamp and up to Boston.

7 The main reasons that I've heard that
8 the rail is not something that people support is
9 because first it is an expensive project. In
10 reality, the project is a project for the entire
11 eastern section of the state, not just Southeastern
12 Mass., and the project involves many different
13 components, including a total rehabilitation of the
14 South Station corridor, which is something that's
15 needed to service all the rail that runs through the
16 eastern part of the state.

17 In addition, the people of Southeastern
18 Massachusetts have subsidized the T and many
19 building projects regarding transportation in the
20 inner 128 belt. So it's an equity issue when you
21 look at how this project should be funded and
22 whether or not everyone should share in the funding
23 of the project. It's a state project; therefore, I
24 believe it's appropriate that the state and the

1 federal government finance the project.

2 I think that what it will do is help us
3 with our energy independence by getting more cars
4 off the road than any other way that I know of. It
5 will help clear up congestion, which is one of our
6 major drivers on air quality and pollution. It will
7 also be a green project from the standpoint of the
8 building of the project as well as the running of
9 the project. I favor high speed electric
10 transportation, rather than relying on diesel. I
11 think diesel is -- is a technology, quite frankly,
12 that harkens back to an iron horse type of
13 mentality. I believe that we should come up with
14 the fastest system, which means electric, and it
15 also means being coordinated by a sophisticated
16 computerized routing that will allow for the
17 quickest journey to any station and up from
18 New Bedford to Boston, from Fall River to Boston.

19 As far as the -- as far as the issue of
20 whether or not there should be an extension of time
21 in which people should comment on the Army Corps of
22 Engineers' environmental study, I believe that this
23 project has been completely vetted in public and
24 transparent now for over four years, and I don't

1 believe an extension is warranted. I believe that
2 the May 27th date is appropriate. The longer that
3 we delay the permitting process, the longer it will
4 take to -- to actually begin to implement the rail
5 project.

6 I think that the way that I would like
7 to see the rail built is in phases. I believe that
8 the New Bedford to Taunton, Fall River to Taunton
9 rail beds are already in place. They're used for
10 freight. They need to be upgraded, and I would ask
11 that the state and federal government begin that
12 section of this rail project immediately. I think
13 the permitting is very, very minimal and the laying
14 continuously welded rail is something that we easily
15 have capability of doing. It will put many people
16 to work very quickly and will lead towards a
17 shortening of the actual project.

18 By beginning the project now, you'll not
19 only get an economic stimulus going, but by the time
20 the permitting is done through the swamp, we will
21 have already reached Taunton and can continue to
22 move the project in a very, very seamless manner.
23 So I would ask that the -- the portions of the
24 project be broken up into a southern triangle and

1 then a swamp component. And then from the swamp up
2 to Boston. I also would ask that the work on South
3 Station begin in a contemporaneous way with the
4 southern triangle so that the work that will need to
5 be done is simply going through with continuously
6 welded rail through the swamp. I understand that
7 there are some trestles that need to be built and
8 some additional engineering, and this will speed up
9 the project dramatically.

10 I think, lastly, we know that when the
11 original studies were done back in the late '80s,
12 gasoline was 80 cents or 88 cents a gallon. It's
13 now \$4 in the City of New Bedford. We know that the
14 drive time to Boston at that time was an hour. We
15 know now that the drive time at most times of the
16 day is an hour and a half to two hours. Back in
17 1988, parking was \$10 for the day in Boston. We now
18 know it's 35 to \$40 a day. The only way from an
19 economically viable standpoint that you can move
20 people up and down this north/south corridor,
21 south/north corridor is by building the rail.

H-082.08

22 The other thing that the rail will bring
23 is freight that will be moved efficiently, much more
24 rapidly than it is now, much more safely than it is

H-082.09

1 now. The City of New Bedford, as well as the City
2 of Fall River, are building freight capability using
3 our port cities to bring in import and export cargo,
4 and this is something that the rail will not only
5 allow for in a much more -- in a much more efficient
6 manner, but also will open up the -- the marine
7 highway regarding short sea shipping, as well
8 as -- as well as roll-on roll-off cargo.

9 The federal government has begun
10 replacing hundred-year-old bridges that service the
11 rail system in New Bedford. We currently have three
12 bridge projects going, somewhere in the vicinity of
13 \$20 million. These are absolutely necessary to
14 bring a passenger system into the City as well as
15 refurbish the freight capability. We have one
16 additional bridge that is over Route 18 and Wamsutta
17 Street. This bridge needs approximately a 25
18 percent restoration as 25 percent of the bridge is
19 100 years old. The rest of it is approximately 20
20 years old. I ask the federal government provide the
21 money to rebuild this 100-year portion of the bridge
22 which will be done, I believe, in a very, very
23 expeditious manner, and it will not cause the shut
24 down of the -- of the route after we complete the

1 three-bridge project. So it seems to me it makes a
2 lot more sense to provide the funding, which I
3 believe is somewhere between 5 and \$7 million to
4 finish up all the rail bridges in the City, rather
5 than doing three and then having to shut down the
6 rail to do the last 25 percent of one.

7 In addition, that last 25 percent of the
8 Wamsutta Street bridge is the closest bridge to the
9 harbor transportation system, which means that we
10 would not be able to use the harbor transportation
11 system until that bridge has been rebuilt. So the
12 time for this, I believe, is right now as well. So
13 my message simply is let's begin to build it. Let's
14 begin to build it in a way that is -- that is 21st
15 century technology, which means electric, and let us
16 begin to plan for the areas around -- around the
17 line by way of smart growth, by way of station
18 planning, and by way of beginning to think that in
19 terms of moving people to the station by way of
20 bike, by way of car, by way of bus, by way of
21 walking, but let's start spending our time planning
22 for this as we go ahead and begin to build the
23 southern section of the rail.

24 I thank you very much for your attention,

1 and we're very excited about bringing rail to the
2 City of New Bedford. Thank you.

3 HANNAH MARTIN: Hannah Martin,
4 M-A-R-T-I-N, 209 Liberty Street, New Bedford,
5 Massachusetts.

6 My question is: Why would the Army
7 Corps of Engineers produce and build a railroad
8 between New Bedford and Boston when without traffic
9 it could take one hour or 45 minutes; and with
10 traffic, it would only take two hours? H-083.01

11 Thank you.

12 ARIANE MARTIN: My name is Ariane
13 MARTIN, M-A-R-T-I-N, 209 Liberty Street, New
14 Bedford, Mass.

15 I think that the rail connecting Boston
16 to -- from Boston to New Bedford is of extreme
17 importance. Economically and environmentally, it
18 would make a sound choice on our behalf and create
19 more jobs and bring in more revenue to the State of
20 Massachusetts. H-084.01

21 My concern for the wetlands, I don't
22 want them to be disturbed, if we don't have to, and
23 if there's an alternative way to go around the
24 wetlands and make it be environmentally safe then I H-084.02

1 think we should do that, but we still need to -- We H-084.02
2 need to continue to connect the South Shore with the
3 rest of the State of Massachusetts.

4 Thank you.

5 BRUCE DUARTE, JR.: My name is Bruce
6 Duarte, Jr. That is B-R-U-C-E D-U-A-R-T-E, J-R. My
7 address is 804 Kempton Street in the City of New
8 Bedford. I am also a New Bedford City Councillor.
9 I represent Ward 4.

10 I am making this statement in support of H-085.01
11 the Stoughton line for rail; and you know, I'm going
12 to be as simple as I possibly can by stating jobs,
13 jobs, jobs. Economic justice for our South Coast.
14 The fact of the matter is this is not just about the
15 South Coast going to Boston, but more to me it's
16 about Boston coming to the South Coast, enjoying our
17 restaurants, enjoying our museums, our beaches,
18 enjoying our national park, the Whaling National
19 Park, things of that nature that I think we're
20 not -- the folks in Boston aren't given the
21 opportunity to see because of transportation issues
22 in some instances.

23 This is about environmental justice. H-085.02
24 This is about taking thousands of vehicles off our

1 state highways and allowing folks to travel on the
2 train and not putting all that carbon in the area as
3 far as that is concerned.

4 So, my statement, I think, is absolutely
5 for, absolutely for this South Coast Rail. I don't
6 believe that we should extend any periods. I think,
7 as stated, that the information has been out there
8 since '09. We're in '11. This project needs to go
9 forward ASAP, a bird in the hand so to speak. I
10 think if we wait too long then we may lose funding
11 that's critically important, as we all know, to get
12 this project done, and I'm talking about federal
13 funding.

14 Certainly, I want to thank the Governor
15 for his leadership. I want to thank the Army Corps
16 of Engineers for their interest and commitment into
17 this project. I think that they'll do a fine job,
18 and they'll come out with what I believe will be a
19 favorable report for this project, and I think it
20 will be favorable for the Stoughton line as far as
21 that's concerned. Kristina Egan has been great.
22 She has been inclusive. She has been informative,
23 as far as that's concerned; and again, I will finish
24 by saying what I started with, I support the South

1 Coast Rail Project.

2 Thank you.

3 CHRISTOPHER MARKEY: My name is
4 Christopher Markey. The last name is spelled
5 M-A-R-K-E-Y, 48 William Street, W-I-L-L-I-A-M,
6 Dartmouth, Mass.

7 I'm a State Representative for the Ninth
8 Bristol District, and I just wanted to add to my
9 comments made in the public hearing in regard to the
10 economic development of the South Coast, which will
11 be benefitted from the South Coast Rail Project.

12 As I mentioned briefly that approximately
13 80 years ago two bridges were built across the
14 Cape Cod Canal, and there were very few bridges --
15 very few vehicles and very few roads, and we look
16 back 80 years, and we wonder what would we do
17 without those two bridges in that economic
18 development that has developed as a result of people
19 being able to be transported from the mainland to
20 Cape Cod.

21 I find that the South Coast Rail will
22 have the same effect on the South Coast. The
23 development of the South Coast is really essential
24 for the development of Massachusetts as well. This

H-086.01

1 is one of the areas in Eastern Massachusetts that
2 has not been fully developed, and I think having the
3 access to Boston would allow for significant
4 positive economic development where we would grow
5 our tax base, establish great education institutions,
6 and allow for our citizens to be the most productive
7 they could possibly be. So, therefore, I'm
8 absolutely in favor of the Stoughton Route for the
9 development of the South Coast Rail.

10 Thanks.

11 T.K. ROY: My name is T.K. Roy. T
12 stands for Tridib, T-R-I-D-I-B. The last name is
13 Roy, R-O-Y, and my address is 216 Blackmore Pond
14 Road, West Wareham, Massachusetts 02576.

15 I was making some comments in the
16 hearing, but time ran out, so I'm going to finish
17 with the rest of it, or do you want me to start,
18 give the beginnings -- I think it may be easier to
19 give the rest of it.

20 So these are some of the other additional
21 things that I have to state. The rail will provide
22 an easy access, convenient and economic and fast
23 connection to bring people of other areas to enjoy
24 the nature's grandeur of this area, such as its nice

1 clean beaches, railroads and creeks, ponds and parks
2 all over the area. This area is so close and yet so
3 far because without rail people do not have access.

4 Boston and the suburbs have a great
5 scarcity of housing, and the ones that are available
6 are exorbitantly expensive. The South Coast, on the
7 other hand, provides an abundance of housing
8 facilities, nice waterfront locations, big nice
9 lawns, much open space for growth and development,
10 and to live in luxury and comfort, rather than the
11 cramped accommodation of the Boston area.

12 People can live here and work in Boston.
13 It's very easy access with the rail commute. It's
14 another win-win situation.

15 Convenient access to the best medical
16 facilities for the area residents. As we know,
17 Boston has one of the best and most advanced medical
18 facilities and state-of-the-art practicing
19 physicians and specialists. The rail will provide
20 an easy access to these facilities for the people of
21 this area. No driving, no parking headaches to
22 travel to Boston.

23 Another advantage is Boston is loaded
24 with many facilities of entertainment and learning.

1 centers, such as theaters, sports arenas, museums,
2 musical halls, great restaurants, which will be
3 easily accessible to the area residents. Now also
4 people commute to Boston to enjoy those, but driving
5 back and forth and parking are always big headaches,
6 and that's why it is less attractive for them. With
7 the rail, that will make them easy access, and they
8 would be able to use more of these facilities.

9 Again, it will help the business there
10 in the Boston area, and it will make better use of
11 this facilities for many of which our tax dollars
12 are also used to support or subsidize.

13 So with those, I would like to say that
14 I am convinced that the South Coast Rail will be a
15 big plus point both for the Boston area as well as
16 for the South Coast area.

17 I believe the -- out of the alternatives
18 the electric train will be a better choice to build.
19 The initial cost may be higher, a bit, but in the
20 long run it will be more economical. It will save
21 time, less noise, and less pollution.

22 Also it will be amenable to use newer
23 and environmental friendly energy of the future,
24 such as wind energy and solar energy. Also it will

1 be amenable to high-speed technology, just like the
2 bullet train or high speed train can be used with
3 electric trains.

4 And I also support the Stoughton
5 Alternative, which would be more direct, and it will
6 save time for the commuters, both for New Bedford
7 and Fall River.

8 I also would like to mention that no
9 extension of the hearing beyond May 27th is necessary.
10 We have already had many studies; and, therefore, it
11 will be my request that the committee takes a
12 decision on this thing in favor of building the
13 project as early as possible.

14 Thanks for your patience, and I hope you
15 will have a very positive recommendation to make
16 this South Coast Rail as a reality for which the
17 community will thank you enormously. It will be an
18 asset for the country once it is completed.

19 Thank you.

20 DAVID BENWAY: It's David Benway,
21 B-E-N-W-A-Y, B, as in boy. It's 165 Union Street,
22 New Bedford, Mass. 02740.

23 I just want to say that I'm in favor of
24 the Stoughton Route, not the Whittenton Route. I

1 would like to see the train electric, and in these H-088.01
2 tough economic times with gas prices reaching \$4 a
3 gallon we need to take the 8,000 cars off the road.
4 Now is the best time to do this.

5 Plymouth, Hingham, Lakeville all have H-088.02
6 the rail. Why doesn't New Bedford and Fall River
7 have it? Is it something to do with poor, black,
8 Hispanic? You know, please stop the economic
9 injustice.

10 Do not extend the comment period. The H-088.03
11 people who oppose it, the rail system coming to
12 New Bedford and Fall River, already have access to
13 the rail. This is not fair.

14 I want to thank the Army Corps of
15 Engineers for their report, and let's see, some
16 people have been waiting for this rail system their
17 whole entire life, and they are afraid that they're
18 going to be deceased before they see it come
19 through. Some of these people are in their early
20 60s. Let's make sure that they can have a ride on
21 the rail system to Boston.

22 Thank you very much. I appreciate it.

23 DEBORAH ROHER: My name is Deborah
24 Roher, R-O-H-E-R. I live at 240 Tremont Street, in

1 New Bedford, and I have lived in this area for 24
2 years. I'm not an engineer or an ecologist by
3 training, and I deeply respect the decisions and
4 evaluations that the Corps has to make for this
5 project, but I am by predilection an ecologist. I
6 didn't drive until I was 28. I lived in Eastern
7 Kentucky for almost six years before I bought a car.
8 And when I move to this area, I remember it was
9 really not long after I moved to this area that I
10 attended my first public hearing on the question of
11 restoring rail, passenger rail service from this
12 area to Boston, a subject that was of deep interest
13 to me. I've lived most of my adult life in places
14 where I got around without a car, and I remember
15 very clearly from that hearing the diagrams and the
16 presentation and the discussion of the three
17 possible routes, and the conclusion that the Taunton
18 Attleboro route was infeasible, because there were
19 too many grade crossings, and the extension of -- of
20 the route from Middleborough was infeasible because
21 it would create such a back -- such a bottleneck in
22 Braintree that you couldn't really run enough trains
23 along that route to make it an attractive commuter
24 option; and then there was the Stoughton Route,

1 which clearly was the feasible and preferred route,
2 and it is mind-boggling to me that 20 years later
3 we're still having the same discussion.

4 As I say, I take very seriously the H-089.01
5 issues raised about endangered species and damage to
6 the wetlands, but in the intervening 20 years, I've
7 seen Route 24 expanded and repaved, I don't know how
8 many times; and moreover, the new entrances and
9 exits built off routes -- Route 24 and all along the
10 Route 140 and Route 24 corridor all of the
11 sprawl-type developments, the strip malls with the
12 impervious paving taking up who knows how many acres
13 of what used to be very nice meadows, the
14 destructive single family suburban subdivisions,
15 which have been the predominant kind of development,
16 and I've also seen all of that development benefit
17 the suburbs and further impoverish the city. So I
18 really hope that the outcome of this process will be
19 a determination that we can have our rail service
20 from Fall River and New Bedford. I believe that it
21 will be environmental as well as an economic and
22 cultural enrichment benefit to the state and to all
23 of us in this area.

24 ANGELA BANNISTER: My name is Angela

1 Bannister, and I am a New Bedford resident. I live
2 at 321 Query Street. I have lived here for a year
3 and a half. I graduate college in two weeks, and I
4 am scared for this economic area. I would like to
5 one day call New Bedford my home. I would like to
6 raise a family here, and I would like to have access
7 to Boston, and I think that the -- the Stoughton
8 line is the best reliable and efficient means of
9 transportation for this area.

10 New Bedford has a very bad reputation
11 currently due to the lack of accessibility and
12 inequality that we unfortunately have; and again,
13 I'm a young new grad, and I would like to be able to
14 build my home in New Bedford and still have access
15 to jobs in Boston and be able to provide for my
16 family if I -- if I decide to stay in New Bedford
17 and live and work.

18 So thank you to everyone that's put
19 energy towards this.

20 MATTHEW COES: My name is Matthew Coes,
21 C-O-E-S, and I live at 4 Hedge Street in Fairhaven,
22 Mass.

23 Thank you for your thorough review of
24 the South Coast Rail alternatives. I support the

H-090.01

H-091.01

1 Stoughton Route with electric service and oppose an H-091.01
2 extension of review. I am an environmentalist. I
3 commute to work with a bicycle, but I am a big
4 picture environmentalist, and in this case the
5 benefits far outweigh the costs.

6 I moved to New Bedford three years ago
7 for work in the city's burgeoning art community. My
8 employer works primarily with advertising and design
9 clients within the Route 128 belt. We offer studio
10 visits and delivery to and from Boston. And
11 visitors, once we are able to convince them to
12 travel, are amazed at what New Bedford has to offer.
13 I've lived previously in Salem, Mass., and Brooklyn,
14 New York, and there I used public transport
15 extensively to commute into major cities.

16 The South Coast Rail will be a vigorous H-091.02
17 economic course and provide the typical
18 opportunities for both ends of the rail project.

19 Thank you for the opportunity.

20 SCOTT W. LANG: This is Scott Lang,
21 Mayor of the City of New Bedford.

22 There were a couple of other issues that
23 I wanted to address at the end of the evening. The H-092.01
24 first one was the issue regarding subsidy of this

1 rail project and the idea that this project would be
2 unduly subsidized by other areas of the state. The
3 fact is that this is a state project, a project that
4 will benefit all citizens in Massachusetts, and
5 currently all citizens subsidize all forms of
6 highway, airport, train, harbor projects.

7 The idea that we would be asked to
8 subsidize all other parts of the state regarding
9 rail and then the issue would be brought up as to
10 whether or not other parts of the regions of
11 Massachusetts should subsidize New Bedford,
12 Fall River, Taunton's rail is not appropriate and is
13 certainly not equitable from the standpoint of equal
14 protection and in the whole theory of the benefit
15 for all within the state. And it creates a
16 disproportionate advantage to live outside of New
17 Bedford based on the fact that we don't have the
18 infrastructure for transportation that other areas
19 of the state would have.

20 The other thing that I would like to
21 state is this idea that the train would be an
22 inconvenience or an imposition to pass through
23 different communities. Again, with the -- with the
24 eye on the fact that this benefits the entire state,

H-092.01

H-092.02

1 there is no community that should put up a barrier
2 to progress for any region of the state and for the
3 entire state. Just as if a town would argue against
4 having a highway go through their town or
5 infrastructure projects within their town that
6 benefit the entire region to argue that the rail
7 going through a specific town is not fair to the
8 town really misses the point of a unified sovereign
9 state entity. So I would hope that that is not an
10 issue that in any way affects the Army Corps'
11 decision.

12 On a whole, if you look at the balance
13 of this project, it will, in fact, benefit the
14 entire state. It will increase the tax base in the
15 state, decrease unemployment within the state and
16 lead towards a quality of life for all those who
17 live in the state being enhanced.

18 It also will help clean up the
19 environment. So if you look at this as a project
20 that not only affects the New Bedford, Fall River,
21 Taunton, South Coast region, but look at it as a
22 project that affects the good of the whole, this
23 project should go forward.

24 So, now I'm done.

WRITTEN STATEMENTS

May 5, 2011

Richard K. Sullivan, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office: Aisling O'Shea
100 Cambridge St., Suite 900
Boston, MA 02114

Dear Director,

As Mayor of the City of Taunton, I, along with the unanimous support of the several editions of the Taunton Municipal Council have enthusiastically supported the direct Stoughton Route that will provide rail service to our community and to the South Coast region in a more timely and cost effective manner. The direct Stoughton Route will travel south from Boston through the communities of Stoughton, Easton and Raynham over the same railroad bed that had been used by passenger trains over 150 years ago. Once entering Taunton, the trains will stop at a station planned along Dean Street (Route

H-093.01

1 44) where my administration has designed and
2 endorsed a Transit Oriented District (T.O.D.). The
3 trains would continue southward through Taunton to
4 another station planned behind Depot Drive near the
5 intersection of Route 140 and Route 24. The route
6 would have only five (5) at-grade crossings through
7 its entire length through Taunton. The direct
8 Stoughton Route provides for the quickest route
9 between the South Coast communities and Boston and
10 it would provide, according to the studies, the
11 highest ridership.

12
13 The citizens of Taunton through their elected
14 representatives have gone on record as in favor of
15 the direct Stoughton Route, and they have also gone
16 on record as emphatically opposed to the Attleboro
17 Route as well as the Whittenton Alternative Route,
18 as those options would provide from fourteen to
19 fifteen (15) at-grade crossings within our community,
20 and effectively cut off public safety operations
21 within our community. The Attleboro Route and the
22 Whittenton Alternative Route would also cause the
23 trips between Boston and the South Coast communities
24 to be longer and less cost effective. The Attleboro

H-093.02

1 Route as well as the Whittenton Alternative Route
2 would cause the trains to run through our heavily
3 congested residential area where the houses are
4 right up against the tracks. The noise mitigation
5 measures that would be necessary would also add to
6 the costs of this route.

7
8 Attleboro officials have long contested that route
9 for environmental reason. My administration with
10 the unanimous support of the Taunton Municipal
11 Council in Taunton has worked closely with the
12 Selectman of Dighton and Norton to endorse the
13 application Three Mile River Area of Critical
14 Environmental Concern (A.C.E.C.), which was recently
15 adopted by the Commonwealth of Massachusetts. The
16 Attleboro Route runs directly through this A.C.E.C.

17
18 On behalf of the citizens of Taunton, I want to
19 express our sincere and emphatic support for the
20 direct Stoughton Route that will provide the highest
21 ridership, the quickest trip from the South Coast to
22 Boston, and provides the least impact to our
23 citizens. I believe the only intelligent choice is
24 the direct Stoughton Route. I look forward to see

that route adopted and for our community to become
the gateway to the South Coast.

Respectfully,

Charles Crowley,
Mayor

* * * * *

C E R T I F I C A T E

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

/s/ Marianne Kusa-Ryll
Marianne Kusa-Ryll, RDR, CRR

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

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