Appendix 8.2-A

MassDOT's Responses to Comments on Environmental Notification Form

Index to Comments

This section of this joint DEIS/DEIR was contributed by MassDOT, which is solely responsible for its content. The information contained in this section is pertinent to the DEIR only, pursuant to the proponents' responsibilities under the Massachusetts Environmental Policy Act. The U.S. Army Corps of Engineers is not a proponent, does not have a role in MEPA compliance and does not have a position with regard to the data contained herein.

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April 3, 2009

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

PROJECT NAME	: South Coast Rail Project
PROJECT MUNICIPALITY	: South Coast Region
PROJECT WATERSHED	: Buzzards Bay, Taunton River, Narragansett Bay, Ten Mile River, Boston Harbor, Charles River
EEA NUMBER	: 14346
PROJECT PROPONENT	: Executive Office of Transportation and Public Works
DATE NOTICED IN MONITOR	: November 24, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of an Environmental Impact Report (EIR).

This project involves the re-establishment of commuter rail service from the South Coast communities of Fall River and New Bedford to Boston, which has been discontinued since 1958. The project spans a stretch of approximately sixty miles and potentially passes through or otherwise impacts thirty-one cities or towns in the South Coast corridor. 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. In addition, 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. At the same time, the project also has the potential to result in considerable impacts to natural resources and wildlife habitat in areas of Southeastern Massachusetts with significant ecological value. Selection of a preferred alternative that

balances the relative environmental benefits and harms of this large-scale regional initiative is therefore a fundamental objective of this environmental review process.

The 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, including a comprehensive alternatives analysis, under both the state and federal review procedures to provide fresh information on the project's environmental impacts that can serve as a basis for obtaining the required federal and state permits needed to construct the project.

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. As described in further detail below, and as documented in the ENF and related documents, numerous routing and mode options have been evaluated by the South Coast Rail project to date. Based on the results of that analysis (including the Ridership Memorandum) and comments received during the public comment period, the Draft Environmental Impact Report (DEIR) will be required to narrow those options to eight remaining feasible alternatives for the project.[1] These eight alternatives represent three primary routing alternatives (Attleboro, Stoughton, and Rapid Bus), a no-build/enhanced bus scenario, as well as several variations on the three basic routes. The DEIR will be required to present a thorough and detailed comparison of the relative environmental impacts and benefits of each of the alternatives to serve as the basis for selection of a preferred alternative that meets the project's stated purpose with a minimum of environmental impact.

Project Description

The purpose of the project as articulated by the Executive Office of Transportation and Public Works (EOT) 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 Environmental Notification Form (ENF) describes five primary project routing and mode alternatives that were brought forward for further investigation as a result of a screening process (the Phase I Alternatives Analysis), which included a comprehensive review of 65 alternatives. The five alternatives include the No-build/Enhanced Bus alternative, the Attleboro, Stoughton and Middleborough rail alternatives, and a Rapid Bus transit alternative. The three rail alternatives include several variations; the Attleboro route (diesel and electric), the Stoughton route (diesel, electric, and the Whittenton diesel variation), the Middleborough Full (includes improvements to the Old Colony line), the Middleborough Simple (no improvements to the Old Colony line), and the Attleboro-Middleborough hybrid alternative.

[1] As noted above, the project is undergoing both state and federal environmental review. If the federal review process results in the evaluation of alternatives in the Draft Environmental Impact Statement beyond those that have been identified in this Certificate, the proponent should consult with the MEPA Office to discuss whether an amendment to the Scope for the Draft Environmental Impact Report set forth below is required.

The project includes eighteen proposed new stations, which EOT has recommended for further analysis as a result of a screening process that considered seventy-three potential rail and bus station sites. A key component of the project is a proposed land use and economic development corridor, which is being developed in parallel with the transportation corridor to promote transit-oriented development and smart growth in and around the proposed station sites.

The proposed project has the potential to result in significant impacts to natural resources and wildlife habitat. There are five Areas of Critical Environmental Concern (ACEC) and several other conservation areas that would be impacted by the various alternatives. These include the Hockomock Swamp ACEC, which is one of the largest unfragmented wetland systems in the state, the Fowl Meadow/Ponkapoag ACEC, and the Pine Swamp conservation area in Raynham. The proposed rail alignments cross priority and estimated habitat for rare species and approximately twenty-five state-listed species have been found within or adjacent to the railroad right of ways for the various alternatives. As further detailed in the ENF, the rail alternatives are estimated to result in impacts to wetland resources in the range of approximately 3.6-10 acres, depending on the route selected. The Rapid Bus alternative is estimated to result in approximately 1.3 acres of wetlands impact. Other resource impacts include potential impacts from the project on biodiversity and drinking water supplies.

However, the project also has the potential to significantly improve regional air quality and reduce greenhouse gas (GHG) emissions by increasing the number of people using public transit, thereby reducing automobile use and the GHG and pollutant emissions associated with vehicle miles travelled (VMT). Any reduction in VMT achieved as a result of the project may also have a positive impact upon the currently congested transportation infrastructure network along major highways between the South Coast region and Boston. Thus, the potential environmental benefits of this large scale regional project in the form of improvements to air quality, reductions in GHG emissions, and reduced traffic congestion are important factors to be balanced against the impacts to environmental resources noted above.

Finally, the alternatives presented in the ENF represent a significant range in terms of the quality of service, constructability, schedule, and overall costs for the project. For example, travel times predicted for the various alternatives range from 68 to 96 minutes for a trip from New Bedford to South Station in Boston, or from 62 to 94 minutes from Fall River to South Station. Dates of completion range from 2016 to 2020, and estimated costs range from 0.5 to 3 billion dollars. Given the significant variation in these project-feasibility factors, the ridership projections for each of the alternatives represent an important consideration in evaluating the practicability and utility of the different alternatives. Supplemental information on ridership was circulated during the extended ENF review process. Based on this data, projections for 2030 show an increase in linked transit trips ranging from 1,400 to 5,900 trips per day for the range of alternatives. The latent demand for transit in the South Coast region is estimated in the ENF at 8,000 daily work trips from the South Coast to Boston (based on 2000 Journey-to-Work data).

Project Background and MEPA History

A prior proposal for the New Bedford/Fall River Commuter Rail Extension (EEA# 10509) previously underwent MEPA review approximately a decade ago. The prior project

review consisted of an ENF, a Draft Environmental Impact Report (DEIR), a Supplemental Draft Environmental Impact Report (SDEIR) and a Final Environmental Impact Report (FEIR). A Certificate on the FEIR for the project was issued on August 30, 2002 indicating that the FEIR adequately and properly complied with MEPA and its implementing regulations. At that time, the Stoughton alternative was identified as the preferred alternative for the project. The Middleborough and Attleboro alternatives had been evaluated in the DEIR and SDEIR but were eliminated from consideration by the time the FEIR was prepared. Specifically, the Middleborough Alternative was considered infeasible because its ridership was not comparable to existing commuter rail lines at the time, and the Attleboro Alternative was deemed no longer practicable due to capacity constraints along the Amtrak high-speed rail lines between Boston and New York City.

Due to the lapse of time since the Final EIR was Certified, a new ENF was filed for the current project as required by the MEPA regulations. In the current ENF, the Attleboro alternative includes a third track, which was not considered during the previous review, to address the capacity constraints noted above. Other significant developments that have occurred since the previous filing include: further development of the Land Use and Economic Development Corridor Plan (also referred to in the ENF as the Smart Growth Corridor Plan); EOT's Station Siting report and transit ridership analysis; an extensive civic engagement process; the filing of a Department of the Army permit application pursuant to Section 404 of the federal Clean Water Act; and the establishment of an Interagency Coordinating Group to initiate a comprehensive alternatives analysis as part of the U.S. Army Corps of Engineers' ("Corps") federal permit review process. The Corps' alternatives analysis is ongoing as of this date.

MEPA/NEPA Process

In addition to the requirement to prepare an EIR to meet state environmental review requirements under MEPA, the proposed project is subject to federal requirements of the National Environmental Policy Act (NEPA). On May 7, 2008, the Corps determined that an Environmental Impact Statement (EIS) is necessary to meet the NEPA requirements of this proposal. As the lead federal agency, the Corps will prepare the EIS. The federal action required is a Department of the Army permit under Section 404 of the Clean Water Act to discharge fill material to waters of the United States, including adjacent wetlands. In order to streamline the environmental review process and to facilitate public involvement, MEPA and the Army Corps are coordinating review of a joint EIS/EIR with the intent to provide the information and analysis required for both federal and state review.

Interagency and Community Involvement

EOT has 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 commend EOT for these notable outreach efforts. In addition, 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—I appreciate the ongoing participation of all stakeholders during the environmental review of this project. I hope and

expect that EOT will continue its commitment to stakeholder outreach and public input as it prepares the Draft and Final EIR/EIS documents for this project.

Permits and Jurisdiction

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 may 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) because it may result in demolition of a part of a state-listed historic structure. The project may also meet or exceed other MEPA review thresholds depending upon its final design.

The project requires Water Quality Certification pursuant to Section 401 of the Clean Water Act, 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 review by the Massachusetts Historical Commission and the Office of Coastal Zone Management. The project is also subject to the MEPA Greenhouse Gas Emissions Policy and Protocol.

At the Federal level, the project requires a Section 404 permit from the Corps, an Air Quality Conformance Determination, National Pollutant Discharge Elimination System (NPDES) Construction Permit(s) from U.S. Environmental Protection Agency, 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 ENVIRONMENTAL NOTIFICATION FORM (ENF)

Alternatives Screening Process- Phase I Analysis

The ENF includes a chapter on the Phase I Alternatives Analysis and a description of the process used by EOT to identify, evaluate, and eliminate or retain alternatives for further analysis. In addition to the summary chapter, the ENF includes as an appendix the complete Phase I Report on the alternatives analysis that provides details on the methodology and results of the analysis.

A total of 65 alternatives were identified as a result of EOT's civic engagement process. A four- step evaluation process was undertaken to narrow the alternatives to a reasonable number of practicable options to carry forward to a more detailed level of analysis in the EIR. Step 1 of the process evaluated alternatives on the basis of whether they met the project purpose, Step 2 evaluated alternatives on the basis of their practicability, and Step 3 evaluated alternatives in the context of environmental impacts (a preliminary analysis based on available GIS-level information). The ENF described the screening criteria used and the rationale for dismissing certain alternatives. A fourth step in the process consisted of a re-evaluation of the conclusions of the screening process, a final selection of nine alternatives for further analysis, and a consolidation of similar alternatives that resulted in five corridor options: Alternative 1- through Attleboro, Alternative 2-through Middleborough, Alternative 3 – through Attleboro and Middleborough (hybrid), Alternative 4 - through Stoughton, and Alternative 5 - the Rapid Bus corridor.

Alternatives Rejected – Phase I Analysis

The ENF includes a comprehensive review of the alternatives considered and the reasons for rejection. These include Monorail and commuter rail along Route 24, Diesel Multiple Units, the Attleboro route without a bypass, and the Mansfield route. EOT concludes that monorail is not feasible because it is not a proven technology, its reliability is questionable and because implementation would exceed EOT's proposed budget for the project. According to the ENF, the longest existing monorail is 15 miles (in Japan), whereas the proposed South Coast transit corridor is sixty miles long. The ENF also highlights reliability and cost issues associated with monorail efforts in Las Vegas and Seattle. The commuter rail option along Route 24 was also rejected on the basis of practicability, in part because it would require rebuilding twenty highway interchanges, many bridges, and extensive earth moving. In addition, the ENF concludes that commuter rail along Route 24 would not support smart growth and economic development as well as other potential project alternatives.

Diesel Multiple Units (DMUs), which are self-propelled rail cars that can be combined into multiple car trains, were also dismissed from further consideration. DMUs could increase regional mobility by providing more frequent trains than traditional rail. However, because of the increased frequency of operation, they would require double-tracks throughout the corridors, thereby increasing costs and environmental impacts. The DMU alternatives would have longer

travel times and less reliability than other alternatives because transfer to the existing rail system would be required.

The Attleboro route without a bypass was considered but rejected as it was considered impracticable. While this alternative would avoid the impacts associated with the 2.6-mile bypass (described in further detail below), it would require the train to reverse into Attleboro station thereby increasing travel time, causing potential mechanical problems and creating impacts associated with an additional track at the station. The Mansfield route, which would use the abandoned rail right-of-way from the Attleboro secondary in Taunton, north to the existing Mansfield station along the Northeast corridor was also rejected for reasons of impracticability.

I acknowledge the comments received requesting that some of the alternatives eliminated during the Phase I analysis be reconsidered in the DEIR. However, based upon my review of the ENF and the Phase I Alternatives Analysis Report, I am satisfied that a comprehensive alternatives screening process was conducted and that a reasonable explanation for the elimination of alternatives was presented in the ENF.

Alternatives Evaluated in the ENF

The ENF describes the proposed No-Build/Enhanced Bus alternative and the five build alternatives, and discusses the operational issues, required infrastructure, project schedule/cost, and opportunities for smart growth associated with each alternative. The ENF also identifies potential station sites for each of the transit corridor options, and includes a detailed station siting report with results from the civic engagement process and the evaluation and selection of recommended sites. The ENF recommends that the no-build/enhanced bus, Stoughton route, Middleborough Simple, and Rapid bus alternatives be brought forward to the Draft EIR (DEIR) stage. The ENF recommends eliminating the Attleboro alternative, the Middleborough Full, and the Attleboro/Middleborough Hybrid alternatives from further review.

As noted above, supplemental information was submitted with ridership projections to assist in the comparison and selection of alternatives for review in the DEIR. Based upon the information provided to date, and as detailed further below, I concur with EOT that the Middleborough Full and Attleboro/Middleborough Hybrid are not practicable and need not be brought forward for additional analysis in the DEIR. I have also determined that the Middleborough Simple alternative does not require additional analysis in the DEIR. However, I believe the Attleboro alternatives are potentially feasible alternatives worthy of further analysis in the DEIR. The alternatives section in the Scope below outlines the specific alternatives to be retained and additional variations to be evaluated in the DEIR.

The alternatives presented in the ENF are as follows.

a) No-Build Alternative – Enhanced Bus

This alternative consists of enhancements to the existing transit system serving the project area, which includes currently programmed and funded improvements to the system and associated infrastructure such as commuter rail stations and park-and-ride lots. The no-build

alternative includes bus schedule enhancements, new and expanded park-and-ride facilities, transportation demand management and transportation policy enhancements for commuter bus. The ENF also recommends support for private commuter bus service operators to acquire a new fleet of fuel-efficient and clean emission buses.

The no-build option includes more frequent service with shorter headways and a more flexible schedule for the Fall River and New Bedford commuter bus. No enhancements are proposed for the Taunton bus service, which is considered in the ENF to be adequate to meet current demand. The ENF identifies opportunities for expansion of park-and-ride lots in the vicinity of the Mount Pleasant lot in New Bedford as well as the Silver City Galleria and Route 24/140 highway interchange in Taunton. Another possible enhancement identified in the ENF is a joint ticketing system for bus and rail which would allow bus operators to offer the same type of transit pass as commuter rail which currently provides free access to MBTA buses and rapid transit for those who purchase a monthly pass. The No-Build/Enhanced Bus alternative should be further evaluated in the DEIR as outlined in the Scope below.

b) Build Alternatives

Four of the five build alternatives consist of proposals for rail transit. Each of these requires upgrades to existing freight lines in what is referred to in the ENF as the "Southern Triangle" portion of the project that includes the New Bedford Main from New Bedford to Cotley Junction in Taunton, and the Fall River Secondary from Fall River to Myricks Junction. All the rail alternatives would require capacity improvements at South Station, including new tracks. The alternatives would also require new mid-day layover, overnight storage, and maintenance facilities.

In terms of the assumptions used in modeling capacity and ridership, the alternative rail routes assume six peak period trains from the South Coast area to Boston, with three coming from Fall River and three from New Bedford. The exception to this is the Middleborough Simple, which cannot accommodate additional trains without improvements to the Old Colony line; therefore this alternative includes expansion of existing service only, which would provide three peak period trains in total.

Alternative 1 – through Attleboro

The Attleboro alternative includes both diesel (Option 1A) and electric (Option 1B) trains providing commuter rail service to Boston via the Attleboro Secondary, proposed Attleboro Bypass, and the Northeast Corridor. Nine stations are proposed: Battleship Cove, Fall River Depot, Freetown, State Pier, Whale's Tooth, King's Highway, East Taunton (North), Taunton Depot, and Barrowsville.

The analysis conducted for this alternative shows that a third track is needed on the Northeast Corridor to handle the addition of more than one new peak period train. The third track is required between the proposed Attleboro Bypass track and the existing Transfer Interlocking located just south of Readville. Construction of the third track requires significant earthworks for the new track bed, installation of three track overhead contact systems, reconstruction of three

commuter rail stations at Mansfield, Canton and Sharon, and reconstruction of 22 railroad and highway bridges as well as a new bridge parallel to the Canton Viaduct. The Attleboro bypass is a proposed new 2.55 mile double track line. The Attleboro route alternative requires 44 grade crossings and reconstruction of 51 bridges in total.

Both the electric and diesel variations of the Attleboro alternative should be further evaluated in the DEIR as outlined in the Scope below.

Alternative 2 – through Middleborough

This alternative provides commuter rail service from the South Coast area to South Station in Boston through Middleborough using the Old Colony Middleborough and Main Line corridors. The Middleborough Full is a variation of this alternative that includes major infrastructure improvements to the Old Colony line between Braintree and South Station, including a 1.3-mile tunnel under Quincy Center Station and relocation of the MBTA Red Line. As noted above, I concur with the proponent that this alternative is impracticable due to its low projected ridership numbers, high cost and significant construction-related disruption to the existing public transit system and to the City of Quincy.

The Middleborough simple alternative does not include the major infrastructure improvements of the "full". However, without these improvements it cannot meet the minimum capacity requirements of MBTA for quality of service and does not appear to meet the project's stated goals. In addition, the ridership projections are significantly lower than other alternatives. I therefore determine that this option may be eliminated from further review in the DEIR.

Alternative 3- through Attleboro and Middleborough

This option consists of commuter service to South Station using the Old Colony line and the Northeast Corridor. The proposal under this alternative was designed to send half the trains from the South Coast area via Attleboro and half via Middleborough to avoid the need for major infrastructure upgrades on either the Amtrak Northeast Corridor or the Old Colony line. However, as noted above, it appears that the addition of more than one new peak period train would still necessitate construction of a third track on the Northeast Corridor. Consequently, this alternative would result in significantly increased costs and environmental impacts associated with both Alternative 1 (Attleboro) and 2B (Middleborough Simple) combined, while achieving similar ridership outcome as Alternative 1 alone. Therefore, I concur with EOT that this hybrid alternative is impracticable and can be removed from further consideration in the DEIR.

Alternative 4-through Stoughton

This alternative would provide commuter rail from the South Coast area to Boston via Stoughton and would connect with the existing Stoughton line. A variation of this alternative would also serve the Whittenton section of Taunton. Both electric and diesel options are being considered for the Stoughton route; Option 4A-diesel, Option 4B-electric, and Option 4C-diesel via Whittenton branch. The train service to Boston under this alternative consists of an extension to the existing Stoughton line service to Weir Junction in Taunton along an abandoned railbed

right-of-way, partially located within the Hockomock Swamp. Trains from New Bedford and Fall River would be provided using upgraded Fall River secondary and New Bedford Main, connecting to the Stoughton extension at Weir Junction in Taunton.

The Stoughton electric alternative would require 9.5 miles of new catenary wire on a portion of the Northeast Corridor. It would require new track construction from Stoughton to Taunton, which includes a proposed mile-long trestle through the Hockomock Swamp. The Stoughton alternative requires 50 grade crossings (60 for the Whittenton option) and 47 bridge reconstructions.

This alternative includes eleven proposed new stations; two in Fall River, three in New Bedford, one in Freetown, two in Taunton, one in Raynham and two in Easton. The existing Canton Center and Stoughton stations would be reconstructed. The Whittenton option (4C) includes a station at Whittenton in lieu of the Taunton station proposed for 4A and 4B. The Stoughton alternative and its variations, including an electric Whittenton variation, should be evaluated further in the DEIR.

Alternative 5 – Rapid Bus

The Rapid Bus alternative would provide express bus service to South station using a dedicated primarily reversible bus lane to be built along Route 24 and I-93/128, the existing Interstate-93/Route 3 High Occupancy Vehicle (HOV) zipper lane, and a short portion through mixed traffic. Modern rapid transit buses with passenger amenities to encourage ridership are proposed to be used. Various fuel options including diesel, biodiesel, compressed natural gas, hybrid and electric technologies will be investigated for this alternative.

Under the Rapid Bus alternative, buses from Fall River and Taunton would use Route 24, Route 128 and I-93. Buses originating in New Bedford would use these routes as well as Route 140. Construction required for the Rapid bus alternative includes new exclusive bus lanes, installation of zipper lanes and reconfiguration of existing interchanges. Seven stations are proposed at: Fall River Depot, Freetown Park, State Pier, Whales Tooth, King's Highway, Taunton Depot and the Galleria. Express bus service from each station will be provided to Boston at 15-minute headways, providing eight peak period trips to each terminal.

This alternative would require new berthing facilities at South Station and a bus layover facility. It also requires reconstruction of twenty-six highway bridges, and rebuilding of eight interchanges on Route 24, the Braintree split and the Route 24/I-93 interchange in Randolph. The ENF outlines other improvements along the highway corridors that would be required including widening of a 5.8-mile section of Route 24-Route 140 in Raynham, improvements to a 11.6 mile section of Route 24-104 in Taunton, widening of the median and/or other improvements to a 9-mile portion of Route 24 (Elm Street Bridge to Harrison Boulevard) and construction of bus lanes from Harrison Boulevard interchange to the Logan Express parking lot in Braintree, with a bridge structure connection to the lot.

The DEIR should include additional information and analysis of the Rapid Bus alternative as further detailed in the Scope below.

Comparison of Alternatives Based on Ridership Projections

During the extended ENF review period, EOT submitted a Supplemental Ridership Memorandum that includes ridership projections for the alternative transit routes with an overview of the model used and the assumptions used as inputs to the model. The ridership projections are based on a regional travel demand model used by the Central Transportation Planning Staff (CTPS) of the Boston Region Metropolitan Planning Organization, which is consistent with that used by CTPS for other major transportation projects in eastern Massachusetts. The model has been refined and tailored for the study area, which includes 182 cities and towns in eastern Massachusetts. The Memorandum summarizes major features of the model and the four-step methodology used. The model was run for the forecast year 2030. As noted in the Memorandum, the model simulates existing travel conditions and forecasts future year travel on the entire transportation system in eastern Massachusetts for the transit, auto and walk/bike modes. Key inputs to the model include population, employment, number of households, automobile ownership, highway and transit levels of service, downtown parking costs, automobile operating costs and transit fares. The model uses demographic forecasts that were created by local Regional Planning Agencies (RPAs) and used in their last adopted Regional Transportation Plan (RTP). Transportation assumptions include projects that are most likely to be built by 2030 and that are included in the last federally approved and fiscally constrained RTP for the RPAs in the model area.

The model was run for the Base Year 2006, and for the year 2030 it was run for the No-Build/Enhanced Bus alternative, the Attleboro Diesel (1A) and Electric (1B) alternatives, the Middleborough Full (2A) and Simple (2B) alternatives, the Stoughton Diesel (4A) and Electric (4B) alternatives, and the Rapid Bus alternative (5). The operating plan for the Attleboro, Middleborough Full and Stoughton rail alternatives assume three peak period trains from each terminal (New Bedford and Fall River) in the morning and three to each terminal in the evening peak period. The Middleborough Simple plan assumes three peak period trains in total. The Rapid Bus operating plan assumes one bus trip every 15 minutes with express service from each station to Boston. The operating assumptions are designed to meet the minimum services acceptable under the MBTA Service Delivery Policy. The travel times projected reflect assumptions about future improvements along the corridors.

The performance measures used to compare alternatives are based on 1) changes in linked transit trips (entire trip taken by transit), 2) changes in boardings by mode, 3) the number of boardings at proposed new stations and 4) changes in vehicle miles of travel (VMT). The results of the analysis indicate a similarity between the Attleboro and Stoughton routes in terms of the number of new linked transit trips indicating a projected decrease in automobile use (for example, 5,900 new linked trips for Stoughton electric and 5,700 for Attleboro electric). The electric options appear to attract more riders compared with diesel due to the faster run times. Ridership projections for Middleborough Full and Simple are significantly lower than for the Attleboro and Stoughton alternatives (3,900 new linked trips for Middleborough full and 1,400 for the Middleborough Simple). The lower estimates are due to inferior run times and lack of connectivity to the orange line at Back Bay station. The Rapid Bus alternative is expected to

result in 3,500 new linked trips. Additional information regarding the model and assumptions used, and additional analysis of ridership will be required in the DEIR.

The Memorandum also included an estimate of the reduction in peak period VMT expected. The Attleboro and Stoughton alternatives are expected to reduce VMT by 228,000 and 241,900 respectively for the electric options (195,000 and 178,600 for diesel). The analysis shows a decrease in VMT of 163,800 for the Middleborough Full alternative and 64,400 for Middleborough Simple. The Rapid bus alternative is expected to reduce VMT by 157,500. Based on the total peak period VMT data in the Ridership Memorandum, the estimated reductions for the alternatives correlate to a VMT decrease of approximately 0.1 to 0.4 percent of overall AM and PM peak period VMT for eastern Massachusetts. The corresponding air quality benefits for the alternatives, including potential greenhouse gas (GHG) emission reductions should be included in the DEIR as further detailed in the Scope below.

Comparison of Alternatives Based on Environmental Impacts

Based on the analysis in the ENF, Alternative 1 through Attleboro will require approximately 9.1 acres of wetlands fill for the diesel option and 9.4 acres for the electric option. Alternative 4 through Stoughton will require approximately 6.7 acres of fill for the diesel option and 7.3 acres for the electric option (including 0.78-0.83 acres in the Hockomock Swamp ACEC). Wetlands impacts for the Whittenton option have not yet been estimated (but are expected to be reduced based on avoidance of wetlands in Pine Swamp). Certified and potential vernal pools are located in proximity to both rail alignments. Some comment letters received, including those from state agencies, suggest that the quality of the wetlands impacted by the Stoughton route may be more significant in terms of their function and values compared to the areas proposed for fill under the Attleboro alternative. Therefore, an analysis of the aquatic resource impacts of the alternatives cannot be based on acreage alone. A complete and comparative assessment of wetland functions and values, is necessary to determine the relative environmental consequences of the alternatives under consideration.

The Attleboro route would impact wetlands within the Three-Mile River ACEC and the Fowl Meadow/Ponkapaog ACEC and the Stoughton alternative would affect the Pine Swamp Conservation Area and Hockomock Swamp ACEC. The Whittenton variation of the Stoughton alternative would reduce wetlands impacts in Pine Swamp. The ENF states that the Attleboro alternative would have a low level of impact to state-listed rare species habitat while the Stoughton route would have a high level of impact to rare species. The Stoughton route is anticipated to have a greater impact on biological diversity due to its impacts on rare species and fragmentation of habitat and wildlife populations.

Both the Stoughton and Attleboro alternatives would have some impacts to historic resources. The Attleboro route would substantially affect the Canton viaduct, a state-listed historic structure, while the Stoughton alternative may have indirect adverse effects to historic resources including those within the Easton Historic district.

In comparison to the rail alternatives, the Rapid Bus alternative would have substantially fewer environmental impacts, resulting in a total of 1.3 acres of wetlands fill, which includes

impacts within the Hockomock Swamp associated with Route 24 construction (the ENF does not quantify the amount of fill within Hockomock swamp for this alternative). The Rapid bus alternative is not expected to have a significant impact on rare species habitat. This alternative would, however, impact the Blue Hills Reservation, conservation land that is protected under Article 97. According to the ENF, the Attleboro and Stoughton routes would not require a disposition of land under Article 97.

Both the Attleboro and Stoughton alternatives are expected to support smart growth by promoting revitalization of downtown New Bedford and Fall River and Transit-Oriented Development (TOD) opportunities for stations along the transit corridor. While the Rapid bus alternative is expected to promote revitalization of downtown New Bedford and Fall River, the ENF indicates it will have less potential to support smart growth, when compared with the rail alternatives, because of the expectation that investors in TOD will be more likely to invest in the vicinity of a fixed rail station rather than a Rapid Bus Transit system.

As indicated in the supplemental information provided with the ridership projections, all the alternatives are expected to improve air quality and reduce greenhouse gas emissions by reducing the number of cars on the road. I expect the DEIR to include an in-depth comparative analysis of the air quality benefits of project alternatives as further detailed in the Scope below.

SCOPE

General

C-001-001 EOT should prepare a Draft EIR (DEIR) 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 DEIR should include maps, plans and other graphics that describe existing and proposed conditions, environmental impacts, proposed structures and other project components. EOT should consult with the Interagency Coordinating Group to determine the appropriate scale to use for DEIR graphics. The DEIR should include a project summary and schedule, a list of permits required and a description of any changes since the filing of the ENF. The DEIR should include a list of all applicable MEPA review thresholds.

C-001-002 C-001-003 C-001-004

C-001-005 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. The impact assessments in the DEIR should include temporary and permanent impacts, direct and indirect, and secondary and cumulative impacts.

Land Alteration

C-001-006 The DEIR should include cumulative totals for land alteration and impervious area, as well as a breakdown for specific elements of the project such as stations and layover facilities.

C-001-001

The DEIS/DEIR has been prepared in accordance with the MEPA requirements and the specific scope outlined in the Certificate.

C-001-002

The graphics provided in the DEIS/DEIR were developed at a scale appropriate to depict the required information.

C-001-003

The alternatives under consideration are described in DEIS/DEIR Chapter 3, Section 3.2. A construction schedule is provided in Section 3.3.2.2, and a list of permits required is provided in Chapter 7, Draft Section 61 Findings.

C-001-004

MEPA review thresholds are discussed in DEIS/DEIR Chapter 2, Section 2.3.1. MEPA regulations at 301 CMR 11.00 establish the standards for environmental impact review and a basic procedural outline for conducting that review: 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)(l)(a) because it will result in alteration of more than one acre of bordering vegetated wetlands (BVW); Section 1 1.02(a)(2) because it involves alteration requiring a variance in accordance with the Wetlands Protection act; Section 11.03(l)(a)(l) and (2) because it may result in alteration of 50 or more acres of land and creation of 10 or more acres of new impervious area; Section 11.03(1 l)(b) because it is located within a designated Area of Critical Environmental Concern (ACEC); Section 1 1.03(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

C-001-006 The DEIR should include a comparative analysis of land alteration for the alternatives, which should include a breakdown of the different types and amounts of land altered, for example: forest; woodland; wetland resource area (bordering vegetated wetlands, riverfront, bank, etc.); wetland buffer; priority habitat; previously disturbed area (specify land type/use).

C-001-007 The DEIR should describe in detail the proposed parking plans for each station and how parking is being designed to effectively support increased transit use while minimizing impervious area and land alteration. The DEIR should consider structured parking, and efficient use of parking facilities as recommended in the comments from the Metropolitan Area Planning Council (MAPC).

Alternatives

C-001-008 As noted above, I concur with the proponent and other commenters that the Middleborough Full, Middleborough Simple, and Attleboro/Middleborough Hybrid can be eliminated from further analysis in the Draft EIR. The DEIR should include a detailed analysis of the following eight alternatives, which include one new alternative (4D) as outlined below:

- No Build-Enhanced Bus
- Attleboro Diesel - Alternative 1A
- Attleboro Electric – Alternative 1B
- Stoughton Diesel – Alternative 4A
- Stoughton Electric – Alternative 4B
- Stoughton /Whittenton Diesel variation – Alternative 4C
- Stoughton/Whittenton Electric variation – Alternative 4D
- Rapid Bus – Alternative 5

C-001-009 The DEIR should include a comparative analysis of the environmental impacts of the nine alternatives, including a detailed evaluation of:

- Air quality and greenhouse gas emissions;
- Secondary growth;
- Transportation;
- Wetlands;
- Rare Species;
- Biodiversity;
- Water supply resources;
- Historical and archaeological resources; and
- Environmental Justice.

a take of a state-listed species; and Section 1 1.03(10)(b)(l) because it may result in demolition of a part of a state-listed historic structure. The project may also meet or exceed other MEPA review thresholds depending upon its final design. 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.

C-001-005

Chapter 2 of the DEIS/DEIR provides a discussion of the purpose and need for the South Coast Rail project. Chapter 3 describes all components of the project alternatives. Chapter 4 evaluates the environmental impacts associated with project alternatives, including temporary (construction), direct, and indirect impacts. Chapter 5 evaluates secondary and cumulative impacts to each resource category affected.

C-001-006

Impacts to land use associated with each of the South Coast Rail alternatives are detailed in Section 4.2.3 of the DEIS/DEIR. In particular, land acquisition associated with each potential station site and layover facility is discussed in Section 4.2.3.10 and 4.2.311, respectively. Potential impacts to specific resources, such as wetlands, waterways, and priority habitat, are evaluated in the relevant resource-specific sections of Chapter 4.

C-001-007

Conceptual station designs are included in DEIS/DEIR Section 3.2. South Coast Rail stations have been configured to support pedestrian and bicycle connectivity, transit connections, and future transit-oriented development. The designs minimize impacts to each site through the use of low-impact design techniques and stormwater detention facilities. The

C-001-010 With respect to secondary growth impacts, each alternative should be analyzed under three different scenarios:

a) the baseline condition, which evaluates environmental conditions in the absence of the proposed rail under the assumption that current travel and development patterns continue and that there are no changes in municipal zoning (i.e. "business as usual");

b) build without mitigation, which evaluates impacts, including induced growth, associated with each alternative in the absence of transit-oriented development, green building, zoning changes, transfer of development rights (TDR), wetlands restoration, habitat protection, or other mitigation measures; and

c) build with mitigation, which evaluates impacts associated with the alternatives assuming implementation of the Land Use and Economic Development Corridor Plan, transit-oriented development in and around the stations, habitat protection (including priority protection areas (PPAs), and other proposed mitigation.

C-001-011 EOT should consult with the MEPA Office to discuss the alternatives analysis. I recommend that a small working group, including representatives of EOT, the Executive Office of Energy and Environmental Affairs (EEA), MassDEP and others, is convened to develop a methodology for the DEIR assessment of GHG, secondary growth, and other impacts associated with alternative development scenarios. One of the key issues to be addressed is how the analysis C-001-012 will examine the project's potential impacts on land use and the incorporation of smart growth and Transit Oriented Development (TOD). The DEIR should describe in detail the methodology used and the results of the analysis.

C-001-013 The DEIR should discuss the alternatives and their viability in the context of statewide transportation improvement plans and other state and regional plans and policies. The DEIR alternatives analysis should provide a detailed assessment of the relative ability of the respective alternatives to achieve the stated project goals in a cost-effective manner. The DEIR should include a comparative evaluation of the alternatives in terms of quality of service, constructability, schedule, cost (including mitigation costs), and opportunity for smart growth.

C-001-014 The DEIR should describe the method and criteria used in the comparative analysis of alternatives. This should include a discussion of the relative importance of factors such as ridership, cost and smart growth planning in the evaluation process, and the metrics and approach to weighting used when quantifying impacts to the environment. Given the substantial difference in state-listed species and wetland resource impacts among the alternatives, it is particularly important that the potential benefits and costs be clearly understood. The DEIR should include a comprehensive analysis and quantification of the trade-offs involved.

Stoughton Alternative-Whittenton Variation

The ENF indicates that the Whittenton alternative is less favorable because of the additional run time. However, the ENF considered only a diesel alternative, not an electric

conceptual station designs feature surface parking, with the exception of Fall River Depot Station. These current conceptual designs do not preclude future structured parking at other stations, and Corridor Plan's station area concept plans include the possibility of structured parking at sites such as Whale's Tooth, King's Highway, Raynham Place, and North Easton after the market has matured.

C-001-008

DEIS Chapters 3 and 4 provide a complete analysis of these alternatives.

C-001-009

DEIS/DEIR Chapter 4 includes a detailed evaluation of the alternatives' impacts to each of the listed resources.

C-001-010

The potential environmental impacts of induced growth are described in the secondary (indirect) effects analyses for the baseline, build without mitigation ("business as usual"), and build with mitigation ("smart growth") scenarios. These analyses are provided in Section 5.3.2 of Chapter 5 of the DEIS/DEIR. The Commonwealth would assist local communities in implementing the Corridor Plan to mitigate adverse effects of induced growth and catalyze smart growth.

C-001-011

MassDOT consulted with the MEPA office in conducting the alternatives analysis. As described in DEIS/DEIR Chapter 5, Section 5.2, consisting of representatives from the three Regional Planning Agencies and agency representatives developed the protocol for the GHG analysis and Secondary and Cumulative Impact analysis (including development of the analysis scenarios, inputs to the models, and modeling assumptions). The modeling protocol was reviewed by the Interagency

C-001-015 alternative for this variation of the Stoughton route. The DEIR should include run times and ridership estimates for a Whittenton electric alternative, as well as an evaluation of wetlands impacts. This alternative could avoid impacts to wetlands resources in the Pine Swamp conservation area in Raynham. The DEIR should also include information on the historical use of this portion of the route, which may have been in use more recently than the alignment proposed through Pine Swamp.

C-001-016
C-001-017

No-Build/Enhanced Bus Alternative

C-001-018 The DEIR should expand upon the enhancements suggested in the ENF and present new concept plans and strategies, including but not limited to enhanced bus service, to improve the commute from the Fall River and New Bedford areas to Boston in a manner that would avoid and minimize environmental impacts, and the need for new infrastructure. The DEIR should include detailed descriptions of potential enhancements for the no-build alternative. The DEIR should include estimates for reduction in Vehicle Miles Traveled (VMT) associated with the no-build/enhanced bus component of this alternative.

C-001-019 The DEIR should identify transportation improvements and other projects assumed to be in place by the project build year, including development projects as well as, transit, parking and other transportation improvements.

Financial Analysis

C-001-020 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 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. The DEIR should include an estimated cost per rider based on the results of the ridership analysis for each alternative.

C-001-021
C-001-022
C-001-023

Public/Private Partnerships

C-001-024 Several commenters have suggested that EOT consider partnerships with Amtrak and other rail or freight providers. The DEIR should address these comments in the context of potential cost savings and service improvements, and the selection of alternatives.

Ridership Projections

The ridership model is a critical component of the analysis, with implications for the selection of alternatives, the identification of the Least Environmentally Damaging Practicable Alternative (LEDPA), the Wetlands Protection Act variance application, and related issues of practicability, smart growth, and consistency with project need and purpose. While the CTPS

C-001-025

Coordinating Group at several meetings between August and October, 2009.

C-001-012

The methodology used for analyzing induced growth for the three scenarios is described in DEIS/DEIR Chapter 5, Section 5.3.1.

C-001-013

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives in the context of state transportation planning and policy. Section 3.2 describes the alternatives evaluated in the DEIS/DEIR process; Section 3.3 includes a preliminary evaluation of these alternatives including information on how well each alternative meets the project purpose. A detailed review of environmental consequences associated with each alternative is presented in Chapter 4.

C-001-014

The development of alternatives, previous evaluation and screening efforts, and station site selection are included in Chapter 3, Section 3.1. DEIS/DEIR Chapter 3, Section 3.3 compares the alternatives. Section 3.3.2 provides a practicability comparison and Section 3.3.3 provides a beneficial effects and environmental impacts comparison.

C-001-015

Operating plans, including travel time, for each South Coast Rail alternative are provided in DEIS/DEIR Section 3.2.4. Ridership estimates for the rail alternatives, including the Whittenton Electric alternative, are included in Section 3.2.4.3, Summary of Ridership Modeling Results.

C-001-016

Potential wetlands impacts from the Whittenton Electric and Diesel Alternatives are described in DEIS/DEIR Chapter 4.16, Sections

C-001-025 travel demand model used in the analysis appears to be a reliable model to project ridership and vehicle miles travelled for transportation planning and analysis, additional information is required in the DEIR to more fully explain the model and facilitate review and comment on the model itself as well as a thorough comparison of the alternatives. EOT should continue to refine
C-001-026 the ridership model in consultation with the Inter-agency Coordinating Group and individual regulatory agencies.

C-001-027 The Ridership Memorandum submitted during ENF review included a summary of the modeling process and ridership analysis. The draft EIR should include a detailed description of the model used, sources of data, and assumptions and limitations inherent in the model. The Ridership Memorandum indicates that the model has been refined and tailored for the study area.
C-001-028 The DEIR should explain how the model was refined to enable reviewers to comment on the model's inputs, particularly land use, service plans, station locations, and alignment/connectivity assumptions. The DEIR should include information on how the model or other analysis
C-001-029 methodologies will account for implementation of smart growth strategies in the study area. For example, the DEIR should describe the extent to which Transportation-Oriented Development (TOD) near proposed rail or bus stations would affect ridership projections.

As noted in the comments from NHESP, the model is sensitive to cost, relative travel times, income and other demographic data and there is some uncertainty in the estimation of
C-001-030 each of these variables. The DEIR should consider presenting a range of projected boardings for each alternative (rather than a single number) based on consideration of uncertainty factors and sensitivity of the model. EOT should consult with the Interagency Coordinating Group to
C-001-031 determine the appropriate level of detail for a sensitivity analysis in the DEIR. The DEIR should describe the model variables in detail and include a detailed justification for the assumptions
C-001-032 used. The DEIR should discuss the use of Southeastern Regional Planning and Economic Development District (SRPEDD) versus Metropolitan Area Planning Council (MAPC)
C-001-033 demographic data in the model, and how this may affect ridership projections. The DEIR should continue to present ridership projections for the build year and forecast year 2030 for each alternative.

C-001-034 The DEIR should present the results of the ridership analysis for each of the eight alternatives, and provide a rationale for the selection of the preferred alternative and elimination
C-001-035 of others from further consideration. The ridership projections should include a breakdown for each alternative that shows projected ridership numbers from the New Bedford, Fall River and
C-001-036 other station areas. The DEIR should clarify the number of new transit trips originating from the New Bedford and Fall River areas versus areas further north that are currently served by transit. The Draft EIR should include a breakdown of the total boarding numbers to show how many
C-001-037 new boardings there will be at each of the new stations, and the existing stations. The DEIR should include a detailed explanation of the boarding and linked trip data, and clarify how many
C-001-038 new riders and new trips are expected. The DEIR should provide greater specificity with regard to the geographic origin and destination of new and existing riders and whether they represent
C-001-039 new riders or mode shifts. The DEIR should clarify how many of the increased trips projected for rail are a result of riders switching mode from bus service or automobile use, and explain how this is accounted for in the overall assessment of air quality benefits.

4.16.3.3.7 and 4.16.3.3.8, respectively. As shown in Figures 4.16-36a through 4.16-36e, the Whittenton Alternatives would avoid Pine Swamp.

C-001-017

The three-mile-long Whittenton Branch, originally part of the Dighton & Somerset Railroad main line, was constructed in 1882 and abandoned in 1958. DEIS/DEIR Chapter 4.8, Section 4.8.3.7.1 documents that the only historic feature of the Whittenton Branch is the bridge over the Mill River in Taunton.

C-001-018

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives.The No Build Alternative with Regional Plan Improvements is included for consideration in comparison to the Build Alternatives.

C-001-019

DEIS/DEIR Chapter 3.2, Section 3.2.1.1 defines the No-Build Alternative, which includes the Enhanced Bus service, to establish the context of the cumulative effects analyses.

C-001-020

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives. Operational and construction costs are discussed in Section 3.2.5. Mitigation costs will be further refined once the LEDPA is selected.

C-001-021

A number of parties contribute to implementation of smart growth measures. Parties include state agencies, municipalities, land trusts, and property owners. The Commonwealth has committed approximately $300,000 per year over the past three years to advance smart growth as part of the South Coast Rail Technical Assistance Project and anticipates that level of commitment through the construction period. The

C-001-040 The DEIR should expand on the performance measures used in the ridership analysis to include air quality impacts. The DEIR should explain how boarding numbers, linked transit trips and other measures are used to calculate estimated reductions in auto use and vehicle miles travelled (VMT) and related greenhouse gas (GHG) and other emission estimates.

C-001-041 The DEIR should include ridership projections based on running the model with and without the proposed Mansfield parking expansion and Downtown Attleboro station improvements. SRPEDD and other commenters have indicated that implementation of these projects is questionable and may artificially inflate the ridership estimates for the Attleboro alternatives.

C-001-042 In discussing the ridership projections, the DEIR should also include information on fares and parking fees, and other aspects of financing for the transit system. The DEIR should explain how the ridership analysis accounts for variables such as commuter willingness to shift modes, compatibility of varying work schedules and transit service, and the comparative expense for users of different modes of travel (including parking expenses). The DEIR should also discuss

C-001-043 how future developments that may affect ridership numbers are accounted for in the alternatives analysis.

C-001-044 The modeling assumed commuter rail fares ranging from $1.48 to $5.68 for a one-way trip and did not account for fare increases from current to projected conditions in 2030. Based on the current fare structure at the MBTA, fares currently range from $1.70 to $7.75 for a one-way fare and these fares are likely to increase over time. The modeling should reflect actual current fares and realistic future fares for the build and forecast years. The DEIR should discuss how the model accounts for fare changes over time.

C-001-045 Because the model was developed prior to the recently announced infusion of federal financial aid to Amtrak's Northeast Corridor line, it did not reflect whether the anticipated improvements in Amtrak service would affect the model's projected outcomes for the Attleboro alternative. The DEIR should address and (if feasible and appropriate) quantify the extent to which stimulus funded improvements will affect the model's assumptions on travel time and ridership. Where those improvements involve work on the roadbed and related infrastructure, the DEIR should also discuss how the nature and timing of that work may impact construction cost and schedule factors estimated in the ENF for the Attleboro Alternative.

C-001-046 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.

Corps will not use smart growth as a criterion for selecting the LEDPA, so no comparative analysis was done. In addition, investments made by state agencies encourage smart growth implementation as called for in Executive Order # 525 (Providing for the Implementation of the South Coast Rail Corridor Plan). The costs to implement smart growth would not distinguish between the alternatives.

C-001-022

A detailed Finance Plan for the LEDPA will describe how the project will be funded and will be released after the LEDPA is selected.

C-001-023

The estimated cost per rider for each alternative is provided in DEIS/DEIR Section 3.3.2.1.

C-001-024

The Commonwealth has existing agreements in place with freight rail operators and Amtrak. These agreements would be maintained for all South Coast Rail alternatives and do not differentiate between the alternatives.

C-001-025

The regional travel demand model basis is described in Section 3.2.4.1.

C-001-026

The ridership modeling results presented in the ENF were refined with a supplemental ridership model of the ENF alternatives, as described in DEIS/DEIR Chapter 3, Section 3.1.7. The regional travel demand modeling to determine the ridership of the Build Alternatives specified in the MEPA Certificate was further refined as described in Section 3.2.4.1. The Interagency Coordinating Group participated in review of the ridership model.

Secondary Growth and Cumulative Impacts

C-001-047 The development of such a significant public transit system is likely to induce secondary growth beyond the immediate station and proposed TOD centers. This growth may have positive economic impacts, and contribute to the ridership levels and GHG reductions anticipated in the context of EOT's Land Use and Economic Development Corridor Plan. However, it is also possible, as many commenters noted, that the induced growth, if not properly managed could create additional impacts that might offset the air quality benefits associated with the projected reduction in vehicle miles traveled. Therefore, it is very important that the DEIR presents a thorough and robust analysis of the secondary and cumulative impacts, both positive and negative, related to induced growth in communities affected by the rail and bus alternatives, and
C-001-048 explain how implementation of the Land Use and Economic Development Corridor Plan is expected to mitigate potential adverse impacts.

C-001-049 As noted in the Alternatives section above, each of the eight alternatives should be evaluated under three different scenarios, including the build with mitigation—i.e.,
C-001-050 implementation of the Land Use and Economic Development Corridor Plan. The full range of potential environmental impacts associated with implementation of this plan should be evaluated including impacts to biodiversity, wetlands, endangered species, air quality and greenhouse gas emissions, transportation, municipal infrastructure, and water resources. The DEIR should define
C-001-051 the study area for evaluation of secondary growth impacts and explain the rationale for the boundaries selected. The DEIR should discuss different scenarios for induced growth and explain how this has been incorporated in modeling for the alternative analysis.

C-001-052 The DEIR should discuss the findings and recommendations of the Land Use and Economic Development Corridor Plan and how they are integrated as part of the various alternatives. The DEIR should describe potential growth scenarios and include projections of
C-001-053 where growth is expected to occur, and at what rate, under each of the alternatives, including the no-build. The DEIR should identify areas where sprawl may occur under certain alternatives and
C-001-054 include mitigation plans to concentrate development and protect natural resources. As indicated elsewhere in this Certificate, the DEIR should discuss the trade-offs inherent in project
C-001-055 alternatives, such as increased impacts on certain resources for environmental benefits in other areas.

The ENF highlights the potential smart growth benefits of the project in the context of
C-001-056 TOD and concentrated economic development in urban areas. The DEIR should also evaluate the alternatives on the basis of other smart growth principles, including conservation of open space and use of existing infrastructure. The DEIR should include maps and other graphics identifying
C-001-057 Priority Protection Areas (PPAs) and Priority Development Areas (PDAs). The DEIR should
C-001-058 include details on specific mechanisms that will be used to ensure that the smart growth goals of the project will be realized, including funding commitments and mechanisms for conservation of PPAs and acquisition and development of PDAs. The DEIR should describe in detail how land
C-001-059 use will be controlled and priority conservation areas permanently protected.

C-001-060 The DEIR should clarify indicators and metrics to be used for evaluation of smart growth, and propose a long-term monitoring and evaluation plan. The DEIR should describe the

C-001-027

The regional travel demand model basis is described in Section 3.2.4.1.

C-001-028

Refinements to the regional travel demand model used to determine the ridership of the Build Alternatives are described in Section 3.2.4.1.

C-001-029

The regional travel demand model basis is described in Section 3.2.4.1. The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. Additional modeling will be done for the LEDPA.

C-001-030

Ridership numbers provided in the DEIS/DEIR are presented in a manner consistent with all transit projects in Massachusetts.

C-001-031

The regional travel demand model basis is described in Section 3.2.4.1.

C-001-032

As described in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, demographic forecasts from each of the Regional Planning Agencies in the South Coast Rail study area, including SRPEDD and MAPC, were included in the travel demand model.

C-001-033

2016 (Build Year) and 2030 (Forecast Year) ridership projections for each alternative are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results.

C-001-060 tools and resources needed by individual communities to take advantage of the economic development potential of the proposed rail line in a manner that protects critical resources and is consistent with the Commonwealth's Sustainable Development Principles. The DEIR should describe specific strategies and resources, including state funding commitments, to ensure successful implementation of the proposed Land Use and Economic Development Corridor Plan.

C-001-061 The DEIR should also include information on any municipal land use or policy commitments that have been made.

Air Quality

C-001-062 EOT should consult with MassDEP to determine the detailed air quality modeling parameters and assumptions for the mesoscale, microscale, and GHG air quality analyses to be presented in the Draft EIR. As noted above, I have recommended that a small working group be convened to develop the methodology for assessment of GHG emissions and secondary growth as part of the alternative analysis.

Mesoscale and Microscale Analyses

C-001-063 The DEIR should include a mesoscale air quality analysis of regional emissions associated with each of the project alternatives including the diesel and electric options. The mesoscale analysis should evaluate volatile organic compounds (VOCs), nitrogen oxide (NOx), carbon dioxide (CO_2), carbon monoxide (CO), and particulate matter 2.5 micrometers and 10 micrometers in diameter ($PM_{2.5}$ and PM_{10}).

C-001-064 The DEIR should also include a microscale analysis to determine if the project will cause of exacerbate existing CO, $Pm_{2.5}$, or PM_{10} localized "hotspots". The analysis should address emission impacts from both automobiles and locomotives in the vicinity of proposed transit stations and commuter parking areas. The air quality and emissions analysis should include emissions from trains while idling as well as when moving.

Greenhouse Gases

C-001-065 The DEIR should include an analysis of project's GHG emissions in accordance with the MEPA Greenhouse Gas Policy and Protocol for each alternative and a comparative analysis of the alternatives. The GHG analysis should evaluate 1) direct emissions for a project alternative associated with consumption of fuels, 2) emissions related to station sites, and 3) cumulative GHG emissions for each of the eight alternatives, including projected emissions associated with secondary growth.

C-001-066 EOT should consult with MassDEP and the MEPA Office during preparation of the DEIR to discuss the appropriate methodology for evaluating the GHG impacts associated with the various alternatives under different development scenarios.

1. Fuels

C-001-067 The DEIR should include a comparative analysis of GHG emissions for the proposed rail routes using diesel fuel and electric power. The use of biodiesel should also be evaluated as an alternative fuel. In addition, EOT should evaluate the feasibility of utilizing renewable energy

C-001-034

Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3. The Preface to the DEIR identifies MassDOT's preferred alternative.

C-001-035

Station-specific ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Section 3.2.4.3.

C-001-036

Station-specific ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Section 3.2.4.3.

C-001-037

DEIS/DEIR Chapter 3, Section 3.2.4.3 provides the results of the ridership modeling, including boardings, linked trips, and new trips and riders.

C-001-038

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3 Summary of Ridership Modeling Results. Projected ridership at each station is detailed in the ridership breakdown for each alternative, including new linked trips which represent the shift in mode choice due to a South Coast Rail Project alternative.

C-001-039

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3 Summary of Ridership Modeling Results. Projected ridership at each station is detailed in the ridership breakdown for each alternative, including new linked trips which represent the shift in mode choice due to a South Coast Rail Project alternative. Chapter

C-001-067 technologies on the railway routes or cars. For the Rapid Bus alternative, the DEIR should evaluate GHG emissions associated with the use of diesel, biodiesel, compressed natural gas, hybrid and electric technologies.

C-001-068 The DEIR should consider whether use of a particular fuel will increase emissions of criteria pollutants (for example, diesel could reduce GHG emissions but could increase emissions of NOx and PM). In considering the GHG impacts of the electric rail alternatives, the DEIR should evaluate emissions associated with off-site generation of electricity required for these alternatives. The DEIR should include data on emissions under different technology/fuel scenarios.

2. Stations Sites

C-001-069 The DEIR should evaluate GHG emissions associated with energy use and traffic generation at each of the proposed stations, in accordance with the MEPA GHG Policy and Protocol, and include a cumulative assessment of station-related GHG emissions for each alternative. The GHG analysis should evaluate CO_2 emissions for the baseline, build and design years for each of the project alternatives, and quantify direct and indirect generation of CO2 from on-site fuel burning and/or consumption of off-site energy generation. The DEIR should quantify estimated GHG emissions associated with the project under baseline conditions and quantify GHG reductions that would be achieved using design appropriate mitigation measures. In accordance with the MEPA GHG Policy, EOT's energy model must comply with Chapter 780 10.00 7th edition of the Massachusetts State Building Code, which adopts and integrates the International Energy Conservation Code (IECC) 2006 with 2007 supplement. I refer EOT to the policy and to MassDEP's comment letter for additional guidance.

C-001-070 The DEIR should discuss the project in the context of Executive Order 484 Leading by Example-Clean Energy and Efficient Buildings. The DEIR should consider the recommendations of the Massachusetts Zero New Energy Buildings Task Force and how they can be incorporated into station design.

C-001-071 As part of its evaluation of station sites and related GHG emissions and mitigation, the DEIR should include a description of proposed buildings and additional information as further detailed in the comment letter from MassDEP, which incorporates comments from the Division of Energy Resources (DOER). The DEIR should discuss the specific mitigation measures outlined for consideration in the MassDEP comment letter, and for any that are not adopted, the

C-001-072 DEIR should provide technical and cost justification. I strongly encourage EOT to investigate and adopt energy efficiencyand conservation measures and renewable energy generation (such as the use of solar photovoltaic arrays or ground source heat pumps) in project design, construction and operation, and to commit to Leadership in Energy and Environmental Design (LEED) and/or EnergyStar elements.

3. Cumulative GHG emissions

C-001-073 This component of the GHG analysis should compare the alternatives, including total emissions associated with fuels for rail and bus, vehicle emissions associated with travel to and

4.9, Section 4.9.1.3 describes how travel demand modeling results were incorporated in the air quality analyses.

C-001-040

DEIS/DEIR Chapter 4.9, Sections 4.9.1.3 and 4.9.5.1 explain how the ridership analyis data was used in the air quality modeling. Estimated reductions in VMT and resultant reductions in air emissions were based on the ridership analysis, and were included in the model of each alternative's overall air quality effects.

C-001-041

As discussed in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, the ridership model took into consideration a total of 1,000 additional parking spaces distributed throughout the commuter rail system. A downtown Attleboro Station (at Pleasant Street) was dismissed from further consideration due to potential wetland impacts and lack of potential for smart growth, as described in Section 3.1.4.11.

C-001-042

The regional travel demand model inputs, including fares and parking fees, are described in DEIS/DEIR Chapter 3, Section 3.2.4.2.

C-001-043

As described in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, the travel demand model was based in part on demographic forecasts made by the affected Regional Planning Agencies. These forecasts include known future projects, including other transportation improvement projects, in population projections for the communities that would contribute riders to the South Coast Rail.

C-001-044

As summarized in DEIS/DEIR Chapter 3, Section 3.2.4.2.4, the travel

C-001-073 from stations, and emissions associated with stationary sources (station sites and associated TOD development). As outlined above in the alternatives section, the comparative analysis of GHG emissions should be undertaken for three scenarios; baseline conditions; build without mitigation; and build with mitigation. The GHG analysis should include projections for the build year and the forecast year (2030).

C-001-074 As part of the air quality and GHG emissions analysis, the DEIR should consider whether the proposed rail transit could negatively affect freight services and evaluate potential shifts from freight lines to roadways that might result in increased truck traffic.

Mitigation

C-001-075 In addition to the GHG mitigation commitments required under the MEPA GHG Emissions Policy, the DEIR should propose construction and operational air quality mitigation measures. The DEIR should include a draft standard operating procedure for use of plug-ins and electric block heaters at layover facilities as recommended by MassDEP. The DEIR should describe how the project will meet federal locomotive standards and the schedule for engine rebuilds and retrofits of all older locomotives.

The DEIR should describe proposed mitigation for construction-period impacts of diesel emissions. I strongly encourage EOT to commit to participation in the MassDEP Diesel Retrofit Program and to implementation of emission controls and a construction period oversight program as recommended by MassDEP.

Transportation

C-001-076 The DEIR should include an analysis of the project's impacts on transportation, both the potential beneficial impacts of reducing traffic congestion by improving public transit, and the potential adverse impacts associated with construction and induced growth. In the context of the project's purpose and need, the DEIR should include data on current and projected traffic congestion, and current and future demographic and economic data, to support and justify the proposed project and its anticipated benefits.

C-001-077 The transportation analysis should evaluate the project's potential impacts on traffic, including level of service evaluations, in the vicinity of the proposed stations. The traffic analysis should evaluate impacts at local and regional levels. In addition to traffic associated with ridership of the proposed rail or bus, the DEIR should evaluate traffic impacts associated with

C-001-078 secondary growth. Potential traffic impacts associated with each alternative should be evaluated for three different scenarios (as outlined in the alternative section above): baseline conditions; build without mitigation; and build with mitigation.

C-001-079 The DEIR should provide a breakdown of proposed ridership for each proposed station into arrival and departure modal split data for park & ride, drop-off, walk, bicycle, and public transportation users. This data should be utilized to define proposed infrastructure improvements, including platforms, stations, parking, drop-off and bicycle facilities. Study intersections may need to be adjusted or added based on proposed locations of the new station facilities.

demand model compared the economics of using the proposed transit system to the economics of driving or using existing commuter bus service. Fares for the "No Build" Alternative were based on the existing commuter bus monthly fare structure. Fares for the Build Alternatives, including both rail and Rapid Bus alternatives, were based on the current MBTA commuter rail monthly fare structure. Should fares increase, they would increase similarly for each alternative and would not differentiate the alternatives. Therefore, fare increases were not considered in the evaluation of alternatives.

C-001-045

The ridership modeling of the No-Build Alternative takes into consideration other new transit projects potentially affecting ridership of the South Coast Rail, and the modeling of the Build Alternatives is compared to those results in DEIS/DEIR Chapter 3, Section 3.2.4. None of the stimulus-funded projects are anticipated to affect travel times on the Northeast Corridor.

C-001-046

As described in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, the travel demand model was based in part on demographic forecasts made by the affected Regional Planning Agencies. These forecasts include known future projects, including other transportation improvement projects, in population projections for the communities that would contribute riders to the South Coast Rail.

C-001-047

The potential environmental impacts of induced growth are described in the secondary (indirect) and cumulative effects analyses for each resource considered. These analyses are provided in Sections 5.3.2 and 5.4 of Chapter 5 of the DEIS/DEIR. The Commonwealth would assist

C-001-080 The DEIR should include a list of all grade crossings, clarify the number of grade crossings associated with each alternative, and identify those currently in use and those that are new, for each community affected. The DEIR should include an analysis of the traffic and safety impacts associated with grade crossings for each of the alternatives. Accident safety records should be reviewed to ascertain potential high-accident locations.

C-001-081 The DEIR should identify proposed locations for layover, storage and maintenance facilities and describe proposed expansion at the South Station terminal. The analysis of impacts in the DEIR, including land alteration, wetlands, traffic and public safety, should include impacts associated with potential layover, storage and maintenance facilities.

C-001-082 For the alternatives that include bus service, the DEIR should, in addition to intersection capacity analysis at the terminals, also analyze the effects of added lanes and busways to Route 24, especially at the interchanges and merge points with the local roadway network.

C-001-083 C-001-084 C-001-085 The DEIR should evaluate potential impacts of the project's construction and operational phases on existing transit services and transportation systems, including roadways, rail, and freight lines, South Station and other existing stations. The DEIR should include a detailed analysis of transportation impacts associated with highway improvements required for the Rapid Bus alternative, as well as impacts associated with roadway intersection and bridge reconstruction associated with the rail alternatives. The DEIR should respond to the comments and concerns raised by the cities and towns potentially affected by project alternatives, and include proposed mitigation plans.

Transit Oriented Development (TOD)

C-001-086 C-001-087 C-001-088 C-001-089 The DEIR should describe proposed station and potential TOD facilities, including plans for bicycle and pedestrian circulation, and bus pick-up and drop-off. The DEIR should explain how the TOD elements on and off-site will encourage more people to walk or bike to the stations. EOT should work with the host municipalities to provide a network of roadway enhancements as recommended by MassDEP to support pedestrian and bicycle transit. The DEIR should also consider the feasibility of incorporating bicycle and pedestrian paths along rail right of ways. The DEIR should include a parking needs assessment, and provide detail on proposed parking facilities, including number and type of parking, for each of the proposed station sites.

C-001-090 C-001-091 The DEIR should describe how interconnectivity will be provided between proposed stations, local and regional bus, and other commuter services to maximize the benefits of the proposed transit project. The DEIR should describe plans for expanded bus and shuttle connections between the stations and nearby retail, office and residential uses. EOT should coordinate with Regional Transit Authorities (RTAs) and Transportation Management Associations (TMAs) that provide service in the project areas in developing plans for expanded transit in support of the new rail, or rapid bus routes, and the station sites.

local communities in implementing the Corridor Plan to mitigate adverse effects of induced growth.

C-001-048

South Coast Rail smart growth measures and the Economic Development and Land Use Corridor Plan (Corridor Plan) are described in DEIS/DEIR Section 5.2.1.5. Information on the Commonwealth's Smart Growth/Smart Energy Program, through which it provides supportive grant programs and technical advice, is also available in this Section. The anticipated effects of smart growth measures are described in Sections 5.3.1 and 5.3.2.

C-001-049

Indirect and cumulative impacts of the South Coast Rail alternatives, including anticipated growth, are described in DEIS/DEIR Chapter 5 for these three scenarios.

C-001-050

DEIS/DEIR Chapter 5, Section 5.3.2 describes the environmental consequences of implementing the Corridor Plan to a broad range of resources.

C-001-051

The study area for the indirect effects analysis is defined in DEIS/DEIR Chapter 5, Section 5.2.1.2. Induced growth scenarios are described in Sections 5.2.1.3 and 5.2.1.5. Chapter 3, Section 3.3.3.1.4 compares the beneficial effects of smart growth for the South Coast Rail alternatives.

C-001-052

Implementation of the Corridor Plan (the build with mitigation "smart growth" scenario) is described in Section 5.3.2 of DEIS/DEIR Chapter 5.

Endangered Species

C-001-092 The DEIR should include a detailed quantification and analysis of the relative impacts of the alternatives on state-listed species and their habitats. The analysis should include all components of the project alternatives, including the rail alignments (including the Southern Triangle), stations and layover facilities, and secondary growth impacts. The proponent should consult with NHESP to discuss additional endangered species habitat assessments and surveys required in order to adequately quantify relative impacts of the alternatives. I strongly encourage the EOT to consult with NHESP as soon as possible in advance of the 2009 spring field season to develop a plan for preparation of the required alternatives analysis.

C-001-093

C-001-094 As outlined in the alternatives section above, rare species impacts should be evaluated as part of the analysis for each of the eight alternatives under three scenarios a) baseline conditions, b) build without mitigation, and c) build with mitigation. The DEIR should include an endangered species impact analysis based on adequate species survey and habitat assessment for each alternative. The DEIR should describe the endangered species permitting process for each alternative based on consultations with NHESP, and discuss how costs associated with permitting, including mitigation requirements, are incorporated in the alternatives analysis. MESA requires that a project avoid and minimize impacts to rare species to the maximum extent feasible so the NHESP will need to review the project's alternatives analysis and conclusions in terms of overall project benefits and impacts as part of their Conservation and Management permitting process.

C-001-095

C-001-096 The DEIR should include an update on consultations with NHESP and describe the results of assessments and surveys conducted. The DEIR should describe how potential impacts of the alternatives will be avoided and minimized, and describe in quantitative and qualitative terms any unavoidable impacts, temporary and/or permanent, associated with the alternatives. The DEIR should include a detailed description of proposed mitigation measures for each alternative. The DEIR should include a detailed analysis of the viability of alternatives that would not require a Conservation and Management Permit under MESA.

C-001-097

C-001-098

C-001-099 The DEIR should include a detailed analysis of the environmental permitting pathways of the respective alternatives, including a thorough and realistic assessment of how environmental permitting will affect constructability, cost and schedule. For example, the proposed trestle through Hockomock Swamp may need to be extended or other effective crossing structures proposed. This and other changes that may be required to meet the overall net-benefit mitigation standard for the Conservation and Management Permit as well as other conditions to protect endangered species during construction, will affect the Stoughton alternative cost, constructability and schedule.

Wetlands

C-001-100 The DEIR should include a comprehensive qualitative and quantitative assessment of impacts to wetland resources for each of the alternatives, including direct and indirect, and permanent and temporary impacts. The analysis of wetlands impacts should be conducted for the

C-001-053

Growth scenarios and locations are described in Section 5.3.1.3 of DEIS/DEIR Chapter 5.

C-001-054

In addition to the Land Use and Economic Development Corridor Plan, an evaluation of induced growth and its effects on a range of natural resources is provided in DEIS/DEIR Chapter 5, Sections 5.3.2 and 5.4. The smart growth concepts described in the Corridor Plan include establishing Priority Development Areas and Priority Protection Areas, to concentrate growth in designated locations and protect natural resources elsewhere.

C-001-055

DEIS/DEIR Chapter 4 describes the environmental impacts of the project to a broad range of resources. A comparison of the beneficial effects and environmental impacts of each alternative is provided in Chapter 3, Section 3.3.3.

C-001-056

South Coast Rail smart growth measures and the Economic Development and Land Use Corridor Plan (Corridor Plan) are described in DEIS/DEIR Section 5.2.1.5. Information on the Commonwealth's Smart Growth/Smart Energy Program, through which it provides supportive grant programs and technical advice, is also available in this Section. The anticipated effects of smart growth measures are described in Sections 5.3.1 and 5.3.2.

C-001-057

The Priority Development and Protection Areas are depicted in Figure 5-1 in Chapter 5 of the DEIS/DEIR.

C-001-100 three scenarios: baseline conditions; build without mitigation, and build with mitigation, as outlined in the alternatives section above.

C-001-101 The DEIR should include an assessment of the impacts of alternatives on the ecological integrity of wetland complexes and the extent of wetland habitat fragmentation. The analysis should consider landscape context, regional significance, and habitat quality of the resources impacted. The analysis should include direct (e.g. wetland loss, direct hindrance to wildlife movement) and indirect impacts (e.g. edge effects, degradation of habitat quality).

C-001-102 C-001-103 The DEIR should include a detailed description of the methodology used for the assessment of wetlands functions and values. EOT should continue consultations with MassDEP, the Army Corps of Engineers and other members of the Interagency Coordinating Group for guidance on the appropriate methodology to use. I encourage EOT to consult with the local conservation commissions, Mass Audubon and other owners of properties potentially affected by the project, to discuss the approach to wetlands assessment.

C-001-104 C-001-105 Maps, plans and other graphics should be provided to supplement the narrative and show the specific locations and extent of wetland impacts. The DEIR should include tables to summarize wetlands impacts for each alternative, and indicate the municipalities where impacts occur, as well as the name of ACEC, conservation areas, or other affected ecosystem as applicable. The DEIR should clarify the discrepancies in wetlands impact estimates referenced in the MassDEP, Town of Middleborough and other comment letters.

C-001-106 C-001-107 C-001-108 The wetlands impact assessment in the DEIR should include riverfront area and all other wetlands resources affected, and describe and quantify impacts to floodplains, banks and streams, and buffer zone areas. The analysis should include all components of the project alternatives (including the Southern Triangle); rail and bus alignments and all proposed structures along the lines, stations and layover facilities. The assessment should include the acreage affected (or linear extent as applicable), as well as an evaluation of the quality and functions of wetland resources. The alternatives analysis in the DEIR should include a comparative analysis of impacts to the functions and values of critical areas including Priority Habitats, ACECs, vernal pools, Outstanding Resource Waters (ORWs), and the Assonet Cedar Swamp and other conservation areas. The DEIR should describe in detail how the proposed project will comply with applicable state and federal regulations and standards.

C-001-109 C-001-110 The DEIR should describe the current condition of the rail bed in the Hockomock Swamp, and identify areas where it serves as a stream channel, wildlife corridor, turtle nesting habitat, or other specific function. The DEIR should explain the need for double tracks on the Southern Triangle portion of the project.

C-001-111 C-001-112 C-001-113 The DEIR should describe and quantify alterations to floodplains and discuss how floodway and floodplain crossings will comply with applicable regulatory standards. The DEIR should evaluate potential flood level increases during the 100-year flood, and include supporting hydrological and hydraulic analyses. The DEIR should identify the location(s) and amount of compensatory storage that will be provided for all loss of Bordering Land Subject to Flooding (BLSF).

C-001-058

Specific mechanisms that are being used to implement the smart growth recommendations are described in Chapter 5 of the DEIS/DEIR. Section 5.3.1.3.1 includes smart growth measures common to all alternatives. The Commonwealth has been providing $300,000 per year in technical assistance for smart growth implementation. Executive Order 525 directs state agencies to ensure their policies, actions and investments support and implement the recommendations of the Corridor Plan. The Commonwealth will align its investments in water, wastewater, transportation, housing and economic development funding and land preservation funding to support the Corridor Plan's implementation.

C-001-059

The Commonwealth will directly control only the station sites and associated parking areas. Local zoning controls the type of development allowed outside the immediate station site. The South Coast Rail Technical Assistance Program is providing municipalities with assistance to change their zoning to allow for TOD adjacent to station areas and open space protection in outlying areas. In addition, Executive Order 525 directs state agency land preservation funding to support and protect the Priority Protection Areas identified on the Corridor Map.

C-001-060

Metrics have been developed to evaluate smart growth impacts in Chapter 5 of the DEIS/DEIR. Section 5.3.2 of the DEIS/DEIR includes metrics for impacts on land developed, forest land converted, wetlands impacts, and more. Executive Order 525 establishes a web-based tracking system to monitor investments and policy decisions. Section 5.3.1.3.1 describes smart growth measures that individual communities are working on and Appendix B of the Corridor Plan includes 38 smart growth actions or tools, where they are applicable, and which communities have already adopted such tool.

Delineation

C-001-114 The DEIR should include maps and plans delineating all wetland resources along the alternative routes and in the vicinity of proposed stations and layover facilities. The ENF proposes use of aerial photography and existing mapping including MassGIS, complemented by field-verification at critical areas. While I concur that approach is adequate for this stage of the alternatives analysis, I note that field delineations will be required to verify the limits of wetland resources for the FEIR study area. EOT should consult with MassDEP and the Interagency Coordinating Group to identify specific areas that will require field-delineation for the DEIR. The DEIR should discuss the extent and results of ground-truthing conducted to assess the validity of wetland delineations that are based on aerial photography and existing mapping. The DEIR should clarify which areas were delineated or verified in the field.

C-001-115 EOT should identify potential vernal pools, initially using maps and aerial photography, and then verify in the field, applying field methodology according to NHESP vernal pool certification criteria. This field work should be done in the Spring 2009 field season. Vernal pools should be certified where criteria warrant and the extent of vernal pool habitat, including migratory pathways, should be field verified. Potential vernal pool identification and certification should be conducted for areas within the right-of-way (ROW) of the rail alignment and within a reasonable distance of the ROW, as well as within and near station sites, layover facilities, and construction staging areas. As additional project impact areas become known, for example any upland mitigation areas, the vernal pool identification and certification process should be applied to these also. The DEIR should include the results of potential vernal pool investigations, including a description and mapping of those meeting the criteria for certification.

Vegetation Management and Herbicide Use

C-001-116 The DEIR should evaluate potential impacts to wetland resources associated with the use of herbicides along the right-of-way (ROW). The DEIR should identify areas proposed for herbicide use and those that would be designated as "no spray" areas. Several commenters expressed concern about spraying in the Hockomock Swamp, Acushnet Cedar Swamp and Assonet Cedar Swamp areas. The DEIR should address these comments and include clear commitments to "no spray" areas. The DEIR should include a draft Vegetation Management Plan, to include contingency planning for monitoring, identification and control of nuisance, non-native and/or invasive species.

C-001-117

Variance

C-001-118 The extent of wetlands impacts proposed will require a Variance from compliance with applicable performance standards in the Wetlands Regulations, 310 CMR 10.00. The DEIR should describe how the project will meet the regulatory standards for a variance provided in 310 CMR 10.05(10), including the need to demonstrate that there are no reasonable conditions or alternatives that would allow the project to proceed in compliance with 310 CMR 10.21 through 10.60; that mitigating measures are proposed that will allow the project to be conditioned so at to contribute to the protection of the interests identified in M.G.L. c. 131 § 40; and that the variance is necessary to accommodate an overriding community, regional, state or national public interest.

C-001-061

Under the auspices of the Technical Assistance Program, communities have committed to develop a range of zoning amendments to facilitate smart growth development and protect natural resources. The technical assistance projects are listed on the project website, mass.gov/southcoastrail.

C-001-062

MassDOT consulted with MassDEP in developing the air emissions study protocols. A panel consisting of representatives from the three Regional Planning Agencies and agency representatives developed the protocol for the GHG analysis and Secondary and Cumulative Impact analysis (including development of the analysis scenarios, inputs to the models, and modeling assumptions). The modeling protocol was reviewed by the Interagency Coordinating Group at several meetings between August and October, 2009.

C-001-063

DEIS/DEIR Chapter 4.9, Sections 4.9.2 and 4.9.4.1 provide the results of the mesoscale air quality analysis. Emissions of each of the requested parameters were modeled.

C-001-064

DEIS/DEIR Chapter 4.9, Sections 4.9.2 and 4.9.4.2 provide the results of the microscale air quality analysis. Emissions of each of the requested parameters were modeled.

C-001-065

DEIS/DEIR Chapter 4.9, Section 4.9.4.2.1 provides the results of the greenhouse gas emissions analysis. Direct and indirect greenhouse gas emissions from each project alternative, as well as from automobile traffic, were modeled.

C-001-119 EOT has identified in the ENF multiple public interests which the project is expected to serve. In support of its request for a variance, the DEIR should include a comprehensive qualitative and quantitative assessment of those public interests EOT seeks to advance in seeking a variance, including without limitation, improvements to address public transportation needs, air quality and public safety. The DEIR should present a comparative analysis of alternatives based on core benefit metrics such as improvements to transportation capacity, ridership, and reduction in vehicle miles traveled, air pollutants, traffic congestion and accidents. The DEIR should specifically identify and quantify the environmental benefits expected from the proposed smart growth aspects of the project, and provide details on how these benefits would be secured (for example, by obtaining land preservation restrictions on sensitive habitat corridors). Similarly, in comparing alternatives based on their potential to achieve transportation or environmental benefits, the DEIR should provide sufficiently detailed information to allow agencies to independently evaluate the analysis.

C-001-120

C-001-121

C-001-122

401 Water Quality Certification

C-001-123 The DEIR should include information on the number and location of stream crossings associated with each alternative, and discuss compliance with the Stream Crossing Standards under 314 CMR 9.00 and as identified in the Corps' Massachusetts Programmatic General Permit (PGP) under Section 404 of the Clean Water Act (albeit this project does not qualify for PGP authorization). The DEIR should demonstrate how the project will avoid impacts to wetlands to the maximum extent practicable, and where impacts are unavoidable, that impacts have been minimized. Mitigation will be required for any impacts that are necessary to achieve the project purpose, after avoidance and minimization.

C-001-124

Outstanding Resource Waters (ORW)

C-001-125 As noted in the MassDEP comment letter, discharges to ORW will require a variance pursuant to 310 CMR 4.00. The DEIR should identify and describe any discharges to ORW associated with the project alternatives, and where a variance is required, the DEIR should provide supporting documentation for the variance request.

Mitigation

C-001-126 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. Measures to minimize impacts should include an evaluation of the use of Mechanically Stabilized Earthen (MSE) walls or other engineering methods to limit the amount of fill in ACECs.

C-001-127 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.

C-001-066

MassDOT consulted with MassDEP and the MEPA office in developing the methodology for modeling greenhouse gas impacts under a range of development scenarios.

C-001-067

The air quality analysis in the DEIR includes an evaluation of the air emissions for diesel and electric scenarios for each alternative. An agreement was received from MEPA that an alternative fuels assessment is unnecessary because technologies are not available.

C-001-068

DEIS/DEIR Chapter 4.9, Sections 4.9.4.1 and 4.9.4.2 provide a comparative analysis of the criteria pollutant and greenhouse gas emissions from the electric and diesel-powered options of each alternative. Specific off-site electric power generating sources have not been identified for the South Coast Rail electric train alternatives. As discussed in DEIS/DEIR Chapter 4.9, Section 4.9.1.3.3, the projected CO2 emissions that would result from the electric trains were calculated using equations converting estimated electric usage to emission rates based on accepted factors. The total amount of travel time was calculated for each train per trip, which includes the time for traveling round-trip plus the amount of time to move to the layover facility and back to the terminal station. The projected electric consumption for each train trip was calculated and then the electric consumption for each train per trip was then converted into tons of CO2 per year.

C-001-069

For stationary sources, the train stations will only include a platform and the layover facilities will be open air storage areas for the trains. Although the train station and the layover facilities will have some electrical requirements, the emissions are considered negligible since

C-001-128 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.

C-001-129

C-001-130

C-001-131 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.

C-001-132 EOT should consider the comments of MassAudubon and others regarding potential restoration of existing degraded areas as part of the mitigation plan, and potential use of wetlands banking.

Waterways/Chapter 91

C-001-133 The DEIR should provide more detailed information on waterways that may be impacted by the various alternatives and identify those areas and project structures and uses that are subject to Chapter 91 jurisdiction. The DEIR should include a quantitative and qualitative analysis of potential impacts to tidal and inland waterways for each alternative. The DEIR should discuss the water dependency of structures and uses requiring Chapter 91 authorization and evaluate whether these structures and uses meet applicable performance standards. Areas subject to Chapter 91 include filled and flowed tidelands, navigable rivers and streams and great ponds. The DEIR should specify if any landlocked tidelands will be affected.

C-001-134

C-001-135

C-001-136 The DEIR should address compliance with 310 CMR 9.32(2) which requires that reasonable measures be taken to ensure structures within an ACEC avoid, minimize and mitigation any encroachment into a waterway. The DEIR should also assess compliance with other applicable standards including preservation of public rights in waterways and provision of open space for active or passive recreation at or near the water's edge.

C-001-137

C-001-138 Chapter 91 review and approval will be required for any construction or substantial enlargement of an existing, previously authorized rail facility or accessory structure, and for any proposed dredging or fill. I refer EOT to MassDEP's comment letter for additional guidance on Chapter 91 jurisdiction and permitting and additional information to include in the DEIR. I recommend that EOT consult with the MassDEP Chapter 91 program for assistance during preparation of the DEIR.

the electrical requirements are minimal. DEIS/DEIR Chapter 4.9, Section 4.9.4 provides the results of the motor vehicle and train locomotive GHG emissions for each alternative. The analysis was conducted for the years 2009 (baseline), 2016 (build), and 2030 (design). The South Coast Rail project is a GHG mitigation measure because it is designed to reduce vehicle miles of travel; mitigation measures to reduce emissions from diesel-powered locomotives would include block heaters and engine plug-ins at the layover facilities. The modeling was conducted in compliance with the MEPA Greenhouse Gas Policy.

C-001-070

Station site designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8.

C-001-071

As noted in the response to Comment No. C-001-069, station buildings for the South Coast Rail project are not expected to generate greenhouse gas emissions.

C-001-072

Station site designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8.

Biodiversity and Wildlife Habitat

There are five ACECs that could potentially be impacted by the project. These include the Canoe River ACEC, the Three Mile River ACEC, the Neponset River Estuary ACEC, Fowl Meadow/Ponkapoag Bog ACEC and the Hockomock Swamp ACEC. Other conservation areas potentially impacted include Pine Swamp in Raynham, the Freetown-Fall River State Forest, Acushnet Cedar Swamp, Bird Street Conservation Area, Assonet Cedar Swamp Wildlife Sanctuary, Blue Hills Reservation, and conservation lands in Norton, Attleboro, Easton and other communities. The DEIR should identify ecosystems within each ACEC and conservation area that would be impacted by the various alternatives, and include a quantitative and qualitative analysis of impacts to wetlands and water quality, wildlife habitat, water supply, and floodplain. The impact analysis in the DEIR should evaluate direct and indirect environmental impacts on wildlife and their habitats including but not limited to: hydrological changes; fragmentation of habitat and populations; edge effects; noise and vibration; and restrictions to wildlife mobility. The assessment should evaluate impacts to migratory birds and their habitats, including Important Bird Areas and Blue Heron nesting sites.

C-001-139

C-001-140

C-001-141

C-001-142

The DEIR should include a comprehensive analysis of biodiversity value in the project area and the biodiversity impacts associated with the project alternatives. The DEIR should also include a detailed draft mitigation plan to compensate for any loss of biodiversity associated with the project. EOT should continue consultations with EEA's Division of Conservation Services and the MEPA Office to develop the methodology for the assessment. The model under consideration is the Conservation Assessment and Prioritization System (CAPS) model, which has been developed at the University of Massachusetts-Amherst and funded in part by EEA. The CAPS model has been successfully applied in western Massachusetts and could serve as a valuable model to develop a meaningful assessment of baseline ecological conditions, biodiversity values, and impacts to biodiversity associated with project alternatives.

C-001-143

C-001-144

C-001-145

The DEIR should include the results of a baseline ecological assessment and maps/graphics indicating biodiversity values for the project area. The DEIR should describe the indicators and metrics used to assess biodiversity, including the weighting system used to differentiate among habitat values. The DEIR should evaluate impacts on biodiversity of each alternative and include a comparative analysis of the transit corridors, showing the location and type of changes that may result from the project. The DEIR should evaluate both negative and positive impacts including potential benefits from land protection associated with the Land Use and Economic Development Corridor Plan and zoning changes, as indicated in the ENF.

C-001-146

C-001-147

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.

C-001-073

The greenhouse gas emissions of the No-Build, Build without Mitigation (Scenario 1), and Build with Mitigation (Scenario 2) are discussed in DEIS/DEIR Chapter 5, Section 5.3.2.7.

C-001-074

As described in DEIS/DEIR Chapter 4.1, Sectino 4.1.4.2.2, the South Coast Rail project is not expected to impact freight operations. Accordingly, an analysis of changes in freight operations' greenhouse gas emissions or air quality impacts was not conducted.

C-001-075

The construction and operational air quality mitigation measures are discussed in Section 4.2. The Proponent will contractually require the construction contractors to adhere to applicable regulations.

C-001-076

Reasonably foreseeable traffic impacts of the South Coast Rail alternatives are presented in DEIS/DEIR Chapter 4, Section 4.1.4. Indirect and cumulative impacts of the South Coast Rail alternatives, including anticipated growth, are described in DEIS/DEIR Chapter 5.

C-001-077

Reasonably foreseeable traffic impacts of the South Coast Rail alternatives are presented in DEIS/DEIR Chapter 4, Section 4.1.4. Proposed traffic mitigation measures, associated with the various alternatives, are presented in Section 4.1.5.

Water Quality - Public Water Supplies

C-001-148 I have received many comment letters expressing concerns related to potential impacts on water quality, especially as it relates to the Stoughton alternative, which traverses zone I and II areas of public drinking water supplies. The DEIR should include a detailed analysis of potential impacts to public and private water supplies, existing and planned, during construction and operation of the project. The DEIR should describe measures to avoid and minimize, or mitigate
C-001-149 adverse impacts. EOT should consult with MRWA regarding any potential impacts of the project on MWRA easements or other properties, and to identify any permit requirements. The DEIR should identify any MWRA permits required for stations, track improvements or layover facilities, and discuss compliance with applicable regulations.

Article 97 Lands

C-001-150 The Rapid Bus alternative (#5) would involve a disposition of DCR property within the Blue Hills Reservation. The DEIR should include a detailed analysis of the proposed disposition, which should include a quantitative and qualitative description of potential land impacts, a map showing the area that would require a disposition, and a demonstration of how the disposition would comply with EEA's Article 97 Land Disposition Policy. The DEIR should include an evaluation of feasible alternatives to the disposition. The DEIR should also identify and describe any other potential impacts to DCR properties.

C-001-151 The DEIR should include a detailed analysis of the potential impacts of project alternatives on the Hockomock Wildlife Management Area and other protected open space. The DEIR should identify all Article 97 lands that would be impacted by the alternatives, clarify if state or municipally owned, describe potential impacts and, where applicable, discuss consistency with EEA's Article 97 Land Disposition Policy.

Environmental Justice

C-001-152 The DEIR should define, and include maps identifying the location of, Environmental Justice (EJ) populations in the project area. The DEIR should describe specifically how the project will provide tangible benefits to the EJ communities as indicated in the ENF. The DEIR
C-001-153 should identify any potential for disproportionate impacts on EJ communities that may result
C-001-154 from the proposed project, and any proposed mitigation. The DEIR should discuss the project in the context of the EEA Environmental Justice Policy including strategies to enhance public participation in the environmental review process.

Fishery Resources

C-001-155 The DEIR should evaluate potential impacts to fishery resources including stocked trout waters and other resources identified in the NHESP and Division of Marine Fisheries comment letters. The DEIR should describe Best Management Practices for erosion and sedimentation
C-001-156 controls and time of year restrictions on construction activity. The DEIR should include detailed
C-001-157 information on culvert construction and replacement and demonstrate how the project will be

C-001-078

Projected traffic impacts under the three scenarios are described in DEIS/DEIR Chapter 5, Section 5.3.2.8.

C-001-079

Station-specific ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Section 3.2.4.3. South Coast Rail stations have been conceptually designed to support multi-modal connectivity and sized in accordance with anticipated ridership. These connections will be further evaluated during the Final EIS/EIR phase of the project, once a preferred alternative has been selected. Multi-modal accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8.

C-001-080

Grade crossing information can be found in DEIS/DEIR Section 4.1.3.4. Grade crossing analysis and historical safety records are analyzed in DEIS/DEIR Section 4.1.2.4.2.

C-001-081

Potential impacts from the candidate layover facilities to a broad range of resources are described in DEIS/DEIR Chapter 4. The South Station Expansion project is separate and distinct from the South Coast Rail project; an environmental assessment of that project will be conducted independent from the analysis described in this DEIS/DEIR.

C-001-082

A Freeway Capacity Analysis Summary for the Rapid Bus Alternative is provided in DEIS/DEIR Chapter 4, Section 4.1.4.2. , Table 4.1-47.

C-001-158 designed to meet applicable standards for river and stream crossings. I encourage EOT to consult with Division of Marine Fisheries and NHESP in preparing this section of DEIR.

Coastal Resources

C-001-159 The DEIR should discuss the compatibility of the proposed New Bedford and Fall River rail stations with the existing and future marine industrial uses in the area as recommended by CZM in its comment letter. As noted by CZM, the proposed Whale Tooth rail station is consistent with the 2002 state-approved New Bedford/Fairhaven Harbor Plan. However, the compatibility of transit oriented development, particularly residential development, with marine industrial uses should be considered. The DEIR should discuss potential rail station impacts, both positive and negative, to existing and future uses at the New Bedford State Pier. I encourage EOT to coordinate with the City of New Bedford and DCR is addressing State Pier compatibility issues.

C-001-160

C-001-161 One of the proposed Fall River stations appears to be within a Designated Port Area. The DEIR should discuss the Battleship Cove rail station compatibility with existing and future marine industrial uses, including cruise and ferry operations, and port uses. The DEIR should discuss the proposed Davol Street station in the context of improving access to waterfront recreational opportunities.

C-001-162

C-001-163 The DEIR should evaluate potential impacts to coastal resources of stormwater runoff from all rail stations or train layover facilities located in or near the coastal zone. The DEIR should describe proposed stormwater management practices, including Low Impact Development (LID) to control non-point source pollution and reduce impervious areas where appropriate.

C-001-164 The air quality analysis in the DEIR should quantify to the extent feasible, the potential impacts of the project on atmospheric deposition of nitrogen compounds into the state's coastal embayments. The DEIR should include a comparative analysis of diesel and electric trains in the context of atmospheric nitrogen and potential water quality impacts.

C-001-165 The project is subject to CZM federal consistency review. The DEIR should include an evaluation of the project's consistency with CZM's enforceable program policies.

Cultural Resources

C-001-166 The DEIR should describe potential impacts to scenic, cultural, historic and archaeological resources, including portions of the Taunton River that have been nominated for Federal Wild and Scenic River designation, and sites of significance to native people. The DEIR should include an update on consultations with the Wampanoag Tribe of Gay Head (Aquinnah), the Mashpee Wampanoag Tribe, the Narragansett Tribe and other Native American groups regarding potential impacts to sites of cultural significance, including but not limited to Peace Haven and Acushnet Cedar Swamp. The DEIR should summarize the results of historical and archaeological investigations for the project alternatives in a manner that does not reveal sensitive archaeological site locational information. The DEIR should describe measures to avoid

C-001-167

C-001-168

C-001-169

C-001-083

Reasonably foreseeable environmental consequences of the South Coast Rail alternatives on transportation systems are presented in DEIS/DEIR Section 4.1.4.

C-001-084

Reasonably foreseeable environmental consequences of the South Coast Rail alternatives on transportation systems are presented in DEIS/DEIR Section 4.1.4.

C-001-085

Comments and concerns raised by municipalities have been addressed in the Responses to Comments section of this DEIS/DEIR. In addition, MassDOT has undertaken an extensive Civic Engagement process that has included numerous meetings with South Coast municipal officials to directly address their concerns. Mitigation measures proposed for the South Coast Rail alternatives are summarized in Chapter 5 of this DEIS/DEIR.

C-001-086

South Coast Rail stations have been conceptually designed to support pedestrian and bicycle connectivity to surrounding areas. Pedestrian and bicycle accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8. These accommodations and connections will be further evaluated in Final EIS/EIR phase of the project, once the LEDPA has been selected. The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. As part of the Commonwealth's ongoing technical assistance to cities and towns, specific off-site bike and pedestrian facilities are being planned.

C-001-169 and minimize adverse impacts, and propose mitigation for any unavoidable impacts to cultural resources.

Noise and Vibration

C-001-170 The DEIR should include an analysis of noise and vibrational impacts associated with the project alternatives, for locations along the rail and bus routes, and at station sites. I note comments received highlighting concerns about potential noise impacts associated with the Attleboro Bypass in the Richardson Avenue area. The DEIR should evaluate measures to avoid and minimize noise and vibration impacts, including plantings and other noise barriers. The noise and vibration analysis in the DEIR should discuss consistency with applicable state and federal guidelines and regulations. The noise and vibration analysis should include an assessment of impacts to wildlife.

C-001-171

C-001-172

Stormwater

C-001-173 The DEIR should evaluate potential stormwater impacts associated with the project during construction and operation, and demonstrate how the project will comply with applicable stormwater regulations. The stormwater analysis and mitigation should include the rail tracks as well as station sites and layover facilities, and address potential impacts from oil and lubricants as well as herbicide use. The DEIR should include stormwater management plans indicating how stormwater will be collected, treated, and discharged. The DEIR should include details on proposed use of Low Impact Development (LID) techniques.

C-001-174

C-001-175 EOT should consult with MassDEP on post-construction peak rate attenuation, stormwater recharge, water quality treatment, and source control along the rail alignment, as well as construction issues which could cause stormwater contamination, particularly in areas where discharges are located in Zone I's, Zone A's and ORWs (including vernal pools).

C-001-176 I refer EOT to the MassDEP comment letter for further detail on new statewide stormwater regulations (314 CMR 21.00) which are expected to take effect in 2009. The DEIR should discuss how the project will meet the new stormwater requirements. I encourage EOT to consult with MassDEP to discuss applicable standards and approaches to stormwater management for the proposed project, including the approach used for the Greenbush Rail project.

C-001-177 Streams in Norton along the Attleboro Secondary (i.e., Goose Brook and Meadow Brook) should be included in the impact analysis. Existing culverted streams in the right-of-way should be analyzed as relevant for various flood conditions, including a 100-year flood. In the evaluation of existing culverted streams, impacts associated with downstream flow and upstream ponding should be assessed.

Oil and Hazardous Materials

C-001-178 As noted in the MassDEP comment letter, railbeds are frequently contaminated with oil or hazardous materials from a variety of sources, some which may be exempt from the reporting

C-001-087

MassDOT has held preliminary discussions with municipalities regarding station planning. Municipal comments were incorporated into the conceptual station designs, which are included in DEIS/DEIR Section 3.2.5.2.8. Specific off-site improvements would be evaluated during the preliminary engineering phase following the selection of the LEDPA. As part of the Commonwealth's ongoing technical assistance to cities and towns, specific off-site bike and pedestrian facilities are being planned.

C-001-088

Pedestrian and bike paths within active railroad rights-of-way were not included in the project for numerous reasons. One main reason is that proposed track footprints have been reduced to minimize environmental impacts. Adding additional pathways would widen the right-of-way footprint, thus incurring additional environmental impacts.

C-001-089

The demand for parking at stations was estimated through a regional travel demand modeling process. A explanation of the methods for anticipating access demand at stations, including parking demand, is provided in Section 3.2.4.2 of the DEIS/DEIR. Descriptions of the preliminary station designs, including parking spaces provided and parking configurations, are contained in DEIS/DEIR Section 3.2.5.2.8.

C-001-090

South Coast Rail project stations, as presented in DEIS/DEIR Section 3.2.5.2.8, have been conceptually designed to support access to many modes of transportation. These modes include other transit services, such as local, regional, and interstate bus services. Existing project area transit services are described in DEIS/DEIR Chapter 4.1, Section 4.1.3.1.1. Bus accommodations are being planned through the TOD technical assistance provided annually by the Commonwealth.

C-001-178 requirements of the Massachusetts Contingency Plan (MCP). However, once moved the materials may be subject to the MCP. I encourage EOT to undertake a detailed pre-characterization of soils as recommended by MassDEP for the station sites and all areas on the right of way where construction or rehabilitation is proposed, and to include a draft soil management plan in the DEIR.

Monitoring and Evaluation

C-001-179 The DEIR should include a draft Monitoring and Evaluation Plan for the long-term assessment of project impacts and mitigation, to assess the accuracy of projected impacts and the effectiveness of mitigation measures.

Mitigation, Permitting and Section 61 Findings

C-001-180 The DEIR should include a separate chapter on mitigation measures, which should include a summary table of all mitigation commitments as well as detailed proposed Section 61 Findings for all state permits. 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 proposed 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.

Response to Comments

C-001-181 In order to ensure that the issues raised by commenters are addressed, the DEIR should include a response 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 DEIR beyond what has been expressly identified in this Certificate. The DEIR should also include a copy of this Certificate and a copy of each comment letter received on the ENF and the Ridership Memorandum.

Circulation

C-001-182 The DEIR 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 DEIR should be made available for public review at the Public Libraries in the South Coast region municipalities.

April 3, 2009

Ian A. Bowles, Secretary

C-001-091

MassDOT has been coordinating with RTAs and private bus companies to further develop supporting transit service for the South Coast. In New Bedford, for example, MassDOT is working with SRTA to develop a TDP to ensure service to the New Bedford stations.

C-001-092

DEIS/DEIR Chapter 4.15, Section 4.15.3.5 describes the impacts to state-listed species and their habitats that would potentially result from any of the South Coast Rail project alternatives. The analysis includes direct and indirect effects of each alternative, and provides a comparative evaluation for the set of elements comprising each alternative: alignment, stations, and layover facilities. Secondary and cumulative effects are described in Chapter 5, Sections 5.3.2.5 and 5.4.6, respectively.

C-001-093

MassDOT consulted with the NHESP in developing protocols to quantify the relative impacts of each alternative, and conducted some studies in key locations.

C-001-094

DEIS/DEIR Chapter 5, Section 5.3.2.5 describes South Coast Rail project's potential impacts to rare species (as represented by biodiversity) under the three scenarios. Permit requirements for endangered species are outlined in the DEIS/DEIR Chapter 4.15, Section 4.15.4, and MassDOT will continue consultation with NHESP. Proposed mitigation measures for rare species impacts are provided in DEIS/DEIR Chapter 4.15, Section 4.15.3.6; cost estimates will be made for the LEDPA's mitigation measures when it is selected.

Comments Received

12/05/09	City of Taunton Office of the Mayor
12/05/09	Henry Foley
12/08/08	Town of Norton Board of Selectmen
12/08/08	Donald J. Michaud
12/09/08	Arthur Slate
12/11/08	Paul Costa
12/11/08	Town of Norton Fire-Rescue Department
12/11/08	James M. Azevedo
12/15/08	Frederick C. Dreyer Jr.
12/23/08	Massachusetts Historical Commission
12/23/09	North Raynham Water District
12/23/08	Town of Stoughton Board of Selectmen
12/30/08	Greater Attleboro Taunton Regional Transit Authority
12/31/08	Town of Norton Conservation Commission
12/31/08	Town of Easton, Board of Selectmen
1/2/09	R. Warren Ross
1/2/09	Robert Melz
1/5/09	State Representative Steven J. D'Amico
1/5/09	Town of Norton
1/5/09	Jean Shea
1/6/09	Linda Paolucci
1/6/09	Jennifer and Brian Reardon
1/6/09	Kari Mekler
1/6/09	Melinda Ailes
1/6/09	Barbara Craveiro
1/6/09	Doug and Heather Lewis
1/6/09	Mr. and Mrs. Brian Lewis
1/6/09	Mrs. Helen Lewis
1/6/09	Mr. and Mrs. Mark Lewis
1/6/09	New Bedford Area Chamber of Commerce
1/6/09	Virginia A. Buchanan
1/6/09	Leatham & Associates
1/6/09	Nathan Viveiros
1/7/09	Fran Turner
1/7/09	Rick Pace
1/7/09	Fernandes & Charest, P.C.
1/7/09	Elizabeth Isherwood, Moore and Isherwood Communications, Inc.
1/7/09	New Bedford CEO Council
1/7/09	Bishop Stang High School
1/7/09	Southeastern Regional Planning and Economic Development District
1/7/09	SouthCoast Media Group
1/7/09	Massachusetts Water Resources Authority

C-001-095

Impacts to rare species have been avoided and minimized to the extent practical, based on the current level of project design. Further avoidance and minimization measures may be identified as the design of the LEDPA, when selected, is advanced.

C-001-096

Consultations with NHESP are ongoing and will continue as the LEDPA is selected. DEIS/DEIR Chapter 4.15, Section 4.15.3.6 describes efforts to avoid and minimize impacts to rare species that have been taken in designing each alternative, and provides a list of preliminary mitigation measures that have been identified. In further consultation with NHESP, the mitigation measures specific to the LEDPA will be refined when the LEDPA is selected and as the project design advances. Unavoidable impacts from each alternative, for both construction and operation phases, are also described.

C-001-097

Proposed mitigation measures are described in each resource section of Chapter 4, as appropriate. A detailed mitigation plan for each adversely affected resource will be developed for the LEDPA, when selected, in accordance with regulatory requirements.

C-001-098

All the South Coast Rail Build Alternatives would result in a “take” of rare species and would require that NHESP issue a Conservation and Management Permit. MassDOT has assessed practical alternatives that would minimize impacts to state listed species, and could therefore comply with the regulatory performance standards.

C-001-099

Environmental permitting requirements for the South Coast Rail project

1/7/09 State Representative Michael J. Rodrigues
1/7/09 Town of Easton Office of the Town Administrators
1/7/09 Town of Lakeville Conservation Commission
1/7/09 Neponset River Watershed Association
1/7/09 WalkBoston
1/7/09 William H. Reidy
1/8/09 Rebecca Turley
1/8/09 Laura D.
1/8/09 Avery L. Williams
1/8/09 David Mittell
1/8/09 Dottie Fulginiti
1/8/09 Forrest Lindwall
1/8/09 New Bedford Area Chamber of Commerce
1/8/09 City of Quincy Department of Planning and Community Development
1/8/09 Commonwealth of Massachusetts, Office of Coastal Zone Management
1/8/09 Town of Easton Historical Commission
1/8/09 Easton Historical Society
1/8/09 Greenwich Bay Watershed Group
1/8/09 State Representative Robert M. Koczera
1/8/09 Senator Joan M. Menard
1/8/09 State Representative John F. Quinn
1/8/09 State Senator Brian A. Joyce
1/8/09 State Representative Stephen R. Canessa
1/8/09 State Representative Elizabeth A. Poirier
1/8/09 State Representative Antonio Cabral
1/8/09 Member of Congress Barney Frank
1/8/09 Linda Grub
1/8/09 Gerald J. McDonald
1/8/09 Mark Sweeney
1/9/09 Ardis Johnson
1/9/09 Wendy Van Dyke
1/9/09 Susan McGrath
1/9/09 George Spatcher
1/9/09 Peter J. Muise, First Citizen's Federal Credit Union
1/9/09 Ron O'Reilly
1/9/09 Louis Gitto
1/9/09 Edgar Adams
1/9/09 Heather Graf, Citizens Concerned About Tracks
1/9/09 Citizens Against the Rail Extension
1/9/09 Frances Shirley
1/9/09 Lynne Loewald
1/9/09 Jim Sullivan
1/9/09 Stephen Keohane
1/9/09 Patricia Hunt and Phillip Tunner
1/9/09 Massachusetts Highway Department
1/9/09 Department of Environmental Protection

are summarized in DEIS/DEIR Chapter 7, Draft Section 61 Findings. Specific permitting requirements with respect to threatened and endangered species are described in DEIS/DEIR Chapter 4.15, Section 4.15.4.

C-001-100

Direct, indirect, and temporary (construction) wetlands impacts that would result from construction and operation of the South Coast Rail alternatives are described in Section 4.16.3 of the DEIS/DEIR. Chapter 5 evaluates secondary impacts under these three scenarios.

C-001-101

Potential wetlands impacts from each of the South Coast Rail alternatives are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.5. Potential habitat fragmentation, wildlife movement barriers, edge effects, and degradation of habitat quality are characterized as biodiversity impacts, and are described for each alternative in Chapter 4.14, Section 4.14.3.5.

C-001-102

The methodology for assessing wetlands functions and values is described in Chapter 4.16, Section 4.16.3.2 of the DEIS/DEIR.

C-001-103

The methodology used to identify existing wetlands' functions and values was developed in consultation with MassDEP, the US Army Corps of Engineers, and the Interagency Coordinating Group, as described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.1.

C-001-104

Graphics depicting potential wetland impacts and tables quantifying those impacts, based on the current level of design, are provided in

1/9/09 Division of Marine Fisheries
1/9/09 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
1/9/09 U.S. Environmental Protection Agency
1/9/09 State Representatives Louis L. Kafka and William C. Galvin
1/9/09 State Representative Steven J. D'Amico (additional comments)
1/9/09 State Senator Marc Pacheco
1/9/09 Metropolitan Area Planning Council
1/9/09 Town of Middleborough Conservation Commission
1/9/09 Town of Middleborough Office of Economic and Community Development
1/9/09 Town of Middleborough Planning Board
1/9/09 Town of Middleborough Planning Department
1/9/09 Town of Raynham Selectmen and Board of Health
1/9/09 City of New Bedford Conservation Commission
1/9/09 City of New Bedford Planning Board/Office of City Planning
1/9/09 City of New Bedford Economic Development Council
1/9/09 Mayor Scott W. Lang, City of New Bedford
1/9/09 Town of Lakeville Board of Selectmen
1/9/09 Town of Easton Department of Planning and Community Development
1/9/09 Town of Easton Conservation Commission
1/9/09 Town of Stoughton
1/9/09 The Nature Conservancy
1/9/09 MassAudubon
1/9/09 Public Employees for Environmental Responsibility
1/9/09 Greater Fall River Land Conservancy
1/9/09 Green Futures
1/9/09 Taunton River Watershed Alliance
1/9/09 Leon Litchfield
1/9/09 Paul Vigeant
1/9/09 Elaine K. Dahlgren
1/9/09 Walter and Lisa Galas
1/9/09 Bristol Community College
1/9/09 Department of Conservation and Recreation
1/10/09 Neil and Karen Gibbons
1/10/09 Old Colony Planning Council
1/16/09 City of Boston Environment Department
1/18/09 Paula Schmidt
1/20/09 Senator James E. Timilty

Comments on Supplemental Ridership Information

1/29/09 South Coast CEO Council
2/21/09 Donald J. Michaud
2/27/09 Senator James E. Timilty
3/09/09 West Bridgewater Board of Selectmen
3/13/09 Donald J. Michaud (addendum to previous comments)

DEIS/DEIR Chapter 4.16, Section 4.16.3.3, Figure 4.16-31 through 4.16-48.

C-001-105

The wetland impact estimates provided in Chapter 4.16, Section 4.16.3.3 of the DEIS/DEIR represent the latest mapping (including field verification in selected areas) and further refinements of the project design as compared to the estimates and design presented in the ENF. MassDEP's comment letter is numbered S-003, and specific responses to MassDEP's comments on wetlands are provided with that letter. The Town of Middleborough Conservation Commission's comment letter is numbered M-010, and specific responses to their comments on wetlands are provided with that letter.

C-001-106

The wetland impact estimates provided in Chapter 4.16, Section 4.16.3.3 of the DEIS/DEIR characterize the alternatives' potential impacts, in acres, to each of the wetland types regulated by the Wetlands Protection Act, including riverfront area, for each component of the alternatives.

C-001-107

Table 4.16-57, in Chapter 4.16 of the DEIS/DEIR, compares the alternatives' potential impacts to wetlands bank, bordering vegetated wetlands, wetlands within ACECs, Outstanding Resources Waters, bordering land subject to flooding, and riverfront area. The narrative description of each alternative's potential impacts, provided in Section 4.16.3.3, identifies potential wetlands impacts within each affected conservation area, including Assonet Cedar Swamp. Potential impacts to vernal pools are described in Chapter 4.14, Section 4.14.3.2, and potential impacts to ACECs and protected public open spaces are described in Chapter 4.10, Section 4.10.3.2.

3/13/09	Frederick Magee
3/15/09	Barbara Anzivino
3/16/09	Joint letter from State Representatives Stephan R. Canessa, Kevin Aguiar, Steven J. D'Amico, Patricia A. Haddad, Robert M. Koczera, Joan M. Menard, Mark C. Montigny, Marc R. Pacheco, John F. Quinn, Michael J. Rodrigues, and David B. Sullivan.
3/16/09	Town of Easton
3/16/09	Town of Norton, Board of Selectmen
3/16/09	Town of Stoughton Planning Board
3/16/09	Doug and Heather Lewis
3/16.09	Fred Kurtz
3/16/09	Linda Grubb, Lakeville Representative to the South Coast Commuter Rail Task Force
3/17/09	Southeastern Regional Planning and Economic Development District
3/17/09	The United Regional Chamber of Commerce
3/17/09	Joint letter from Mass Audubon, Mystic River Watershed Association, Ipswich River Watershed Association, Neponset River Watershed Association, Massachusetts Association of Conservation Commissions, Parker River Clean Water Association, and Massachusetts Sierra Club
3/17/09	Mass Audubon
3/1/709	Mark C. Sweeney
3/17/09	Paul Fitzpatrick
3/17/09	Public Employees for Environmental Responsibility
3/18/09	Citizens Concerned About Tracks
3/18/09	Town of Middleborough Conservation Commission
3/18/09	Old Colony Planning Council
3/18/09	Louis F. Gitto, Stoughton Representative to the South Coast Commuter Rail Task Force
3/18/09	Mark J. Turley
3/18/09	Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
3/20/09	Department of Environmental Protection

IAB/AE/aee

C-001-108

DEIS/DEIR Chapter 4.16, Section 4.16.4, describes the regulatory compliance of each of the alternatives, based on the current level of project design. See also Chapter 7, Section 61 Findings.

C-001-109

The rail bed within the Hockomock Swamp, along with its role as a wildlife corridor and turtle nesting habitat, is described in DEIS/DEIR Chapter 4.14, Section 4.14.2.2.3. Its function as a stream channel is described in Chapter 4.16, Section 4.16.2.2.4.

C-001-110

As described in DEIS/DEIR Chapter 3, Proposed construction of "The Southern Triangle" consists of single tracking for the entire alignment south of Myricks Junction, with three (3) sidings (double track portions) on both the Fall River and New Bedford Branches. Sidings are required to support train operations; constructing tracks over the existing lengths on these Branches without an opportunity for trains to pass would critically limit the passenger service operation.

C-001-111

Potential impacts to floodplains ("bordering land subject to flooding") are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3, and compliance with regulatory requirements is discussed in Section 4.16.4.1.

C-001-112

As described in DEIS/DEIR Chapter 4.16, Section 4.16.3.2.1, the impact estimates for BLSF (floodplains) are based on FEMA flood mapping. Hydrologic and hydraulic analyses will be completed to generate more accurate mapping and flood elevation contours for final design of the LEDPA, when selected.

C-001-113

Mitigation objectives described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.3 refer to Massachusetts Wetlands Protection Act performance standards. MassDEP requires mitigation of impacts to BLSF at a 1:1 ratio to provide compensatory flood storage. The locations and amount of compensatory flood storage would be included in the final design of the LEDPA, when selected, and would follow the performance standards for BLSF replacement to the extent practicable.

C-001-114

The figures provided in DEIS/DEIR Chapter 4.16 depict the wetlands and potential impacts from each of the alternatives based on existing information, GIS mapping and the current level of project design, as agreed by the Interagency Coordinating Group, MEPA office, and the Corps. Field verification in accordance with Corps methodology was used in areas where aerial photographs and topographic maps provided inconclusive results. When the LEDPA is selected, field delineations of outstanding wetland areas along the corridor will be conducted.

C-001-115

Vernal pools that are certified (CVPs) or potential (PVPs), and field-verified vernal pools located in wetlands within 100 feet of the right-of-way, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3. The graphics in the DEIS/DEIR show all CVPs and PVPs within 1500 feet of the right-of-way. Vernal pool investigations of the right-of-way were conducted in 2000 and 2001 for the Stoughton Alternative and were documented in the 2002 Final EIR. Additional surveys were conducted in the spring of 2008 and 2009 along the Attleboro Bypass, Stoughton Line, and Whittenton Branch, as described in Chapter 4.14, Section 4.14.2.1.9. Additional investigation of potential vernal pools will be done for the LEDPA, when selected.

C-001-116

As described in DEIS/DEIR Chapter 4.14, Section 4.41.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources. Specifics of the Vegetation Monitoring Plan, potentially including “no-spray” zones, will be developed for the LEDPA, when selected.

C-001-117

The MBTA will adhere to the approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources.
To protect state-listed species along the right-of-way corridor, MassDOT has committed to treat the entire portion of the corridor through the Hockomock Swamp and Pine Swamp as a No-Application sensitive area since the limits of herbicide application may be within or close to 10 feet of wetlands throughout these areas.

C-001-118

DEIS/DEIR Chapter 4.16, Section 4.16.4.1 discusses compliance with wetland regulations and the performance standards established for each resource area. There is an extensive discussion in Chapter 7, Section 61 Findings, on variance compliance. Application to MassDEP for a variance will be made during final design of the LEDPA, when selected, and will include a discussion of the public interest benefits of the project, as described in Chapter 3, Section 3.3.3.1, and Chapter 7.

C-001-119

As described in DEIS/DEIR Chapter 4.16, Section 4.16.4.1.2, a variance from wetlands performance standards would be required for any of the Build Alternatives. Application to MassDEP for a variance will be made during final design of the LEDPA, when selected. The application will

include a summary of the project purpose and need, as provided in Chapter 2, Section 2.2, and a discussion of the public interest benefits of the project, as described in Chapter 3, Section 3.3.3.1. Additionally, there is an extensive discussion in Chapter 7, Section 61 Findings, on variance compliance.

C-001-120

An analysis of transportation related impacts related to each Alternative is summarized in DEIS/DEIR Chapter 3, Section 3.3, Preliminary Evaluation of DEIR/DEIS Alternatives. Air quality analysis for each Alternative is summarized in DEIR/DEIS Section 4.09.

C-001-121

The environmental benefits that would accrue from implementation of smart growth principles, as outlined in the Corridor Plan, are described in the Scenario 2 discussion for each of the resources evaluated for secondary effects in Section 5.3.2 of DEIS/DEIR Chapter 5.

C-001-122

Chapter 3 of the DEIS/DEIR provides an analysis of the South Coast Rail alternatives that enables the agencies to compare the transportation and environmental beneficial and adverse impacts of the alternatives.

C-001-123

Streams crossed by each alternative are listed in Tables 4.17-6 through 4.17-10, provided in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.1. The LEDPA, when selected, will be designed and constructed in compliance with the appropriate federal and state regulatory requirements for impacts to surface water bodies, as summarized in Section 4.17.1.2.

C-001-124

Wetland impact avoidance and minimization, and mitigation measures

for unavoidable wetlands impacts, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.

C-001-125

Potential impacts to Outstanding Resource Waters from each element of the South Coast Rail alternatives are described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3, and summarized for each alternative in Section 4.17.3.5. Variance requirements will be determined during final design of the LEDPA, when selected.

C-001-126

A description of wetlands impact avoidance, minimization, and proposed mitigation measures for unavoidable impacts for each alternative is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.6, based on the current level of design. A detailed wetlands mitigation plan will be developed for the LEDPA, when selected. Mitigation measures for temporary and construction-related impacts are described in Section 4.16.3.6.4. Engineering methods, such as mechanically stabilized earthen walls, to minimize impacts have been evaluated on a preliminary basis and will be further evaluated during the final design phase for the LEDPA, when selected.

C-001-127

MassDOT has been meeting with an Interagency Wetland Mitigation Working Group, including MassDEP, to frame mitigation goals and objectives for the South Coast Rail project and identify priority areas for protection or restoration of wetlands.

Mitigation measures for the South Coast Rail project will be developed in coordination with the appropriate permitting and regulatory agencies, including MassDEP. Specific mitigation measures will be developed for the LEDPA at the time of final design and permitting.

C-001-128

Mitigation site locations will be identified for the LEDPA, when selected. As described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.3 and Chapter 7, site selection for mitigation areas would be done in conjunction with regulatory agencies and would prioritize restoring wetland habitat. Proposed mitigation would mitigate for impacted wetland cover types within each watershed where impact would occur.

C-001-129

Proposed mitigation measures are described in each resource section of Chapter 4, as appropriate, and Chapter 7. A detailed mitigation plan for each adversely affected resource will be developed for the LEDPA, when selected, in accordance with regulatory requirements.

C-001-130

The wetlands mitigation plan developed for the LEDPA, when selected, will provide details on wetlands mitigation. The plan will include an implementation timeframe and monitoring and contingency components.

C-001-131

Wetland mitigation goals for each alternative are summarized in Table 4.16-65, provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.5. The mitigation ratios vary by wetland type, and the mitigation goals vary by alternative, in accordance with wetlands impacts of each. A detailed mitigation plan for each adversely affected resource will be developed for the LEDPA, when selected, in accordance with regulatory requirements.

C-001-132

MassAudubon has been an active participant in the Interagency Wetlands Mitigation Working Group, which has met to frame mitigation goals and objectives and to identify areas for protection and restoration of wetlands.

C-001-133

Chapter 4.18, Section 4.18.3 of the DEIS/DEIR describes the waterways that may be impacted by the South Coast Rail project alternatives. The areas, structures, and uses that may be subject to Chapter 91 jurisdiction are also described.

C-001-134

As described in DEIS/DEIR Chapter 4.18, Section 4.18.3, the rail alternatives would require new waterways licenses for bridge replacements over jurisdictional non-tidal rivers and streams, as well as approvals for maintenance or modifications to existing crossings. The Rapid Bus Alternative would not require any new waterways licenses, but would require approval for maintenance or minor modifications of existing uses.

C-001-135

As described in DEIS/DEIR Chapter 4.18, Sections 4.18.3.2.10 and 4.18.3.2.11, landlocked tidelands are present at and would be affected by the Battleship Cove and Whale's Tooth Station sites, as well as the Wamsutta layover facility site.

C-001-136

Structures subject to Chapter 91 jurisdiction, including those within ACECs, are described in DEIS/DEIR Chapter 4.18, Section 4.18.3.

C-001-137

Compliance with other applicable standards of Chapter 91 is described in DEIS/DEIR Chapter 4.18, Section 4.18.4. Specific jurisdictional areas are listed in response C-001-136. However, the project would improve public access to coastal zones and waterways by providing transit service from the Boston metropolitan area to the South Coast region.

C-001-138

A summary of the Chapter 91 jurisdictional status of existing and proposed structures, as well as proposed dredging or filling, for each South Coast Rail alternative are provided in DEIS/DEIR Chapter 4.18, Section 4.18.3. Preliminary consultations with MassDEP staff indicate that the proposed work is consistent with the program's regulatory policies.

C-001-139

The existing environmental conditions within the South Coast study area and a detailed analysis of the potential impacts of the South Coast Rail project to ecosystems within ACECs and conservation lands are described in the various resource sections of Chapter 4 of the DEIS/DEIR.

C-001-140

Section 4.14.2 of the DEIS/DEIS provides detailed information about existing conditions within the study area including wildlife, important bird areas, and plant communities. Section 4.14.3 of the DEIS/DEIR evaluates the impacts to each of these communities that could result from construction and operation of the South Coast Rail project. Included within this analysis is an evaluation of direct and indirect environmental impacts on wildlife and their habitats including but not limited to: hydrological changes; fragmentation of habitat and populations; edge effects; noise and vibration; and restrictions to wildlife mobility, as well as an evaluation of impacts to migratory birds and their habitats.

C-001-141

As detailed in Section 4.14.3.1.3 of the DEIS/DEIR, the University of Massachusetts' Conservation Assessment and Prioritization System (CAPS) model was used as a supplemental method of evaluating

indirect impacts to biodiversity. CAPS is a computer software program designed to assess the ecological integrity and biodiversity value of every location based on natural community-specific models, in order to help prioritize lands for conservation action based on their assessed ecological value. It provides a quantitative assessment of ecological integrity that can be used to compare various scenarios. Appendix 17.1-4.14B provides the complete UMass CAPS analysis report for the South Coast Rail project. More information about CAPS can also be found at the University of Massachusetts website: http://www.umass.edu/landeco/research/caps/caps.html. The results of the analysis are summarized in Section 4.14.3 of the DEIS/DEIR.

C-001-142

The South Coast Rail project's potential impacts to biodiversity are described in DEIS/DEIR Chapter 4.14, Sections 4.14.3.2 and 4.14.3.3. Proposed mitigation measures for impacts to biodiversity are described in Section 4.14.3.6. MassDOT consulted with the EEA and the MEPA office in developing the biodiversity assessment methodology, and discussed methodology with the Interagency Coordinating Group. The CAPS analysis is provided in Section 4.14.3.4.

C-001-143

An assessment of baseline conditions, relative to biodiversity, within the South Coast Rail study area is described in Section 4.3.2 of the DEIS/DEIR. Figure 4.14-1 through 4.14-12 of the DEIS/DEIR depict existing biodiversity within the study area.

C-001-144

Impacts to wildlife habitat (including biodiversity) that would result from the South Coast Rail alternatives are described in Section 4.14.3 of the DEIS/DEIR. Impacts to wildlife habitat, by alternative alignment, are depicted on Figures 4.14-13 through 4.14-39 of the DEIS/DEIR.

Chapter 5 of the DEIS/DEIR describes indirect and cumulative effects, both adverse and beneficial, resulting from the Corridor Plan.

C-001-145

Section 4.2 of the DEIS/DEIR, *Land Use*, provides a detailed description of both postive and negative impacts associated with the South Coast Rail alternatives.

C-001-146

Conceptual-level mitigation measures for potential impacts to biodiversity are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.6. A detailed mitigation plan for impacts to biodiversity will be developed during preliminary and final design of the LEDPA, when selected. To the extent practical, the mitigation plan will include cost estimates for land acquisition, ecological assessment and monitoring, wildlife crossings, and other biodiversity conservation efforts.

C-001-147

As described in DEIS/DEIR Chapter 4.14, Section 4.14.3.6.3, measures to mitigate for unavoidable direct and indirect impacts to biodiversity (plant, wildlife, and aquatic communities) will be developed for the LEDPA, when selected.

C-001-148

DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2 identifies public drinking water supply Zone I and Zone II areas traversed by each of the South Coast Rail alternatives, including the Stoughton Alternative. An analysis of potential impacts to public and private drinking water water supplies during construction and operation of the project is also provided.

C-001-149

DEIS/DEIR Chapter 4.17, Section 4.17.3.6 describes the proposed measures to be taken to avoid, minimize, or mitigate potential adverse impacts to drinking water resources. MassDOT will consult with MWRA regarding potential impacts to MWRA easements or other properties, as well as permit requirements for the LEDPA, when selected.

C-001-150

As described in DEIS/DEIR Chapter 4.10, Section 4.10.3.2.9, based on the current level of project design the Rapid Bus Alternative would not require any property within the Blue Hills Reservation. Potential impacts to other DCR properties are described for each element of the South Coast Rail alternatives in Section 4.10.3.2.

C-001-151

The DEIS/DEIR provides descriptions of each protected public open space and Area of Critical Environmental Concern (ACEC) within the South Coast Rail project area in Chapter 4.10, Section 4.10.2. Potential project impacts to those resources, based on the current level of project design, are provided in DEIS/DEIR Chapter 4.10, Section 4.10.3.2. Article 97 protections to potentially impacted protected public open spaces and ACECs are also described in Section 4.10.4.2.

C-001-152

DEIS/DEIR Chapter 4.4, Section 4.4.2.2 describes and depicts the environmental justice communities present within the South Coast Rail study area. Section 4.4.3.12 outlines the benefits that environmental justice populations would realize from the project, including increased access to transit and decreased travel times to jobs, educational institutions, and hospitals.

C-001-153

The potential for disproportionate impacts to environmental justice communities is described in DEIS/DEIR Chapter 4.4, Section 4.4.3.13.8. On a regional level. there would be no disproportionate adverse impacts to environmental justice populations. At the local level, environmental justice communities would be disproportionately impacted by increased noise levels in some municipalities. Other project effects, such as vibration, land acquisition, neighborhood fragmentation, and gentrification, would not disproportionately affect environmental justice communities.

C-001-154

Section 4.4.1.2 of Chapter 4.4 in the DEIS/DEIR describes the project in the context of the EEA's Environmental Justice Policy. Public outreach to environmental justice communities is described in DEIS/DEIR Chapter 4.4, Section 4.4.4.

C-001-155

Potential impacts to fishery resources within the South Coast Rail study area, including stocked trout waters and waterways of concern to NMFS and the Division of Marine Fisheries, are described in Section 4.14 of the DEIS/DEIR.

C-001-156

Mitigation for construction period impacts, including erosion and sedimentation controls to minimize and eliminate sedimentation of wetlands and waterways, are described in Section 4.14.3.3.6 of the DEIS/DEIR.

C-001-157

Culvert design will be developed for the LEDPA during final design. New culverts will be designed in accordance with applicable standards,

including the Stream Crossing Standards, and in coordination with relevant regulatory and permitting agencies.

C-001-158

Stream crossings, based on the current level of design, are described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3. MassDOT will consult with the Division of Marine Fisheries and NHESP as needed regarding stream crossings during preliminary and final design of the LEDPA, when selected.

C-001-159

The project is expected to support marine industrial uses. As described in DEIS/DEIR Chapter 4.18, Section 4.18.5.9 and the Corridor Plan, transit-oriented development is consistent with CZM Growth Management Principle #3, which states "Encourage the revitalization and enhancement of existing development centers in the coastal zone through technical assistance and federal and state financial support for residential, commercial and industrial development." MassDOT has consulted with the MassDEP Chapter 91 program to ensure compatibility with the program's regulatory policies.

C-001-160

The State Pier Station site has been eliminated from the South Coast Rail project.

C-001-161

As discussed in DEIS/DEIR Chapter 4.18, Section 4.18.3.2.10, the proposed Battleship Cove station will be consistent with the coastal zone management regulatory policies. As described in Section 4.18.5.6, the Fall River Depot Station, on Davol Street, is being designed to enhance connectivity between eastern neighborhoods and the waterfront, and is expected to improve public access to waterfront recreation sites.

C-001-162

South Coast Rail Stations have been planned to support pedestrian and bicycle connectivity and both regional and local transit linkages. The Fall River Depot ("Davol Street") station is described in Section 3.2.5.2.8 of the DEIS/DEIR.

C-001-163

Potential impacts to coastal zones from each element of the South Coast Rail alternatives are described in DEIS/DEIR Chapter 4.18, Section 4.18.3.2. The LEDPA, when selected, will be designed and constructed in compliance with the appropriate federal and state regulatory requirements for stormwater management, as summarized in Chapter 4.17, Section 4.17.1.2. Stormwater management practices developed as part of final design will include Low Impact Development concepts, as summarized in Section 4.17.3.6.3.

C-001-164

The microscale modeling evaluated the potential for aerial deposition of oxides of nitrogen (NOx) from train-generated emissions on environmentally sensitive areas. DEIS/DEIR Chapter 4.9, Section 4.9.2.11 indicates that aerial deposition of train-generated emissions is not a significant source of pollution of water resources because of the very low concentrations of NOx from the diesel-powered locomotives. Lower NOx emissions would result from the electric-powered locomotives.

C-001-165

A Federal consistency review with the CZMP is provided in DEIS/DEIR Chapter 4.18, Section 4.18.5.

C-001-166

DEIS/DEIR Chapter 4.8, Section 4.8.3 describes the potential impacts to

cultural resources (comprised of archaeological and historical resources) within the South Coast Rail project area. The Corps has initiated consultation with the Native American Tribes. Impacts to visual resources, including the Taunton River within the context of its recent designation as a Wild and Scenic River, are described in DEIS/DEIR Chapter 4.5, Section 4.5.6.1.

C-001-167

As described in DEIS/DEIR Chapter 4.8, Section 4.8.1.2, the Corps has initiated consultation with Native American Tribes.

C-001-168

The descriptions of sensitive archaeological sites provided in DEIS/DEIR Chapter 4.8, Section 4.8.2.2, do not reveal locational information.

C-001-169

Measures taken to avoid or minimize impacts to cultural resources as part of the current level of design, and proposed mitigation measures that may be taken in developing a mitigation plan during final design, are described in DEIS/DEIR Chapter 4.8, Section 4.8.5.

C-001-170

A detailed noise and vibration analysis was performed in accordance with the Federal Transit Administration (FTA) Guidelines for each of the South Coast Rail alternatives. Noise impacts are described in Section 4.6.3 of the DEIS/DEIR and vibration impacts are evaluated in Section 4.7.3 of the document. This evaluation includes train noise and vibration impacts for all alternatives, noise and vibration at layover facilities, and train horn noise at grade crossings. The impacts identified were calculated using the FTA Guidelines and the most up to date MassGIS database. Noise impacts in the Richardson Avenue area are addressed in Section 4.6.3 of the DEIS/DEIR.

C-001-171

MassDOT has committed to providing noise mitigation to the locations that meet or exceed the Severe Noise Impact Level to the extent that it is reasonably cost-effective. Section 4.6.3.6 of the DEIS/DEIR describe mitigation measures to address noise impacts associated with the South Coast Rail project. The two primary types of noise mitigation measures that will be considered for rail noise abatement are noise barriers and building noise insulation. Final mitigation measures will be developed for the LEDPA during final design, and will comply with applicable state and federal guidelines and regulations.

C-001-172

An assessment of impacts to wildlife from noise is provided in Section 4.14, Biodiversity, of the DEIS/DEIR.

C-001-173

The South Coast Rail alternatives' potential impacts to stormwater are described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.

C-001-174

Stormwater management practices for the stations developed as part of final design will include Low Impact Development concepts, as summarized in DEIS/DEIR Chapter 4.17, Section 4.17.3.6.3.

C-001-175

During final design of the LEDPA, when selected, MassDOT will consult with MassDEP regarding protection of stormwater, drinking water supplies, and outstanding resource waters during construction and operation of South Coast Rail.

C-001-176

Potential impacts to stormwater are described for all elements of each

alternative in DEIS/DEIR Chapter 4.17, Section 4.17.3.3. The LEDPA, when selected, will be designed and constructed in compliance with the appropriate federal and state regulatory requirements for impacts to stormwater, as summarized in Section 4.17.1.2. A stormwater management plan developed for the final design will include descriptions of stormwater collection, treatment, and discharge methods.

C-001-177

Potential impacts to streams along the Attleboro Secondary alignment are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.3.

C-001-178

A detailed pre-characterization of soils at proposed station sites and right-of-ways was conducted as part of the Hazardous Materials affected environment assessment and is described in Section 4.12.2 of the DEIS/DEIR. Recognized environmental conditions that may be encountered during construction of the South Coast Rail alternatives are also described in Section 4.12.2.

Construction of the South Coast Rail project would be conducted in compliance with applicable permitting and regulatory requirements, including the Massachusetts Contingency Plan (310 CMR 30.000).

Soil pre-characterization would be done in areas identified as adjacent to potentially contaminated sites, as identified in Section 4.12.4.1, *Management of Impacted Soils*, of the DEIS/DEIR.

C-001-179

A Monitoring and Evaluation Plan will be developed for the selected Alternative (the LEDPA), and will be specific to the impacts and mitigation measures associated with that alternative. This plan will be

developed and reviewed with the Interagency Coordinating Group prior to publication of the FEIS/FEIR.

C-001-180

Chapter 7 of this DEIS/DEIR provides a summary table of proposed mitigation commitments, and a draft Section 61 Finding.

C-001-181

The DEIS/DEIR includes responses to comments on the ENF.

C-001-182

The DEIS/DEIR includes responses to comments on the ENF.

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January 7, 2009

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Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
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Attn: MEPA Office (Aisling Eglington)

Dear Mr. Anacheka-Nasemann and Secretary Bowles:

E-001-001

I am writing to express my strong support for the Executive Office of Transportation's (EOT) recommendation to withdraw from any further consideration three routes from the Southcoast Rail project during the development of the Draft EIR/EIS report. The rail alternatives that EOT recommends be removed are the Attleboro, Middleborough (full option), and the combination of an Attleboro/Middleboro electric or diesel option.

For more than twenty months, the EOT has undergone an extensive public outreach and review of numerous options that would bring critical rail transportation to the cities of New Bedford, Fall River, and Taunton. This has not been an easy task, and I would like to commend Kristina Egan, Southcoast Rail Manager, and EOT staff for their hard work in coordinating public outreach efforts to discuss environmental impacts as well as economic need and costs associated with such a large undertaking both on the local communities that would be affected by the rail extension project and the region as a whole.

Again, as a result of these efforts, the EOT has recommended the removal of the three aforementioned routes from further consideration during the environmental review. There are many factors that have led EOT to this decision that include, but are not limited to, the significant increase in cost estimates, ridership concerns/deficiencies, and extended construction timelines. Due to the fact the EOT has determined that these three alternatives do not fit the goals of this project as outlined in their Environmental Notification Form, it would not be appropriate to use any further funding to analyze these options. In fact, a positive recommendation for any of these alternatives would in all likelihood result in the Commonwealth abandoning this vital project altogether.

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E-001-001

MassDOT has noted and considered your comment.

However, while the EOT has recommended that there be further study of a scaled down Middleborough alternative, Rapid Bus Transit, and modified Stoughton alternative that would utilize the Whittenton Branch, I urge the Army Corps of Engineers and MEPA to approve the original Stoughton alternative which had previously been chosen by the Commonwealth during a similar environmental review process, painstakingly completed several years ago. As you are aware, there is a train right of way that already exists along the Stoughton route; and as explained in a recent comment piece submitted to the New Bedford Standard Times, it is the most practicable alternative based on the following:

- It is the only train alternative that does not cause a train congestion problem on the tracks to Boston, making it the most reliable.
- It is the only alternative that provides four peak-hour trains per day for Taunton, with two each for New Bedford and Fall River.
- It provides access to more job locations than downtown Boston, like the Westwood area at Canton Junction.
- It still allows the possibility of future commuter rail service to Wareham through the extension of the Middleboro Line.

The Stoughton alternative does not require the excessive amount of grade crossings through the city of Taunton that the Whittenton Branch modification would still have (similar to the Attleboro alternative which the EOT has recommended be eliminated from future consideration). Also, this option would substitute a Whittenton Stop for the Dean Street Station that is favored by the city of Taunton for its economic development and smart growth potential so important to the Governor's plan to maximize the benefit of commuter rail to the southeastern portion of Massachusetts. Most importantly, the Stoughton alternative would only require two grade crossings as a much safer and dependable transit option to provide the most reliable and frequent service to Fall River and New Bedford; and I strongly urge the U.S. Army Corps of Engineers and MEPA to recommend this alternative in their final EIR/EIS document.

Thank you for your consideration of these comments, and I look forward to working with both the Army Corps of Engineers and MEPA as this vital project moves forward.

Sincerely,

BARNEY FRANK
Member of Congress

AE

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MEPA

December 31, 2008

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Secretary Ian Bowles
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ATTN: MEPA Office (Aisling Eglington)

Re: Environmental Notification Form, South Coast Rail Project

Dear Sirs,

I would like to commend the Massachusetts Executive Office of Transportation and Public Works for their work over the past two years leading to the preparation of this Environmental Notification Form for the South Coast Rail Project ("ENF"), a project which is critical to New Bedford's future. South Coast Rail Project Manager Kristina Egan has conducted a public review process that has professionally and aggressively reached out to a diverse constituency and has shown that EOT is genuinely interested in residents' views and is truly listening to their concerns.

E-002-001 I will limit my comments to a single point: it is necessary to consider the realistic time line and cost of each alternative presented in the ENF to properly review them. Alternative routes and means of transportation cannot be meaningfully evaluated without knowing how long each would take to plan, review, approve, fund and construct. An alternative which might best meet the projected needs of southeastern Massachusetts in 2016 may not be the best alternative for 2021 or 2026 when our region's characteristics and needs will have changed.

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E-002-001

MassDOT has noted and considered your comment. Section 3.3.2 of the DEIS/DEIR provides information on the cost and schedule estimates for the alternatives.

E-002-001 Additionally, project timelines are only realistic if they are connected to realistic cost estimates. In an era of extraordinarily tight capital budgets, the projected cost of these alternatives will, very simply, determine when and whether a particular alternative can be built.

E-002-002 This project is needed now. Every year--indeed, every month--we wait, our communities loose opportunities which could be realized with a reliable connection to Boston. Over the past decade, the traditional manufacturing base of Greater New Bedford and Fall River, Massachusetts has been lost. Our cities have worked hard to take advantage of emerging economic opportunities, successfully recruiting green manufacturing facilities, for instance, and guiding the first conversions of historic buildings to housing. These efforts, representing the combined work of federal, state and local officials and businesses, residents and academics, are poised to reach a self-sustaining critical mass. Without a reliable connection to Boston, however, I fear that these efforts will stall.

Our existing road connection to Boston is now unreliable and the cost and political hurdles of expanding existing roads---for car or bus travel--through a densely settled urban environment make the resumption of rail service along existing rights of way the only alternative. As a near daily commuter by car between New Bedford and Boston, I have witnessed traffic worsen rapidly for several years. In fact, there is no longer a viable road connection to Boston for South Coast commuters. With rail connections to Boston, similarly situated communities—Worcester, MA and Providence, RI, for instance—have succeeded in attracting new businesses and new residents. Every city of similar size within 50 miles of Boston has direct rail service to Boston, except New Bedford and Fall River. Each of the alternatives outlined in the ENF have important advantages and disadvantages. But the date by which this project is likely to begin carrying commuters is as important a factor to the South Coast as any other. Having waited for the resumption of rail service for nearly twenty years, and having accommodated ourselves to Governor Patrick's proposed time line which foresees service commencing in 2016, any additional delay would be disastrous.

This is not a project solely to accommodate projected growth: our communities desperately need this project today.

Thank you for the opportunity to comment.

Sincerely,

Tony Cabral

Antonio F.D. Cabral
State Representative, 13th Bristol District
House Chairman, State Administration & Regulatory Oversight

E-002-002

MassDOT has noted and considered your comment.

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

AE

STEPHEN R. CANESSA
Representative
12th Bristol District

Freetown, Lakeville, Middleboro,
New Bedford and Taunton

COMMITTEES:
Transportation
Bonding, Capital Expenditures and State Assets
Municipalities and Regional Government

State House, Room 443
(617) 722-2460 (Office)
(617) 626-0839 (Fax)
Rep.StephenCanessa@hou.state.ma.us

January 5, 2009

Executive Office of Environmental Affairs
Secretary Ian Bowles
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

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

RE: South Coast Rail Project

Dear Secretary Bowles and Mr. Anachak-Nasemann,

E-003-001 I am writing in support of the South Coast Rail Project. As the State Representative for the 12th Bristol District – representing Freetown, Lakeville, Middleboro, New Bedford and Taunton – I am a strong supporter of this vital transportation project.

New Bedford and Fall River are the largest municipalities in Massachusetts within an approximate 50 mile radius of Boston, which do not currently have public commuter rail service. Our region offers many valuable assets, such as a diverse community, strong educational institutions, popular cultural and tourist attractions, and a growing economy. I am joined by an overwhelming majority of residents and local officials in the SouthCoast who support this essential project.

The construction of the commuter rail line to New Bedford and Fall River will create jobs, spur our local economy, enhance tourism, and provide much needed public transportation opportunities for students, workers and travelers to and from the SouthCoast.

I believe that the Stoughton extension is our region's best option for prompt, affordable and useable rail service. This alternative affords a reasonable commute time, environmental challenges that can be successfully addressed, all within a realistic cost that provides us with an

E-003-001

MassDOT has noted and considered your comment.

effective plan for both the short and long term. This option allows the State to further explore the extension of commuter rail service on the current Middleboro/Lakeville line down to Wareham and Cape Cod. I believe that by using the Stoughton extension for the New Bedford/Fall River rail, we adequately plan for a future extension of the Middleboro/Lakeville line, while minimizing the already existing bottleneck in Braintree.

Thank you for your attention to this important matter and I look forward to continuing to work with you on this vital project. I understand the complexity of this issue and commend all parties involved on their dedication and efforts. It is my hope that all involved will continue to move forward in an expeditious manner so that we can quickly provide fast, reliable and affordable rail service for the residents of the SouthCoast.

If I can be of any assistance please do not hesitate to contact my office.

Sincerely,

Stephen R. Canessa
State Representative, 12th Bristol District
Freetown, Lakeville, Middleboro, New Bedford and Taunton

AE

The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

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MEPA

March 13, 2009

Executive Office of Environmental Affairs
Secretary Ian Bowles
Attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

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

RE: SouthCoast Rail Project

Dear Secretary Bowles and Mr. Anacheka-Nasemann,

We are writing in strong support of the SouthCoast Commuter Rail Project. As legislators representing communities in the SouthCoast this project is of critical concern to us and to the residents of our districts.

E-004-001 Upon further review of the four remaining proposals, we are very much concerned with and opposed to consideration of the rapid bus alternative. It is our belief that further review of the bus alternative is not conducive to the timeliness or purpose of this important transportation project. As you begin your review process of the remaining alternatives, we respectfully request that you remove the bus alternative from consideration and focus solely on rail alternatives.

The SouthCoast delegation has been advocating for many years on behalf of our constituents for a commuter rail extension from Boston to the New Bedford and Fall River region. We understand the importance of adequately researching and reviewing the alternatives before you; however, there are many significant concerns we share regarding the bus alternative.

First and foremost, the bus option does not meet the goals of the region or our constituents. The vast majority of SouthCoast residents and local and state officials support a commuter rail extension, not a bus option. We have a commitment to our residents to provide reliable and affordable *rail* service for the residents of the SouthCoast.

E-004-001

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA and NEPA processes, along with the Attleboro and Stoughton Alternatives (including the Whittenton variation).

Although we recognize that your environmental review may demand that you look at all models as if they are equivalent, rail provides a more comfortable premium service and this should be recognized as you evaluate how well the bus and rail alternatives meet the project purpose. Moreover, the SouthCoast is the most populated region within 50 miles of Boston that does not benefit from rail service. A rapid bus, even a "luxury" service, would provide the SouthCoast with sub-par, inefficient and inequitable public transportation.

E-004-002 Furthermore, we have reviewed the ridership estimates and believe that a bus substitute does not take into account consumer preference; therefore, the projected ridership figures may not even be reliable regarding the bus option. Residents and future commuters have made it clear they support a commuter rail line, not a bus option.

The bus option will simply not achieve the successful ridership figures that an electric train will achieve. Nor will the bus option achieve the goal of removing a significant number of cars from our roadways, minimizing negative impacts on traffic, travel time and our environment. The bus alternative would either remove a lane of traffic on an already congested Route 24 and I-93, or require possible land-takings or a widening of these roadways. It is noteworthy that the bus option does not serve the Back Bay, a major destination for many commuters, particularly the employed and students.

The bus option provides the lowest cost, but little else. The rail option, particularly the electric rail cars utilized through the Stoughton option, will provide many benefits for the residents of Southeastern Massachusetts:

- Affordable, reliable and dependable transportation to and from Boston and points in between.
- Access to the Back Bay in Boston, providing access to job and educational opportunities in downtown Boston.
- Reducing the negative impacts on our environment by taking vehicles off our roadways and using electric power opposed to diesel.
- A long-term solution to address the lack of public transportation opportunities for the residents of Southeastern Massachusetts.

E-004-003 Lastly, the lack of local and legislative support for a bus alternative should also be taken into consideration. Our residents have entrusted their local and state officials to work on their behalf for a commuter rail extension, not a bus alternative. Residents have clearly illustrated their desire for an efficient and consistent commuter rail service in which we are diligently working to provide. As you develop the Draft EIR and Draft EIS, the will of the region should factor into your decision for a preferred alternative.

Thank you for your attention to this matter and we look forward to continuing to work with you on this critically important project. We understand the difficult task before you and appreciate all of your time and efforts thus far.

E-004-002

MassDOT has noted and considered your comment.

E-004-003

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA and NEPA processes, along with the Attleboro and Stoughton Alternatives (including the Whittenton variation).

If we can be of any assistance please do not hesitate to contact us. We look forward to hearing from you.

Sincerely,

Stephen R. Canessa
State Representative
12th Bristol

Kevin Aguiar
State Representative
7th Bristol

Steven J. D'Amico
State Representative
4th Bristol

Patricia A. Haddad
State Representative
5th Bristol

Robert M. Koczera
State Representative
11th Bristol

Joan M. Menard
State Senator
1st Bristol and Plymouth

Mark C. Montigny
State Senator
2nd Bristol & Plymouth

Marc R. Pacheco
State Senator
1st Plymouth & Bristol

John F. Quinn
State Representative
9th Bristol

Michael J. Rodrigues
State Representative
8th Bristol

David B. Sullivan
State Representative
6th Bristol

AE

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

STEVEN J. D'AMICO
REPRESENTATIVE
4TH BRISTOL DISTRICT

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Committees:
Revenue
Health Care Financing
Elder Affairs

ROOM 39, STATE HOUSE
TEL. (617) 722-2014
FAX (617) 626-0855

January 5, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
attn.: MEPA Office (c/o Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Public Comments on Environmental Impact Considerations for the Massachusetts South Coast Rail Project

Dear Secretary Bowles:

In my opinion, it would be a mistake to strictly limit the environmental impact considerations of the South Coast Rail project to localized impacts.

E-005-001 The project should be viewed in the broader context of its impact on climate change and smart growth planning. Governor Patrick recently signed into law the "Global Warming Solutions Act" which calls for greenhouse gas reductions of 20% by the year 2020 and 80% by 2050. Science tells us that if we do not meet these goals, global warming will overwhelm and render irrelevant any localized environmental impacts the South Coast Rail project may have.

Expanding rail transportation to the south coast is critical to helping the Commonwealth meet the challenge of global warming. It will eliminate millions of highway travel miles, mitigate traffic congestion and reduce pollution. Just as important, the South Coast Rail project will be used as a tool to implement smart growth development principles in order to control sprawl and help protect areas of ecological significance – further reducing our environmental footprint.

The public interest would best be served by considering the localized impacts in the context of the wider environmental goals of this important project.

Thank you for your consideration.

Sincerely,

Steven J. D'Amico
State Representative

E-005-001

The Commonwealth is committed to reducing greenhouse gases. The agency's GreenDOT Policy Direction (June 2, 2010) is a comprehensive environmental responsibility and sustainability initiative with the goals of reducing greenhouse gas emissions, promoting healthy transportation alternatives, and supporting smart growth. DEIS/DEIR Chapter 4.9, Section 4.9.4.2.1 describes the results of greenhouse gas emissions modeling conducted for the South Coast Rail project, and Chapter 5, Section 5.4.1.3 describes the overall reduction in greenhouse gases that would result from the project when secondary and cumulative effects are taken into consideration. As discussed in Chapter 5, implementing smart growth initiatives would further reduce greenhouse gas emissions as compared to "business as usual." Chapter 3, Section 3.3.3.1.5 summarizes the beneficial effects of the project in terms of air quality and greenhouse gas reduction efforts.

The Commonwealth of Massachusetts
House of Representatives
State House, Rm. 39, Boston, MA 02133

STEVEN J. D'AMICO
REPRESENTATIVE
4TH BRISTOL DISTRICT
SEEKONK, SWANSEA,
NORTON, REHOBOTH

Joint Committee on Revenue
Joint Committee on Elder Affairs
Joint Committee on Healthcare Financing

ROOM 39, STATE HOUSE
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Rep.StevenD'Amico@hou.state.ma.us

January 9, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
attn.: MEPA Office (c/o Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Additional Public Comments on Environmental Impact Considerations for the Massachusetts South Coast Rail Project

Dear Secretary Bowles:

Please accept these additional comments on the South Coast Rail project.

E-006-001 I would like to express my strong opposition to the Attleboro route.

This route requires multiple grade crossings that would be disruptive to traffic in several communities. It would also create significant parking problems in the Chartley neighborhood of Norton and would poorly serve the City of Taunton. In addition, the long transit times associated with the Attleboro route would adversely affect the project's viability.

E-006-002 The preferred route is through Stoughton. The transit times are low enough to attract riders. It also better serves the needs of the City of Taunton. Whatever local environmental impacts that may occur would be subordinate to the larger environmental benefits, including greenhouse gas reductions and the implementation of smart-growth development regulations.

Thank you, once again, for your consideration.

Sincerely,

Steven J. D'Amico
State Representative

E-006-001

MassDOT has noted and considered your comment.

E-006-002

MassDOT has noted and considered your comment.

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

SENATOR BRIAN A. JOYCE
ROOM 413A, STATE HOUSE
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BIOTECHNOLOGY CAUCUS
LEGISLATIVE CAUCUS ON OLDER CITIZEN'S CONCERNS
M.W.R.A. LEGISLATIVE CAUCUS

January 8, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Department of the Army Permit Application Number NAE-2007-00698, EOEA #14346

Dear Secretary Bowles:

Please accept my following comments in opposition to the Stoughton Alternative and include them as part of the project record for South Coast Rail. I have concerns about serious adverse environmental impacts in the communities that I represent.

As an elected official, it is my responsibility to listen to the concerns of my constituents and help to give a greater voice to individuals, groups, or towns that desire their opinions be heard. Within my district, the Towns of Easton and Stoughton both oppose the selection of the Stoughton Alternative as the preferred route for the South Coast Rail, and I stand with them in their opposition. In particular, opposition to the Stoughton Alternative stems from:

E-007-001

- Degradation of the Hockomock Swamp and the direct filling of over 14 acres of state wetlands and at least 7.5 acres of federal wetlands
- Damage to 30 vernal pools, 20 of which are certified and considered Outstanding Resource Waters
- Negative impacts to at least 7 state-listed rare and endangered species and harm to the Hockomock ecosystem as a whole
- Increased traffic, congestion, and noise in the areas surrounding the potential rail
- Permanent changes to the atmosphere and culture of the towns of Easton and Stoughton
- Alterations and/or damage to 15 historical properties and land in the Town of Easton

E-007-002

Furthermore, in these difficult economic times, I am skeptical if the benefits of the South Coast Rail project outweigh the costs. As project expenses continue to increase, now estimated at roughly $1.4 billion or more, residents of the Commonwealth are still waiting to review detailed ridership figures that would justify the expenditure of this money. I urge MEPA to view

1

E-007-001

MassDOT has noted and considered your comment. Analyses on impacts to the Hockomock Swamp, vernal pools, rare and endangered species, historic resources, traffic, noise and socio-economics are included in DEIS/DEIR Chapter 4. Indirect and Cumulative impacts of the project, including anticipated growth in the project area, are described in DEIS/DEIR Chapter 5. All of these analyses have been updated since the release of the ENF.

E-007-002

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives. Operational and construction costs are discussed in Section 3.2.5. Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3 Summary of Ridership Modeling Results.

E-007-002 each alternative equally and fairly, through a lens where taxpayer dollars are used prudently and at the lowest risk to the environment.

I respectfully urge you and your colleagues to look very closely at all of the environmental impacts that the construction of the Stoughton Alternative through the Hockomock Swamp may cause before deciding which alternatives warrant further study. Thank you for your time and consideration.

Sincerely,

BRIAN A. JOYCE
State Senator

BAJ: mab

2

January 9, 2009

Secretary Ian Bowles, EOEEA
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Comments Regarding South Coast Rail Project EEA # 14346

Dear Secretary Bowles:

Please accept our following comments in opposition to the Stoughton Alternative for the South Coast Rail Project. We have serious concerns about the public safety of our constituents and the adverse environmental impacts on the Town of Stoughton.

The Stoughton Alternative brings up several public safety issues. The line would be constructed close to residential areas, and much of the existing bed has not been used in years. Southeastern Massachusetts is currently undergoing numerous facilities and infrastructure projects in various phases of development. The impact of building the South Coast Rail (SCR) through Stoughton would increase the traffic in an already overly congested area.

In addition to the negative effects on the standard of living in our district, building the SCR through Stoughton would cause great damage to the Hockomock Swamp and 7.5 acres of federal wetlands. In addition, there would be damage to 30 vernal pools and would put 7 state-listed rare and endangered species in danger.

E-008-001 We stand with the Town of Stoughton in opposition to the Stoughton Alternative for the South Coast Rail Project. We feel that the negative impact on the public safety of our constituents and the Hockomock Swamp is too great for the Stoughton Alternative to be a viable option. Please consider these negative impacts to the Town of Stoughton before deciding which alternatives warrant further study. Thank you for your time and consideration.

Sincerely,

E-008-001

MassDOT has noted and considered your comment. A discussion of public safety is provided in Chapter 2, Section 2.2.2.4.

Louis L. Kafka
State Representative

William C. Galvin
State Representative

AE

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

ROBERT M. KOCZERA
REPRESENTATIVE
11TH BRISTOL DISTRICT
119 JARRY STREET
NEW BEDFORD, MA 02745
HOME: (508) 998-8041

Committees
Ways and Means
Health Care Financing

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FAX (617) 722-2979
Rep.RobertKoczera@hou.state.ma.us

January 6, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office(Aisling Eglington) EEA No.14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles:

E-009-001 I write in support of the proposed Stoughton route for passenger rail service between Boston and New Bedford/Fall River, MA. The reestablishment of passenger rail service will meet existing and future demand for public transportation between southeastern Massachusetts communities and Boston. Rail service will enhance regional mobility, support smart growth development strategies in southeast communities, and create greater connectibility between the region and Boston, a cultural and economic hub for New England.

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 providing jobs for residents of the region, namely stops at Westwood, Back Bay and South Station Boston. The Stoughton route offers the most peak time service with two each for New Bedford and Fall River and four for Taunton. It is critically important if rail transportation is to be successful to provide reliable service at peak time. The other proposed alternative routes do not provide the same level of service at peak time ensuring the most ridership as the Stoughton alternative. It is important to note that passenger rail service previously provided to the cities of Taunton, New Bedford and Fall River was operated through the Stoughton route, abandoned fifty years ago when the Southeast Expressway opened for operation.

Restoration of passenger rail service to Taunton, New Bedford, and Fall River, the only eastern Massachusetts cities without such service is critical to the economic growth of the southeast region and the Commonwealth. A study by MassInc stated the prohibitive cost of housing in the Boston area is resulting in the loss of young professionals to other regions of the country where housing is more affordable. Rail service to the southeast offers young professionals currently residing in Boston affordable housing opportunities and a reasonable commute that enhances economic growth in the southeast region and in the Commonwealth. The MassInc study identifies heightened demand for commuter rail service between southeastern Massachusetts communities and Boston.

E-009-001

MassDOT has noted and considered your comment.

National polices emphasizing energy conservation and alternative sources of energy strengthens the need to provide passenger rail service in the region as an alternative to the congested highways, 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.

It is critically important to focus on the most practicable route that provides the most reliable service at peak times, the proposed Stoughton route. Alternative routes do not provide adequate levels of service. Further study of alternative routes will result in costly delay. It is imperative that this project move forward as the construction phase and operation of passenger rail service to the region provide short term and long term economic benefits as well as environmental benefits to the region and state.

Sincerely,

Robert M. Koczera
State Representative
Eleventh Bristol District

JOAN M. MENARD
MAJORITY WHIP
TEL. (617) 722-1114
FAX. (617) 722-1498

OFFICE OF THE MAJORITY WHIP
MASSACHUSETTS SENATE
STATE HOUSE, ROOM 215, BOSTON 02133

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JAN 08 2009
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

December 15, 2008

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JAN 8 2009
MEPA

Mr. Alan Anacheka-Nasemann, Permits Project Manager
United States Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project

Dear Mr. Anacheka-Nasemann:

I am writing to respectfully request the United States Army Corps of Engineers to favorably consider the proposed South Coast Rail Project and select a preferred route. To date, this project has undergone a comprehensive investigation, analysis, and screening of alternatives in accordance with the Corps' methodology. Further review of the alternatives may delay the present timetable and increase projected costs.

E-010-001 Among the several alternatives, the most practical and most favorable to my constituents is the Stoughton alternative. An existing rail grade rests along this corridor thus minimizing the need to create a completely new extension. Infrastructure improvements can be completed with limited impact to nearby residents and wildlife. Most noteworthy is the benefit of a shorter commute compared to the other alternatives.

As you may know, the South Coast is the only region within a fifty mile radius of Boston without passenger rail service. This inequity has challenged our ability to develop an intermodal transit system and capture the economic benefits it may bring to the area. This project is long overdue and greatly anticipated.

I am encouraged by the unwavering commitment and support Governor Patrick and his administration have demonstrated throughout the process. I also commend Kristina Egan, the South Coast Rail Project Manager, for her diligence in moving this project forward and keeping all parties informed on the progress.

E-010-001

MassDOT has noted and considered your comment.

For all these reasons, I ask for your consideration of this request so that we can make passenger rail a reality in the South Coast.

Sincerely,

Joan M. Menard

Joan M. Menard
Senate Majority Whip
First Bristol & Plymouth District

cc:

Senator Edward Kennedy, United States Senate
Senator John Kerry, United States Senate
Congressman Barney Frank, United States House of Representatives
Congressman James McGovern, United States House of Representatives
Governor Deval Patrick, Commonwealth of Massachusetts
Mayor Robert Correia, City of Fall River Massachusetts
Secretary Ian Bowles, Massachusetts Executive Office of Energy and Environmental Affairs
Undersecretary Jeffery Mullan, Massachusetts Executive Office of Transportation
Ms. Kristina Egan, Project Manager – South Coast Rail Project
Mr. Stephen Smith, Executive Director – S.R.P.E.D.D.
Ms. Jennifer Menard, Executive Director – South Coast Partnership
Mr. Peter Kavanaugh, Co-Chairperson – South Coast Partnership
Mr. Thomas Lyons, Co-Chairperson – South Coast Partnership
Atty. Kenneth Fiola Jr., Vice-President of the Fall River Office of Economic Development

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

MARC R. PACHECO
STATE SENATOR
1ST PLYMOUTH AND BRISTOL
DISTRICT
ROOM 312B
TEL. (617) 722-1551

COMMITTEES:
SENATE POST AUDIT AND OVERSIGHT
(CHAIRMAN)
SENATE WAYS AND MEANS

ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE (VICE CHAIR)
PUBLIC SAFETY AND HOMELAND SECURITY
TELECOMMUNICATION, UTILITIES AND ENERGY

January 9, 2008

Secretary Ian Bowles
EOEEA
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston MA 02114

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

Re: South Coast Rail Project (EOEA #14346)

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

I am writing to you today in regard to the South Coast Rail Project. As I am sure you are aware, southeastern Massachusetts is one of the fastest growing areas in the northeast. A commuter rail to New Bedford and Fall River, including access to Taunton, is economically and environmentally critical to the entire region.

E-011-001 At this time, I would like to state my support for the original Stoughton Route. This route is the most direct option, meets state and federal criteria to provide cost-effective and reliable service, and supports the state's smart growth imitative for the region.

In addition, the original Stoughton Route has been through several years of comprehensive environmental review. In 1999, the MBTA announced the Stoughton Alternative to be their "preferred transportation alternative". The 2002 Final Environmental Report (issued after additional studies ordered by the Environmental Affairs Secretary Robert Durand) stated that, "the Stoughton alignment is the sole feasible alternative for service, given the need to protect capacity for high-speed rail service between Boston and New York on the Attleboro line." I strongly believe that the original Stoughton Route continues to be the *only* route that will meet the economic and environmental needs of the region.

E-011-001

MassDOT has noted and considered your comment.

Thank you for your time and attention. If you have any questions, or require additional information, please do not hesitate to contact my office.

Sincerely,

Marc R. Pacheco
State Senator

AE

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133

ELIZABETH A. POIRIER
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Committees on:
Bonding, Capital Expenditures and State Assets
Veterans and Federal Affairs
Steering, Policy and Scheduling
Elder Affairs

ROOM 541, STATE HOUSE
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January 7, 2009

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JAN 9 2009
MEPA

Mr. Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

ATTN: MEPA Office (Aisling Eglington) EEA No. 14346

Dear Secretary Bowles,

Please accept this letter as our personal comments on the 'South Coast Rail Project/Comments on the EIS and ENF.

E-012-001 As you may be aware, since the South Coast Rail issue directly affects the communities that we represent (Poirier - the City of Attleboro and the Town of Norton, Barrows – the Town of Norton), this has been an issue that we have been persistently involved in. As State Representatives for the above mentioned communities, we have attended a massive amount of meetings and continuously listened to the concerns of the officials and its residents and we remain adamantly opposed to the Attleboro Route and we hope that the recommendations of the Executive Office of Transportation stating that Alternative 1 through Attleboro and Alternative 3 the Attleboro/Middleboro Hybrid remains removed from further consideration. We believe that Executive Office of Transportation has made a compelling case that the Attleboro alternatives are not feasible and would not meet the criteria that is required to meet the project's purpose.

In addition, we are also opposed to the Whittenton Variation of the Stoughton Route which includes a three and one-half mile travel through the North Taunton Village of Whittenton, bringing an approximately thirty MBTA trains over fourteen at-grade crossings in the heart of the city's center crippling the City of Taunton.

E-012-001

As required by the MEPA Certificate, Attleboro rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR.

E-012-002

On the other hand, we are in complete support of the original Stoughton alternative. This alternative would provide the most direct route while also providing the most feasible, cost-effective and practicable level of service as well as would meet both the state and federal criteria. Also, this route includes the option of the possible extension of the existing Old Colony Middleboro line to Wareham and Buzzards Bay as well as supports the Commonwealth's Smart Growth's Initiative for the Region and meets the LEDPA standard while not negatively impacting an entire community and would not include any adverse impacts on the existing transportation system.

Again, please accept this letter as our personal comments on the 'South Coast Rail Project/Comments on the EIS and ENF' and our complete support for the original Stoughton Route and complete opposition to the Attleboro Alternative. We hope that our comments are taken into serious consideration by yourself as well as the Army Corps. of Engineers and if you have any questions, please do not hesitate to contact us.

As always, thank you for your time and consideration of this matter.

Sincerely,

ELIZABETH A. POIRIER
State Representative

F. JAY BARROWS
State Representative

cc: Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, New England District
Regulatory Division (ATTN: CENAE-R-PEA)
696 Virginia Road
Concord, MA 01742-2751

Town of Norton – Town Manager and Board of Selectmen
Heather Graf – Coordinator of Citizens Concerned About Tracks' (CCATS)
State Representative James Fagan

E-012-002

MassDOT has noted and considered your comment.

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

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MEPA

JOHN F. QUINN
9TH BRISTOL DISTRICT
E-Mail: Rep.JohnQuinn@hou.state.ma.us

Committees on:
Ways and Means
Post Audit and Oversight
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January 8, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington), EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles,

As you prepare the Environmental Impact Report (EIR) for the South Coast Rail project, I would like to offer some comments regarding the Environmental Notification Form (ENF) filed with the Massachusetts Environmental Policy Act office (MEPA) by the Massachusetts Executive Office of Transportation (EOT).

As the State Representative for the 9th Bristol District, which includes the town of Dartmouth and precincts in New Bedford, Lakeville and Freetown, I cannot stress enough the importance of the project to the region. Southeastern Massachusetts deserves its fair share of quality public transportation. We have been long-ignored in our attempts to attain rail service to and from Boston and that has hurt the region in many ways. Lack of rail service has impaired the region's ability to pursue economic development, job creation, and protect natural resources.

E-013-001

I fully support the conclusions set forth in the ENF with regards to the alternatives not recommended for further analysis. The full Middleborough, Attleboro and Middleboro/Attleboro alternatives are much too costly, surpassing the EOT's budget goal for the project. Considering the current economic situation, that fact alone should automatically take those options off the table. Also, the additional 4 years required to complete these routes result in an unfair delay considering how long the region has been waiting for rail service.

Lastly, I would like to emphasize the importance of weighing the environmental benefits of this project equally against the environmental impacts. Climate change is becoming a major threat to public health and ecosystems. This project should undoubtedly be incorporated as part of a climate solution for state and federal governments. This is an important factor to consider when weighing the local impacts to aquatic resources.

Thank you for your time and consideration. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

JOHN F. QUINN
State Representative
9th Bristol District

E-013-001

MassDOT has noted and considered your comment. Section 3.3.2 of the DEIS/DEIR provides information on the cost and schedule estimates for the alternatives.

AE

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1020

MICHAEL J. RODRIGUES
REPRESENTATIVE
8TH BRISTOL DISTRICT

Rep.MichaelRodrigues@hou.state.ma.us

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2009
MEPA

Chairman
Committee on
Consumer Protection and Professional Licensure

ROOM 43
TEL. (617) 722-2030 / (508) 646-0650
FAX (617) 722-2215 / (508) 646-0656

Secretary Bowles,

The Cities of Fall River, New Bedford and Taunton are the only major population centers within 50 miles of Boston that are not served by commuter rail. These three cities and surrounding communities are underserved by the current transportation network. The South Coast rail project, which would extend commuter rail access to these communities, would address this long-standing transportation inequity. As a legislator from Southeastern Massachusetts, completion of this project is vital to the long-term success of the region and the Commonwealth.

Southeastern Massachusetts has been affected greatly by the current economic crisis. South Coast rail would encourage economic development and job-creation by significantly improving transportation access to this region. Access to transportation in this region would create an environment that would have the potential to attract new private investment. In addition, the current transportation system leaves many south coast residents unable to access the jobs and services in the Boston area.

As a commuter from Southeastern Massachusetts, I see firsthand the auto congestion that plagues our current roads and bridges leading from this region to Boston. A rail line from South Coast would alleviate much of the road congestion while improving air quality and protecting the natural environment.

E-014-001 After reviewing many of the alternate options for commuter service to South Coast, it is clear that rail service is the best and only option that would be acceptable. In fact, out of the current options of rail service, only the Stoughton route would provide good, fast service to Boston with the least amount of impact on the existing transportation infrastructure. The Stoughton line has the potential to attract the highest ridership and offers better travel time out of the other options. In my opinion, the best investment for the region would be building the Stoughton line.

Restoration of passenger rail service to the South Coast region has been studied for the last twenty years, and in my opinion, this project is long overdue. The economic growth of this project alone would provide a boost to the economy of this region and the entire state. I applaud Governor Patrick and Lieutenant Governor Murray for their continued support. However, action needs to be taken immediately to begin construction of this project.

Sincerely,

Michael J. Rodrigues

State Representative Michael J. Rodrigues
Chair, Committee on Consumer Protection and Professional Licensure

E-014-001

MassDOT has noted and considered your comment.

01/28/2009 11:49 FAX 617 626 1181 EXEC OFFICE ENV AFFAIRS 002/002

AE

COMMONWEALTH OF MASSACHUSETTS

MASSACHUSETTS SENATE

STATE HOUSE, BOSTON 02133-1053

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BRISTOL AND NORFOLK

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Elder Affairs
Economic Development and Emerging Technologies

January 9, 2009

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Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington) EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles,

E-015-001 I am writing with regard to the Executive Office of Transportation's November 2008 Environmental Notification Form in support of their findings with regard to the South Coast Rail Project.

The recommendation of EOT to remove Alternative 1 – Through Attleboro, and Alternative 3 – The Attleboro/Middleboro Hybrid (See ENF, Sections 6.3 and 6.5) from the project going forward is something that I have long been in favor of and hope that you will support for the environmental impact they would have on the Communities of Attleboro, Mansfield, Norton, and Taunton.

It is my hope that these recommendations put forth by EOT will receive the concurrent recommendation of your office. If I can be of any further assistance on this or any other matter please do no hesitate to call.

With every good wish,

James E. Timilty
State Senator
Bristol & Norfolk

E-015-001

As required by the MEPA Certificate, Attleboro rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Alternative 2 – Through Middleborough and other Middleborough rail alternatives have been eliminated from further review as they do not meet the project purpose.

AE

COMMONWEALTH OF MASSACHUSETTS

MASSACHUSETTS SENATE

STATE HOUSE, BOSTON 02133-1053

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February 25, 2009

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MEPA

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: Aisling Eglington, MEPA Office: EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles,

E-016-001 After reviewing the Executive Office of Transportation and Public Works' (EOT) *Supplemental Ridership Memorandum* for the South Coast Rail Project it is my belief that Alternative 1, Options 1A and 1B diesel and electric through Attleboro, are not the most feasible plans for the Project to accomplish all of the goals that were set forth at its inception.

I understand that your review, as a part of this process, is primarily concerned with the initial and future environmental impact that the Project would have on the region. With that in mind I believe that the Memorandum's study of new ridership, travel time, and total trips served inaccurately leads a reader to believe that electric-powered train through Attleboro (1B) is one of the more desirable plans going forward. First and foremost this alternative will require new track to be laid, causing both an immediate environmental impact and any collateral damage that accompanies a construction project of this size. Secondly, as you review this Memorandum, please consider the overall appeal and environmental impact over time for these alternatives. As Table 1 shows both the run times to South Station and the headways are neither efficient nor desirable for potential passengers, which ultimately may lead to millions of dollars being spent on a train that is sparsely ridden because of the overall trip time and infrequency of trains.

It is my continued belief that the Attleboro alternatives laid out for the Project have major flaws both environmentally and with regard to efficiency. If our main objective is to best increase public transportation in the South Coast Region, I do not see these alternatives meeting that standard. Thank you for your consideration, and your continued efforts in service to this project and the people of the South Coast Region.

With every good wish,

James E. Timilty
State Senator
Bristol & Norfolk

E-016-001

MassDOT has noted and considered your comment.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

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OFFICE OF THE
REGIONAL ADMINISTRATOR

January 9, 2009

Colonel Thomas Feir
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Re: Scoping Comments for the Environmental Impact Statement for the proposed South Coast Rail (SCR) Project in Massachusetts

Dear Colonel Feir:

F-001-001

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), and Section 404 of the Clean Water Act, we submit the following comments as part of the scoping process for the Army Corps of Engineers' (Corps') Environmental Impact Statement (EIS) to evaluate the impacts of alternatives to establish public transportation between Fall River/New Bedford and Boston, Massachusetts. As we discussed in interagency meetings, we recommend that the EIS be prepared to meet the requirements of both NEPA and the Massachusetts Environmental Policy Act (MEPA) as well as address the requirements of Section 404. We support this coordinated environmental review and believe that it will save time, avoid redundancy and make it easier for the public to participate in the process. We have also provided a copy of these scoping comments to the Executive Office of Energy and Environmental Affairs for their use developing a scope under MEPA.

Our comments are based on our review of the Corps October 31, 2008 Notice of Intent to Prepare an EIS and the November, 2008 Environmental Notification Form (ENF) for the project prepared by the Massachusetts Executive Office of Transportation and Public Works (EOT). The ENF describes renewed efforts of EOT to provide improved public transportation (and to increase transit ridership) to the south coastal area of Massachusetts. The basic project purpose of the SCR project reads, "The 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." EPA supports this project purpose statement and its use to establish a reasonable range of alternatives for consideration in the EIS and under Section 404 of the Clean Water Act. With the project the state also hopes to improve air quality and support regional development following smart growth principles.

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F-001-001

The DEIS/DEIR has been prepared in accordance with NEPA and MEPA requirements, as described in Chapter 2, Section 2.3. Chapter 4.16, Section 4.16.4.3 describes the regulatory compliance of the alternatives with Section 404 of the Clean Water Act.

Because of the large geographic area and linear nature of the proposed SCR project alternatives, the potential exists for a wide range of significant direct, indirect and cumulative impacts to natural ecosystems and the built environment. In recognition of these potential impacts and the history of controversy surrounding the various rail alternatives under consideration, we strongly support EOT's decision to establish the working group of federal and state agencies with a range of responsibilities over the project. The interagency group has worked to provide guidance to both EOT and the Corps with respect to establishment of the project purpose (under both NEPA and Section 404 of the Clean Water Act), to discuss the range of alternatives to achieve the project goals, and to help identify the range of environmental issues that should be considered. To date, the EOT- managed interagency process has been an effective forum for agencies to help shape the environmental review process and has provided a greater amount of information upon which to offer scoping comments than would typically be the case at this point in the environmental review. Most of our input during the interagency process has focused on the development of a project purpose statement, the range of alternatives, wetland impacts and smart growth issues. Our comments below regarding alternatives, wetland impacts, air quality, and secondary and cumulative impacts supplement the input we have offered so far.

Alternatives

F-001-002

Depending on the alternative or alternatives selected, the development of the SCR project could result in a wide range of significant direct, indirect (secondary) and cumulative impacts along the proposed alternative corridors. The potential for these impacts increases the need for comprehensive evaluation of a reasonable range of alternatives. EOT proposes the advancement of the no build and three other build alternatives including Alternative 2 (the "simple" rail option through Middleborough), Alternative 4 (rail through Stoughton), and Alternative 5 (Rapid bus service to South Station from the project area). We believe that this range of alternatives is too narrow and that a broader range of alternatives should be advanced for analysis in the EIS for the proposed project. Specifically, in addition to the alternatives recommended by EOT in the ENF, we strongly recommend that the range of alternatives in the EIS also include Alternative 1 (rail through Attleboro), Alternative 2 (the "full" rail option through Middleborough) and Alternative 3 (rail through Attleboro and Middleborough). Including these alternatives in the EIS would in our opinion result in a reasonable, defensible range consistent with the requirements of NEPA and Section 404, and provide the public and decisionmakers with the necessary comparative analysis of impacts, costs, technical/engineering feasibility, and public policy choices associated with each. Also, including these additional alternatives would be consistent with the recommendation reached by the interagency working group at the end of the phase 1 process regarding an appropriate range of alternatives to evaluate in the EIR/EIS process.

F-001-003
F-001-004

We support evaluation of these alternatives in a fashion that will provide full public disclosure of the potential impacts that may result from the build out under each scenario. The No Action alternative should be used as a baseline for the comparison of impacts between alternatives. Also, the EIS should describe whether it is appropriate to consider

F-001-002

The range of alternatives evaluated in the DEIS/DEIR was established by the Army Corps of Engineers and the MEPA Certificate. Alternative 2-- through Middleborough-- was eliminated from further consideration because it did not meet the project purpose.

F-001-003

The "No-Build" Alternative was evaluated as the baseline for comparison of the South Coast Rail alternatives.

F-001-004

The DEIS/DEIR evaluates the alternatives required by the Army Corps of Engineers and the MEPA Certificate. Phased and combination alternatives (including a combination of Rapid Bus and Middleborough) were evaluated and dismissed because these would not meet the project purpose.

F-001-004 a phased project approach or combinations of alternatives to achieve the project purpose (for example, the establishment of interim rapid bus service followed by rail infrastructure at some point in the future).

EPA's Section 404(b)(1) guidelines (40 CFR 230) set forth the environmental standards which must be satisfied in order for a Section 404 permit to issue. Two key provisions of the guidelines are critical when considering the proposed project. First, the guidelines generally prohibit the discharge of dredged or fill material if there exists a practicable alternative which causes less harm to the aquatic ecosystem. A discharge of dredged or fill material is prohibited 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 CFR 230.10(a)]. This fundamental requirement of the Section 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. Furthermore, where (as here) the project is not water dependent and involves fill in wetlands and other special aquatic sites, practicable and less environmentally damaging alternatives are presumed to exist unless clearly demonstrated otherwise by the applicant. The EIS should include an evaluation of
F-001-005 ways in which each alternative can be designed to avoid adverse impacts to wetlands and other aquatic resources.

Wetland Issues

F-001-006 The EIS should provide a detailed description of wetlands that includes their location as well as an assessment of their functions and values.[1] In addition, the EIS should indicate
F-001-007 where and to what extent each of the alternatives and associated infrastructure improvements will involve placing dredged or fill materials in wetlands or other waters of the United States that will be subject to the permit requirements of Section 404 of the Clean Water Act.

[1] For purposes of Section 404 we suggest that the Corps prepare the wetland assessment for the EIS in a manner consistent with its' descriptive approach to wetland assessment as presented in "The Highway Methodology Workbook Supplement Wetland Functions and Values A Descriptive Approach", NEDEP-360-1-30a, dated November 1995. We also recognize that the wetland assessment will need to include additional information for purposes of the state's review of the project under the Wetlands Protection Act and we encourage the Corps to work to include relevant information to support that review.

F-001-005

Wetland impact avoidance and minimization, and mitigation measures for unavoidable wetlands impacts, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.

F-001-006

Existing wetland conditions, including their functions and values, are described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.

F-001-007

As described in DEIS/DEIR Chapter 4.16, Section 4.16.4.3, each of the South Coast Rail alternatives would require a Clean Water Act Section 404 Individual Permit for placement of dredged or fill material in to waters of the United States. The potential permanent wetland impacts of each alternative, prior to mitigation and based on the current level of project design, are provided in Table 4.16-57 and depicted in Figures 4.16-31a through 4.16-48.

4

Analysis of Indirect and Cumulative Impacts

An important part of the EIS will be its analysis of the alternatives' indirect and cumulative impacts. The Council on Environmental Quality's (CEQ) NEPA regulations require EISs to evaluate growth-inducing changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, resulting from the proposed action and alternatives. The regulations define indirect (sometimes called 'secondary') effects as those "which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable." The regulations state that impacts include ecological, aesthetic, historical, cultural, economic, social, or health impacts, whether direct, indirect, or cumulative[2]. For purposes of Section 404, Section 230.11 (h) of the Section 404 (b)(1) guidelines defines indirect (secondary) impacts as 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. Indirect impacts occur outside the footprint of the fill and arise from and are associated with the direct discharge of dredged or fill material.

The CEQ NEPA regulations define cumulative impacts as "....the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."[3] Section 230.11 (g) of the 404 (b)(1) guidelines defines cumulative impacts as the changes in an aquatic ecosystem that are attributable to the collective effect of a number of individual discharges -- past, present, and those in the future that can be predicted to the extent reasonable and practical.

F-001-008

F-001-009

In addition to the need for a comprehensive analysis of indirect and cumulative impacts to the aquatic environment, we believe that an analysis of the potential for induced growth with and without the implementation of growth management is critical and will be essential to fulfilling the NEPA requirement that indirect (secondary) impacts (both positive and negative) be analyzed. We note that the ENF contains a similar suggestion from EOT that this issue be addressed in the EIR. Since land use is controlled by local governments, the state cannot guarantee that the project will not induce sprawl, and an analysis that evaluates alternative future growth scenarios is important. At a minimum, one scenario should evaluate 'business as usual' in which induced growth follows current patterns of development, and the other scenario should evaluate induced growth that occurs in compact, mixed-use, transit-oriented patterns, as will be encouraged by EOT's South Coast Rail Economic Development and Land Use Corridor Plan. In addition to these growth projections, the likely environmental impacts of induced growth must be assessed.

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[2] 40 CFR, Sec. 1508.8

[3] 40 CFR., Sec. 1508.7

F-001-008

The potential environmental impacts of induced growth are described in the secondary (indirect) effects analyses for the baseline, build without mitigation ("business as usual"), and build with mitigation ("smart growth") scenarios. These analyses are provided in Section 5.3.2 of Chapter 5 of the DEIS/DEIR. The Commonwealth would assist local communities in implementing the Corridor Plan to mitigate adverse effects of induced growth.

F-001-009

The environmental impacts of induced growth are described in the indirect and cumulative effects analyses, provided DEIS/DEIR Chapter 5, Sections 5.3 and 5.4, respectively.

5

F-001-010 With respect to cumulative impacts, we believe that the analysis suggested in the ENF, which is limited just to those impacts resulting from the SCR project, would not be adequate for purposes of meeting Federal requirements. Although we believe these SCR-stimulated impacts are important – and may be beneficial if the smart growth Corridor Plan is implemented – this will not be sufficient for the Corps' NEPA analysis. Consistent with CEQ's NEPA regulations cited above, all past and reasonably foreseeable actions, whether they result from the SCR project or not, must be analyzed. To give just one example, the cumulative impacts analysis should address the proposed casino in Middleborough. Setting appropriate geographic boundaries and time frames for this analysis is important. CEQ's "Considering Cumulative Effects Under the National Environmental Policy Act", January 1997, will provide helpful guidance for this part of the EIS.

Smart Growth

F-001-011 We believe that the EIS should incorporate a discussion of EOT's work in parallel with the environmental review process to support smart growth in project area communities through the development of the Smart Growth Corridor Plan and Smart Growth Assistance program initiatives. Both of these programs make sense, regardless of the final suite of SCR transit improvements that are advanced as a result of the NEPA/MEPA reviews and state and federal permitting, and we believe that both initiatives have the potential to reduce environmental impacts from development in the project area. We commend EOT for proposing to use public investment in infrastructure to catalyze smart growth and land conservation in the region. It is the first project we are aware of in New England to take such a progressive approach to linking land use and transportation.

Water Supply Impacts

F-001-012 The EIS should fully evaluate the potential for the construction and operation of the alternatives to impact existing and potential water supplies in the project area. The analysis should include consideration of both public and private water supplies and should include a discussion of mitigation measures to avoid and minimize impacts.

Air Quality

Coordination with EPA

F-001-013 We encourage the Corps and its consultants to coordinate directly with our air quality office to establish the appropriate scope of analysis and methods for the air quality impact analysis. Please contact Donald Cooke at 617-918-1668 to coordinate this review.

Construction Impacts

F-001-014 Given the public health concerns about diesel exhaust from heavy duty diesel trucks and other heavy duty construction equipment, EPA encourages measures be implemented to reduce fine particle emissions emitted from diesel engines during construction. Emissions from older diesel engines can be controlled with cost-effective retrofit pollution control equipment (oxidation catalysts) that can be installed on the exhaust of

F-001-010

DEIS/DEIR Chapter 3.2, Section 3.2.1.1 defines the No-Build Alternative, which includes the Enhanced Bus service, to establish the context of the cumulative effects analyses. The cumulative effects analyses for each resource considered, provided in DEIS/DEIR Chapter 5, Section 5.4, includes all reasonably foreseeable future actions, based on federal standards for identifying other projects potentially affecting those resources.

F-001-011

South Coast Rail smart growth measures and the Economic Development and Land Use Corridor Plan (Corridor Plan) are described in DEIS/DEIR Section 5.2.1.5. Information on the Commonwealth's Smart Growth/Smart Energy Program, through which it provides supportive grant programs and technical advice, is also available in this Section. The anticipated effects of smart growth measures are described in Sections 5.3.1 and 5.3.2.

F-001-012

DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2 identifies public drinking water supply Zone I and Zone II areas traversed by each of the South Coast Rail alternatives. An analysis of potential impacts to public and private drinking water water supplies during construction and operation of the project is also provided, along with a discussion of proposed mitigation measures.

F-001-013

MassDOT consulted with EPA in developing the air emissions study protocols. An expert panel consisting of representatives from the three Regional Planning Agencies and agency representatives, including EPA, developed the protocol for the GHG analysis and Secondary and

F-001-014 the diesel engine. Retrofit technologies may include EPA verified emission control technologies and fuels and CARB-verified emission control technologies.[4] This equipment is designed to reduce particulate matter, hydrocarbon and carbon monoxide emissions. Cleaner burning fuels such as emulsified diesel are also an option that can be used to reduce various pollutants from diesel engines, including oxides of nitrogen which contribute to ground-level ozone smog production. Implementation of these measures would clearly benefit air quality at and adjacent to construction sites.

F-001-015 EPA recommends that diesel retrofits for construction and other diesel equipment, cleaner fuels, and idle reduction measures be discussed in the construction impacts section of the EIS and ultimately be required as mitigation for any construction. The EIS should identify the construction mitigation measures the EOT is committed to implement.

Greenhouse Gas Emissions, Green Building Design & Energy Considerations

F-001-016 We recommend that the EIS include a quantification/discussion of the existing carbon/ greenhouse gas footprint of the project area to be served by the SCR project and estimate how that footprint may change as a result of the proposed development alternatives. We also encourage the Corps to include in the EIS a discussion of measures that can be incorporated in the project to avoid, minimize and mitigate for greenhouse gas emissions associated with secondary development that may follow the implementation of the various transportation options. We also suggest that the EIS consider standards and guidelines for the development that promote "green building" strategies and goals consistent with the Leadership in Energy and Environmental Design (LEED) Green Building Rating System for proposed stations associated with the alternatives. These standards would provide requirements for building designs that conserve energy, use recycled materials and include BMPs such as green roofs, rain gardens, and cisterns for capturing rain for potential reuse or delaying its release as storm water runoff. The use of energy efficient "dark skies" compliant lighting fixtures should also be required for the project where lighting is anticipated.

F-001-017

F-001-018

F-001-019 The EIS should also describe whether opportunities exist for clean and renewable energy generation in association with the project. At a minimum, the discussion should explain how the proposed project will not preclude future development of renewables at station locations and along the bus/rail corridors.

Thank you for the opportunity to provide scoping comments on the EIS for the SCR project. We support the goals of environmentally sound development of transit for the South Coast Region of Massachusetts and pledge our assistance in that effort. We look forward to ongoing coordination with the Corps, EOT, and the interagency work group. We request the opportunity to review a draft of the EIS scope before it is

[4] A list of these control technologies can be accessed at http://www.epa.gov/otaq/retrofit/verif-list.htm.

Cumulative Impact analysis (including development of the analysis scenarios, inputs to the models, and modeling assumptions). The modeling protocol was reviewed by the Interagency Coordinating Group at several meetings between August and October, 2009.

F-001-014

As described in DEIS/DEIR Chapter 4.9, Section 4.9.3.2, construction specifications will require 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) . Additionally, MassDOT would contractually require the construction contractors to utilize ultra-low sulfur diesel fuel for all off-road construction vehicles as an additional measure to reduce air emissions from construction activities. MassDOT would place idling restriction signs on the premises of each station to remind drivers and construction personnel of the state's idling regulation.

F-001-015

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). Construction contractors will be required to utilize ultra-low sulfur diesel fuel for all off-road construction vehicles as an additional measure to reduce air emissions from construction activities. Refer to DEIS/DEIR Section 4.9.3.2 for additional information.

F-001-016

Qualitative analyses of the secondary and cumulative effects of the Project on air quality, including CO2 emissions (e.g., the carbon footprint), are provided in DEIS/DEIR Chapter 5, Sections 5.3.2.7 and 5.4.1, respectively. The current CO2 emissions from all motor vehicles (including locomotives) within the South Coast Rail project area were

7

finalized and are willing to discuss our comments at your convenience as necessary. Should you have any questions or wish to discuss our concerns, please contact Timothy Timmermann of the Office of Environmental Review at 617/918-1025.

Sincerely,

Elizabeth A. Higgins, Director
Office of Environmental Review

cc:

Secretary Ian Bowles
EOEEA, Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

calculated for the No-Build Alternative (both the existing conditions and under an enhanced bus service condition), and compared to modeled CO2 emissions from each of the South Coast Rail Build Alternatives.

F-001-017

Green building strategies and goals are taken into consideration when designing the South Coast Rail stations. For example, the Whale's Tooth station area is being planned as part of the Corridor Plan implementation. The proposed station building is aiming for LEED-Silver certification.

F-001-018

Station site and building designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. LEED addresses "dark skies" issues. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs.

F-001-019

MassDOT is seeking opportunities for clean or renewable energy generation in association with the project, such as installing solar panels at stations and supporting future development of renewable energy generation as part of transit-oriented development.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
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MEMORANDUM

TO: Ian Bowles, Secretary, EEA
ATTN: Aisling Eglington, MEPA Unit
FROM: Bruce K. Carlisle, Assistant Director, CZM
DATE: January 2, 2008
RE: EOEA 14346, South Coast Rail Project; New Bedford, Fall River, Berkley, Freetown

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The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Environmental Notification Form (ENF), noticed in the *Environmental Monitor* dated November 24, 2008. While this project will have potential impacts to communities along the entire length of the alternate proposed routes from the South Coast to Boston, CZM has focused its comments on those parts of the project that have the potential to impact coastal resources and coastal communities. The proposed project exceeds thresholds for a mandatory Environmental Impact Report (EIR) within MEPA. The project proponent, Executive Office of Transportation and Public Works (EOT), and MEPA are also working closely with the U.S. Army Corps of Engineers who will be preparing a federal Environmental Impact Analysis (EIS) for the project as required under the National Environmental Policy Act. The joint Draft EIS/EIR is expected to be completed in the spring of 2009. The project will require review and concurrence under CZM's Federal Consistency review process

Project Description

The ENF states "(T)the 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 to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities." The ENF provides information on the need for the project, an overview of the Phase 1 alternatives that were considered, more detailed information on the five alternatives that were carried forward from Phase 1, preliminary information on the environmental impacts of the five alternatives, and EOT's recommendations for the alternatives that should be evaluated in the DEIR as well as a proposed scope for the DEIR.

CZM understands that all of the build alternatives propose the same infrastructure in the Southern Triangle coastal communities' portion of the project, and therefore will have similar potential resource impacts. The build alternatives include six proposed rail stations: three in New Bedford located at the State Pier, the Whale's Tooth parking facility, and at King's Highway, two in Fall River located near the Battleship Cove and at the Fall River Depot, and one in Freetown located at South Main Street. The actual route taken between this Southern Triangle segment of the project and Boston is mainly outside the coastal zone and likely to have little or no impact on coastal resources with the possible exception of whether diesel or electric train are selected.

DEVAL L. PATRICK GOVERNOR **TIMOTHY P. MURRAY** LIEUTENANT GOVERNOR **IAN A. BOWLES** SECRETARY **DEERIN BABB-BROTT** DIRECTOR
www.mass.gov/czm

Project Comments

New Bedford Rail Stations

S-001-001 Two of the three proposed New Bedford rail stations are located near the harbor and are either immediately adjacent to, or within the state Designated Port Area. With this in mind it is important that future uses associated with the proposed rail stations be compatible and able to coexist with the working waterfront characteristics of the area. For example, the Whale's Tooth Parking Lot site is directly adjacent to the existing rail line and across the street from the Designated Port Area. The 2002 state-approved New Bedford/Fairhaven Harbor Plan identified the Whale's Tooth Parking Lot as a potential inter-modal transportation center which could include commuter rail, freight rail, local and regional bus service, taxis and trolley service and parking. While the commuter rail station is consistent with the state-approved harbor plan, CZM suggests that the EIR investigate the compatibility of any proposed transit oriented development, particularly residential development, with the existing and future marine industrial uses analysis in the area.

S-001-002 The proposed platform-only rail station at the State Pier is designed to serve walk-in customers from the downtown area and ferry operations. Since the State Pier is one of the key infrastructure pieces for many existing and proposed future uses in the harbor, CZM recommends that the EIR discuss future rail station potential impacts, both positive and negative, to existing and future uses at the State Pier site including ferry, break bulk cargo, and short-sea-shipping operations. Coordination with both the city and the Massachusetts Department of Conservation and Recreation will assist the proponent in addressing State Pier compatibility issues.

Fall River Rail Stations

S-001-003 Both of the Fall River rail stations are near the harbor. One appears to be partially within the state Designated Port Area. Due to the close proximity, the EIR should discuss the Battleship Cove rail station's potential compatibility with existing and future marine industrial uses. For example, a walk-in or pick-up/drop-off station could contribute positively to nearby cruise and ferry operations while rail customer parking in this area could have a negative impact on existing port uses. The Davol Street rail station is proposed to be located across a busy roadway from the waterfront. The harbor planning process expressed a desire to allow a more pedestrian friendly access to the waterfront from this area, and proposed the use of federal funding to calm the traffic in this area. A train station at this location could encourage greater use of the waterfront's recreational opportunities and strengthen the city's case to secure federal funding for roadway modifications.

Freetown Station

The rail station proposed for South Main Street within the Town of Freetown is located adjacent to the Coastal Zone Boundary, and is not expected to have any significant direct impacts to the Coastal Zone or coastal resources.

Non-Point Sources of Pollution/Stormwater Runoff

S-001-004 CZM recommends that the EIS/EIR include details regarding the potential impacts to coastal resources of stormwater runoff from all the rail stations or train layover facilities located in or near the coastal zone. Proposed stormwater management practices, including Low Impact Development, should be examined to control non-point source pollution and reduce impervious areas where appropriate.

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S-001-001

Compatibility of station area redevelopment with port and harbor infrastructure is described in Section 4.8.5.5. of the DEIS/DEIR. The Whale's Tooth station area is currently undergoing additional planning as part of the Technical Assistance Program.

S-001-002

As described in DEIS/DEIR Section 3.1.4.1, State Pier Station was eliminated from further consideration.

S-001-003

The Battleship Cove Station and Fall River Depot Station potential impacts to Designated Port Areas are described in DEIS/DEIR Chapter 4.18, Section 4.18.3.2.1. The station area designs incorporate bicycle and pedestrian connections to enhance connectivity between the stations and the waterfront.

S-001-004

The selected alternative would be constructed and operated in compliance with Massachusetts stormwater regulations, including adherence to requirements governing stormwater runoff to coastal zones.

Air Quality Impacts of Coastal Waters

S-001-005 The project proponent expects to include a detailed air quality study in the EIS/EIR. In recent years, CZM's understanding of the role of atmospheric nitrogen compounds, such as NOx and nitric acid, on the water quality of coastal embayments has grown. With this in mind, CZM recommends that the proposed air quality study quantify, to the greatest extent possible, the potential impacts the project will have on the atmospheric deposition of these nitrogen compounds into the state's coastal embayments. Benefits or detriments of diesel versus electric trains should be included.

Federal Consistency Review

S-001-006 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.

DBB/BKC/dsj,rlb

cc: Mayor Scott W. Lang, New Bedford
Mayor Robert Correia, 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,
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Kristin Decas, Executive Director,
New Bedford Harbor Development Commission
P.O. Box 50899, New Bedford, MA 02745
Martha King, Director of Waterways
Hingham Office, MA DCR

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S-001-005

The microscale modeling evaluated the potential for aerial deposition of oxides of nitrogen (NOx) from train-generated emissions on environmentally sensitive areas. DEIS/DEIR Chapter 4.9, Section 4.9.2.11 indicates that aerial deposition of train-generated emissions is not a significant source of pollution of water resources because of the very low concentrations of NOx from the diesel-powered locomotives. Lower NOx emissions would result from the electric-powered locomotives.

S-001-006

A Federal consistency review with the CZMP is provided in DEIS/DEIR Chapter 4.18, Section 4.18.5.

dcr
Massachusetts

January 9, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: Aisling Eglington, MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Re: EOEEA #14346, South Coast Rail Project

Dear Secretary Bowles:

The Department of Conservation and Recreation ("DCR" or "Department") is pleased to submit the following comments in response to the Environmental Notification Form ("ENF") submitted by the Executive Office of Transportation and Public Works ("EOT") for the South Coast Rail Project (the "Project").

Some of the alternatives presented in the ENF propose activities within Areas of Critical Environmental Concern ("ACEC"); propose activities within floodplain; and, for alternative #5, will necessitate the transfer of real property interests from DCR. As you know, DCR administers the ACEC Program on behalf of the Executive Office of Energy and Environmental Affairs and is the state coordinating agency for the National Flood Insurance Program.

Alternative routes and associated proposed station locations were chosen by EOT following an Interagency Coordination process. The DCR ACEC Program is a member of the state and federal Interagency Coordinating Group established to guide the environmental review process, although the group did not actually endorse any of the alternatives chosen.

Areas of Critical Environmental Concern (ACECs)

All of the various alternatives propose activity within Areas of Critical Environmental Concern. Below is a summary of each designated Area of Critical Environmental Concern that could be impacted by the project:

Canoe River Aquifer ACEC
The Canoe River Aquifer ACEC, designated in 1991, comprises approximately 17,200 acres in the municipalities of Easton, Foxborough, Mansfield, Norton, Sharon and Taunton. The landscape of the area is characterized by an extensive system of surface waters, wetlands and floodplains including more than a hundred rivers, brooks, streams and creeks, interspersed with uplands. These natural features provide valuable and diverse wildlife habitat, including habitat for 12 state-listed rare species (2006 data). The medium- and high-yield aquifers within the ACEC are recharged with water percolating through the permeable soils of the area and provide drinking water for well over 66,000 people in four towns. At the time of designation, there were ten municipal wells located in the ACEC

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and numerous private wells drawing from the aquifers. The US Environmental Protection Agency (EPA) listed the Canoe River Aquifer as a Sole Source Aquifer in 1993.

Fowl Meadow/Ponkapoag Bog ACEC

The Fowl Meadow and Ponkapoag Bog ACEC, designated in 1992, is approximately 8,350 acres in size, located in the metropolitan Boston region in portions of Boston, Canton, Dedham, Milton, Norwood, Randolph, Sharon, and Westwood. The central resource features of the Fowl Meadow and Ponkapoag Bog ACEC are the Neponset River and the Ponkapoag Pond and Bog. An eight-mile stretch of the Neponset River and its tributaries, the adjacent wetlands and floodplains, the associated aquifers and public water supplies, and the diverse wildlife habitats form the core resources of the Fowl Meadow area. Historical and archaeological resources and recreational and educational values of both areas support their overall significance to the region.

The Fowl Meadow area includes the largest wetland and floodplain areas in the Neponset River basin. There are several municipal public wells that provide water to the communities of Canton, Dedham, and Westwood. There are 16 state-listed rare species occurring in the ACEC (2006 data). The northern Fowl Meadow area and Ponkapoag Bog have been designated a National Environmental Study Area by the National Park Service. Approximately 2,330 acres of the ACEC are owned by DCR, and are managed as part of the Blue Hills Reservation.

Hockomock Swamp ACEC

The Hockomock Swamp ACEC, designated in 1990, comprises approximately 16,950 acres within the towns of Bridgewater, Easton, Norton, Raynham, Taunton, and West Bridgewater. This ACEC primarily includes the Hockomock Swamp and associated wetlands and water bodies which form the largest vegetated freshwater wetland system in Massachusetts. These wetlands act as a huge water reservoir and serve as the headwaters for the Town River, which flows into the Taunton River. The wetlands and floodplains of the ACEC are connected to an extensive underlying system of medium- and high-yield aquifers which feed public water supplies in the area. The ACEC is also important for its natural and cultural values and recreational opportunities. Because of its size, it is a unique and irreplaceable wildlife habitat, including habitat for at least 20 state-listed rare species (2006 data). There is simply no other ecological area like it in Massachusetts, and the qualitative differences associated with the resources within it must be recognized. According to the Massachusetts Historical Commission, the potential quality and significance of the ACEC's archaeological resources are enormous. Open space areas owned by state agencies and nonprofit groups provide public access to the swamp and to several recreational areas, popular for hunting, fishing, boating, canoeing, swimming, and for the observation and study of flora and fauna.

The Neponset River Estuary ACEC

The Neponset River Estuary ACEC, designated in 1995, is approximately 1,300 acres located in Boston, Milton and Quincy. The ACEC boundary generally follows the 100-foot buffer zone to wetland resource areas, adjacent public open space and historic districts along the lower Neponset River. The central resource features of the Neponset River Estuary ACEC are the Neponset River and portions of its tributaries, the estuary, salt marshes, floodplains, fishery habitat, and diverse wildlife habitat. The Neponset River supports valuable anadromous fishery habitat, including one of the largest smelt runs in Massachusetts Bay. Substantial soft-shell clam beds are located at the mouth of the river. Numerous other fish species found in the estuary are significant for commercial and

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recreational fishing. The historic and archaeological resources of the ACEC include features listed in the State and National Registers of Historic Places, including the Dorchester/Milton Lower Mills Industrial District. There is documentation of early use of the Neponset River by Native Americans. The *Neponset River Estuary ACEC Resource Management Plan (1996)* provides recommendations for the implementation of the ACEC designation.

Three Mile River Watershed ACEC
The Three Mile River Watershed ACEC, designated in 2008, comprises approximately 14,275 acres within the municipalities of Dighton, Norton, and Taunton. The ACEC contains a large hydrologically connected ecosystem of small tributaries, forested wetlands, and unique and valuable wetlands of rare floodplain and riparian forests. The resources of the ACEC are located in portions of two sub-watersheds - the Three Mile River sub-watershed in Norton, Taunton, and Dighton and the headwaters of the Segreganset River sub-watershed in Taunton - both located within the Taunton River watershed. The area provides important surface water and ground water inputs to public drinking water supplies in multiple communities and supports a large expanse of diverse wildlife habitat. Rare species habitats for 12 state-listed species (including one federally designated as Threatened and several considered globally rare) are located throughout the ACEC. Nearly 95% of the ACEC is comprised of the habitats designated by the Division of Fisheries & Wildlife's ("DFW") Natural Heritage & Endangered Species Program ("NHESP") as BioMap Core Habitat and Supporting Natural Landscapes, and as Living Waters Core Habitat and Critical Supporting Watersheds. The area also contains unique and highly significant archaeological and historical resources.

ACEC Program Comments Regarding DEIR Scope
The following comments are provided by DCR's ACEC Program.

S-002-001
S-002-002
S-002-003

Specific resource analysis in the DEIR should include qualitative and quantitative analysis of expected impacts to wetlands, rare species and wildlife habitat, water supply, and floodplain. ACECs typically contain ecosystems that are extremely rare or unique in the state. The DEIR should further identify the ecosystems in the 5 involved ACECs and should discuss the relationship of the alternatives to these important ecosystems. Environmental impacts such as hydrological changes and fragmentation of habitats should be discussed in the DEIR. The stormwater mitigation measures mentioned on pp. 8-8 and 8-9 do not indicate any potential pollution into wetlands and water resources from diesel fuel and lubricants used on trains or from herbicides used on railway right-of-ways. DCR believes the discussion of Stormwater mitigation measures should be more fully developed in the DEIR to explain how potential pollutants, such as diesel fuel, lubricants and herbicides, will be eliminated or contained from entering adjacent wetlands and water resources.

S-002-004
S-002-005

Specific to the Hockomock Swamp ACEC, several statements within the ENF should be clarified in the DEIR. All conservation lands should be detailed and potential impacts to biodiversity or public open space use should be explained. Similarly, all of the concerns documented in the last paragraph on p. 5-28 concerning the potential Stoughton line - indirect impacts to biodiversity, restrictions to wildlife mobility caused by reuse of the rail bed, fragmentation of wildlife populations by creating wide gaps in forest canopy, creating new edge habitat that could affect forest interior habitat, and noise effects on wildlife populations - should be discussed and evaluated for avoidance, minimization, and mitigation of environmental impacts.

S-002-001

Chapter 4 of the DEIS/DEIR includes evaluations of the potential impacts to the listed resources for each of the South Coast Rail alternatives. Impacts to ACECs are generally described in Chapter 4.10, Section 4.10.3.2, while impacts to wetlands, rare species and wildlife habitat, water supplies and floodplains are described in Chapters 4.16, 4.15 and 4.14, and 4.17, respectively.

S-002-002

Chapter 4.14, Section 4.14.2 of the DEIS/DEIR describes the ecosystems of the ACECs through which the alternatives pass. The analysis includes an assessment of hydrological changes and fragmentation of habitats that would result from the rail or bus alternatives.

S-002-003

Mitigation measures for potential stormwater impacts are described in DEIS/DEIR Chapter 4.17, Section 4.17.3.6.3. As described in DEIS/DEIR Chapter 4.14, Section 4.41.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources. Specifics of the Vegetation Monitoring Plan, potentially including "no-spray" zones, will be developed for the LEDPA, when selected.

S-002-004

Protected public open spaces and ACECs within 0.25-mile of each alternative have been identified in Chapter 4.10, Section 4.10.2.2 of the DEIS/DEIR, and Section 4.10.3.2 identifies the potential impacts based on the current level of project design. A biodiversity evaluation, described in DEIS/DEIR Chapter 4.14, Section 4.14.3, was completed for the ecosystems along each alternative route, including a review of

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Page 4 of 5

S-002-006 We request that the DEIR show ACECs on all maps and graphics (as for water resources on p. 8-8), and include sub-totals of impacts to wetland resource areas by ACECs as well as by municipality (p. 8-5). We also request information regarding rare species, water resources, and floodplain impacts be summarized by ACEC. We request that all tables in the DEIR include identification of information by route name (such as in Table 5-2 for wetlands within proposed stations, where this identification is missing).

S-002-007

DCR applauds the proponent's inclusion of smart growth planning and development as part of this important public transportation project, for example, as stated in the ENF cover letter to "spur transit-oriented development, curb sprawl, and preserve natural lands and resources." The ACEC Program looks forward to working with involved agencies and municipalities within ACECs who may benefit from this smart growth planning initiative.

DCR Properties

S-002-008 DCR notes that Alternative #5 Rapid Bus would involve a disposition of DCR property within the Blue Hills Reservation. The ENF does not show the exact land areas proposed for disposition, or provide acreages. DCR requests that the DEIR provide a detailed analysis of the proposed disposition, including a map showing the exact land areas proposed, acreages, and a demonstration that the disposition would comply with the EEA Article 97 Land Disposition Policy. As with any disposition, DCR believes that this option should be advanced only upon a finding that no other feasible alternative exists.

Other DCR properties are within close proximity to improvements, including Freetown Fall River State Forest, Achunset Cedar Swamp, and Fowl Meadow/Neponset River Reservation. The ENF states that all rail alternatives (#1 through #4) are located within existing right-of-ways. In addition, some of the proposed rail stations appear to be located near DCR property. These consist of the Battleship Cove Station (near Fall River Heritage State Park); Freetown station (near Freetown Fall River State Forest); and the State Pier Station (near the New Bedford State Fishing Pier). The locations of the proposed stations, as presented in the ENF, do not appear to negatively affect DCR properties. In fact, the location of the proposed Battleship Cove station may serve to draw additional visitors to the Fall River Heritage State Park.

S-002-009 From the figures provided in the ENF, it appears that work (particularly for Alternative 2A – Middleborough Full) may be necessary on rail lines that cross over or under DCR parkways, including Morrissey Boulevard and Furnace Brook Parkway. DCR requests that the DEIR identify specific locations where work is required that might affect normal operation of a DCR parkway, and provide a description of how the proposed work will be undertaken.

Flood Hazard Management Program
DCR's Flood Hazard Management Program ("FHMP"), under agreement with the Federal Emergency Management Agency ("FEMA"), is the state coordinating agency for the National Flood Insurance Program ("NFIP"). As such, the FHMP provides technical assistance to communities that participate in the NFIP related directly to the program and also related to floodplain management in general.

wildlife movement and the effects of habitat fragmentation that may result from the project.

S-002-005
The potential direct and indirect impacts to the wetlands of the Hockomock Swamp that would result from any of the Stoughton Alternatives (including the Whittenton variations) are described in Chapter 4.16, Sections 4.16.3.3 and 4.16.3.4 of the DEIS/DEIR. Impact avoidance, minimization, and mitigation measures are described in Section 4.16.3.6.

S-002-006
ACEC boundaries have been depicted on relevant figures in the DEIS/DEIR; showing the ACECs on all figures is not practical due to the multiple layers of information portrayed.

S-002-007
DEIS/DEIR Chapter 4.10, Section 4.10.3.2 identifies the South Coast Rail project's potential impacts to ACECs and public open spaces, including DCR properties such as the Blue Hills Reservation. Sections 4.15.3 and 4.17.3 describe potential impacts to rare species, and water resources and floodplains, respectively. Impacts to rare species and wetlands have been described for each ACEC, but overall impacts to water resources (including floodplains) have been summarized by alternative rather than ACEC.

S-002-008
As described in DEIS/DEIR Chapter 4.10, Section 4.10.3.2.9, based on the current level of project design the Rapid Bus Alternative would not require any property within the Blue Hills Reservation.

The FHMP does not directly administer any of the NFIP requirements, and therefore does not provide official determinations as to compliance with them; rather, our comments are provided as an overview of requirements for consideration.

S-002-010 The proposed Project involves enhancing public transportation to the South Coast region. The various alternatives will all involve floodplain and floodway crossings, and should consider the applicable regulatory standards, such as under 310 CMR 10.57 and 44 CFR 60.3, and alternatives analyses under federal Executive Order 11988. For activities to be permitted in the regulatory floodway, the project should demonstrate through hydrologic and hydraulic analyses that the proposed activity would not result in any increase in the flood levels within the community during the occurrence of the 100-year flood.

Thank you for this 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. If you have questions or need further information regarding Article 97 or public access issues, please contact Jim Comeau at jim.comeau@state.ma.us or 617-626-1403. If you have questions or need further information regarding the DCR Flood Hazard Management Program, please contact Eric Carlson at eric.carlson@state.ma.us or 617-626-1362.

Sincerely,

Richard K. Sullivan, Jr.
Commissioner

cc: Stephanie Cooper, Jack Murray, Samantha Overton, Joe Orfant, Jim Baecker, Liz Sorenson, Beth Sudemeyer, Jennifer Howard, Jim Comeau, Rich Zingarelli, Eric Carlson, Nathaniel Tipton, Gary Davis, Laura Dietz (DCR)
Alan Anacheka-Nasemann (ACOE)
Kristina Egan, Wendy Stern (EOT)
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)
Lisa Standley (VHB)

S-002-009

The Middleborough Alternative has been eliminated from consideration; accordingly, impacts to Morrissey Boulevard and Furnace Brook Parkway would not result from the project. None of the alternatives currently under consideration would impact DCR parkways.

S-002-010

Final design of the LEDPA, when selected, will take into consideration all applicable federal and state regulatory standards for impacts to wetlands (including floodplains) and stormwater. Hydrologic and hydraulic analyses will be completed to generate accurate mapping and flood elevation contours for final design of the LEDPA.

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January 09, 2009

Ian A. Bowles, Secretary
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&

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

RE: South Coast Rail
EOEA #14346

Dear Secretary Bowes and Mr. Anacheka-Nasemann:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed both the Environmental Notification Form (ENF) and the Notice of Intent ("NOI") to prepare an Environmental Impact Statement ("EIS") for the South Coast Rail project (EOEA #14346). The Department is pleased to submit the following comments.

As put forward by the Executive Office of Transportation and Public Works (EOT), the proposed project would re-establish transit services between Boston and the New Bedford/Fall River area of southeastern Massachusetts. The ENF sets out the purpose of the project to more fully meet the existing and future demand for public transportation between those cities to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities. The report articulates the goals of the project "…to bring public transportation to the South Coast region to increase transit accessibility, ensure equitable distribution of transit services, increase transit ridership, improve regional air quality, help provide a solution for

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.
MassDEP on the World Wide Web: http://www.mass.gov/dep
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climate change, and support opportunities for smart growth and sustainable development." The project is undertaken in recognition that the current transportation infrastructure serving the region is inadequate and projected growth will exacerbate congestion on the existing transportation modes resulting in the emission of air pollutants that will degrade the Commonwealth's air quality and contribute to global warming. MassDEP commends ETO's to integrate its public transportation planning into supporting community that can lead to more environmentally sustainable outcomes. In the course of achieving those transportation and growth planning objectives, however, the project will also significantly impact important wetland resources areas, protected habitats, and other areas subject to environmental regulatory protection.

The ENF presents a preliminary analysis of 5 alternative routes (4 rail and 1 express bus) that were developed in the course of a screening process in which MassDEP participated as part of an Interagency Coordinating Group which provided EOT with regulatory guidance and advice in narrowing the initial 65 transit options to the alternatives summarized in the report. EOT now seeks to further narrow those alternatives based in large measure on project-purpose related considerations of constructability, cost and schedule at a point in the environmental review process where the lack of information on the qualitative and quantitative environmental and transportation-related interests of the corridors are not able to be comprehensively measured and compared.

During the Interagency consultation meetings referenced above, EOT contended that construction of the Middleboro Full Alternative (4A) would substantially exceed the cost and schedule objectives of the project, as well as causing significant disruption to the MBTA's Red Line service and the historic downtown of Quincy Center. The agencies' consensus at that time was that in comparison to the consequences reasonably likely to result from constructing this alternative and re-engineering the Red Line at that location, it was reasonable for EOT to screen out the Middleboro Full route from further evaluation in light of other alternatives under consideration. Although EOT included the Middleboro Full Alternative in the ENF to provide an opportunity for public comment on its viability, the assessment in the ENF supports the agencies' preliminary conclusion that although this alternative is possible, it is unlikely to result in a practicable means to achieve this project's purpose.

Although the Attleboro and Attleboro Middleboro Alternatives (1 and 3) also exceed the budgetary and scheduling parameters EOT has proposed, MassDEP has greater reservations on eliminating them from further consideration at this point in the review process. While the Attleboro Alternatives have a greater overall wetland's acreage impact than the Stoughton Alternatives, both Alternatives will cause major disruptions to the wetland resource areas they traverse, but their net qualitative impacts may be quite distinct based on the character of the resources and the potential for mitigation. Considering the Attleboro Alternatives's potential to contribute to air quality benefits, ridership and regional mobility, reduction in vehicle miles travelled, transportation oriented development and other project objectives, it is premature to eliminate this alternative in the absence of a comprehensive, comparative evaluation of its constructability, public benefits and net environmental impacts. A fuller alternative analysis conducted through the MEPA review will also provide the baseline information required to meet

S-003-001

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S-003-001

The Attleboro Alternatives have been included in the environmental impact analyses required by the MEPA and NEPA processes, as described throughout Chapters 3 and 4 of the DEIS/DEIR. Compliance with state regulatory requirements for wetlands and water quality certification is described in Chapter 4.16, Sections 4.16.4.1 and 4.16.4.2, respectively.

S-003-001 applicable MassDEP regulatory requirements for alternative assessments in the 310 CMR 10.00 (Wetlands Regulations), and 314 CMR 9.00 (Water Quality Certification).

S-003-002 All five alternatives presented in the ENF will require permits from MassDEP. As noted in the ENF, these state permits include a Final Order of Conditions or Variance under the Wetlands Protection Act, a Section 401 Water Quality Certificate or Variance, and a Chapter 91 permit. MassDEP also will review proposed air quality impacts under the State Implementation Plan Conformity Review procedures. In addition, a sewer connection/extension permit may be required depending on size and location of proposed railway stations. Compliance with the procedures for assessment and remediation under M.G.L c.21E and the Massachusetts Contingency Plan (310 CMR 30.000) may required if construction activity is proposed within areas containing contaminated soil and/or groundwater.

S-003-003
S-003-004
S-003-005

Wetlands

The Environmental Notification Form sets out the extent of wetland resource impacts estimated from the 2002 MEPA review of the Stoughton Alternative (New Bedford/Fall River Commuter Rail, EOEA #10509). The estimated impacts arising from all the alternatives are provided in Table 5-40. There appears to be some discrepancies in the breakout of the estimated impacts to different wetland resources and the total acreage impacts presented in certain of the Alternatives' summaries in Section 5.1.2. It is also not apparent if the references to "marsh" refer to salt marsh. The DEIR should clarify the impacts of the Rapid Bus Alternative to ACECs. Page 5-16 states that "Alternative 5 could impact wetland resources within the Blue Hills reservation, which is within the Fowl Meadow and Ponkapoag Bog ACEC." The second bullet under this statement indicates "No wetland fill in the Fowl Meadow ACEC.", and Table 5-3's comparison of Wetland Impacts for all Alternatives lists the potential for fill within the "Hockomock Swamp-amount not yet determined.

S-003-006

S-003-007

As the ENF notes, these estimates also do not include the extent of potential impacts to wetland resource areas from the construction of the stations. To the extent feasible, EOT should use the same wetland delineation methodology described in Section 8.3 for the transit corridors at the locations of the stations and layover facilities.

S-003-008

It is critically important that a comprehensive qualitative and quantitative assessment of impacts to the wetland resource acreage and functions be developed for each of the alternatives, within the limitation that field delineations along all the Alternative's Rights of Way (ROW) are not feasible. The Department will expect EOT to apply an avoid, minimize, mitigate approach to wetland impacts. Critical areas such as Priority Habitats, ACEC's, vernal pools, ORWs will require close scrutiny, and the degree to which each alternative impacts the functions of these critical areas, rather than relying solely on the square footage of resource areas impacted , should be closely evaluated when comparing among alternatives. MassDEP recommends that as alternatives are advanced EOT consult with the Department on wetland resource area delineations. Also, to the extent wetland field delineations are being conducted, potential vernal pools within a reasonable distance from the ROWs should also be identified, certified where criteria warrant and the extent of vernal pool habitat including migratory pathways field verified.. The ENF indicates that EOT has not yet determined the location for the layover

S-003-009
S-003-010
S-003-011

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S-003-002

MassDOT has noted and considered your comment.

S-003-003

As discussed in DEIS/DEIR Chapter 4.9, Section 4.9.5, the South Coast Rail project would conform to the SIP.

S-003-004

MassDOT has noted and considered your comment. A sewer connection is not proposed at any of the stations.

S-003-005

Construction of the South Coast Rail project would be conducted in compliance with applicable permitting and regulatory requirements, including M.G.L. c.21E and the Massachusetts Contingency Plan (310 CMR 30.000).

S-003-006

Wetland impacts identified in the 2008 ENF differ from the 2002 FEIR due to a different method used to map wetland areas at a comparable level for all alternatives. The potential wetland impacts described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3 are expected to be further refined, based on continued development of the project.

S-003-007

DEIS/DEIR Chapter 4.16, Section 4.16.3 describes potential impacts to wetlands, based on the current level of project design. The Rapid Bus Alternative would result in approximately 4.03 acres of permanent impact and 3.19 acres of temporary impact within the Hockomock Swamp ACEC in Bridgewater and West Bridgewater. There would be no impact to the Blue Hills Reservation from the Rapid Bus Alternative.

S-003-011 facilities. As the MEPA review progresses, if the locations become more apparent and it appears the layover sites may have significant wetland impacts, it should be brought to MassDEP's attention. Compensatory storage for all loss of Bordering Land Subject to Flooding should be provided.

S-003-012

S-003-013 The extent of wetland resource area impacts estimated for all the alternatives will require a Variance from compliance with the applicable performance standards set out in the Wetland Regulations, 310 CMR 10.00. In accordance with the variance provisions in 310 CMR 10.05(10), the proponent will need to demonstrate that there are no reasonable conditions or alternatives that would allow the project to proceed in compliance with 310 CMR 10.21 through 10.60; that mitigating measures are proposed that will allow the project to be conditioned so as to contribute to the protection of the interests identified in M.G. L. c. 131 § 40; and that the variance is necessary to accommodate an overriding community, regional, state or national public interest.

S-003-014 MassDEP believes it is in the interest of the proponent and the public to use the MEPA process to develop and assess the information the proponent will rely on to select an alternative and meet the variance criteria, consistent with the Secretary's Certificate establishing the scope of the review. The ENF's project purpose and other statements in the report reference multiple public interests the project seeks to achieve. The DEIR should present a comprehensive qualitative and quantitative assessment of those public interests EOT intends to advance in seeking the variance including, without limitation, improvements to address public transportation needs, air quality and public safety. The DEIR should be developed to assist in comparison among alternatives on core benefit metrics such as improvements to transportation capacity, ridership, and reduction in vehicle miles travelled, air pollutants, traffic congestion and accidents.

S-003-015 The ENF makes several references to links between the project and smart growth planning including evaluating the potential smart growth opportunities in and around each station, and providing a summary of EOT's draft South Coast Rail Economic and Development and Land Use Corridor Plan, which includes land preservation strategies and open space protection measures. To the extent that EOT intends to rely on smart growth in its variance application, it would need to specifically identify and quantify the benefits and provide details on how those environmental benefits would be secured, for example, obtaining land preservation restrictions on sensitive habitat corridors. Similarly, where the report makes compares alternatives regarding their potential to achieve transportation or environmental benefits, it should provide sufficiently detailed data and information sources to the allow the agencies to independently evaluate the analysis, particularly for alternatives with less net environmental impacts.

S-003-016 The ENF indicates that it will rely on the compensatory wetland mitigation areas referenced in the 2002 NB/FR Commuter Rail Final EIR, which indentified more than 50 acres of compensatory wetlands. The 2002 FEIR Certificate also noted that MassDEP had specific concerns with several of those sites, and further consultation was required. While it is not referenced in ENF, the 2002 FEIR Certificate also required a 2:1 ratio for BVW mitigation, at least 1:1 for all other wetlands and encouraged a 2:1 mitigation for rare species impacts. Flexibility exists in the variance process to consolidate some mitigation into more centralized areas rather than individual mitigation sites at each impact location. However, mitigation sites

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S-003-008

The methodology used for identifying wetlands along the alternatives' alignments, stations, and layover facility sites is described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.1. Potential wetland impacts from each project element are discussed in Section 4.16.3.3, and the summarized potential wetland impacts described in Section 4.16.3.5 includes all elements of each alternative, including stations.

S-003-009

The methodology used for identifying wetlands along the alternatives' alignments, stations, and layover facility sites is described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.1. Field delineations will be conducted for the LEDPA, when selected, and MassDOT will coordinate with MassDEP at that stage. Avoidance, minimization, and mitigation measures for unavoidable wetlands impacts are described in Section 4.16.3.6.

S-003-010

Vernal pools that are certified or potential, and field-verified vernal pools located in wetlands within 100 feet of the right-of-way, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3. Vernal pool investigations of the right of way were conducted in 2000 and 2001 for the Stoughton Alternative and were documented in the 2002 Final EIR. Additional surveys were conducted in the spring of 2008 and 2009 along the Attleboro Bypass, Stoughton Line, and Whittenton Branch, as described in Chapter 4.14, Section 4.14.2.1.9. The accompanying graphics show all certified and potential vernal pools within 1,500 feet of either side of the right-of-way. Additional investigation of potential vernal pools will be done for the LEDPA, when selected.

S-003-011

Layover facilities for the South Coast Rail project are described in

S-003-016 should be designed to preserve critical functions, such as flood storage volume, at each locality. Restoration of various impacted wetlands may also be considered for inclusion as part of the mitigation effort. In addition, the Department may require additional mitigation areas in the event that those chosen or portions of those chosen are not successful. High levels of assurance are needed that any mitigation areas proposed on sites that would be taken by eminent domain can in fact be acquired and meet the requirements of the mitigation area.

S-003-017 The 2002 Certificate also notes that the proponent's commitment to shade and screen all vernal pools where at least 25% of the pools' perimeter is affected may not be sufficiently protective and the final mitigation plan requires further agency consultation. The proponent was also directed to confirm that wetlands in the Acushnet and Assonet Cedar Swamps will remain designated as no spray areas.

S-003-018 The DEIR should use the FEIR Certificate as a baseline for mitigation commitments and should specifically identify the proposed measures and ratios associated with each of the resource areas. In addition, consideration should be given to reducing impacts within the ACEC by introducing the use of retaining walls, Mechanically Stabilized Earthen (MSE) walls or other engineering methods to limit the amount fill. The mitigation presentation should not be limited to permanent impacts, but should realistically address temporary, construction related impacts as well.

Stormwater

S-003-019 MassDEP is in the process of adopting new statewide stormwater regulations (314 CMR 21.00). These regulations will require existing properties, redevelopments, and new projects with larger impervious areas to meet specific statewide stormwater management requirements and, in certain TMDL areas, to reduce pollutants that impair surface waters by specific percentages. These new rules are anticipated to take effect in the first half of 2009 and pursuant to proposed Transition rules, will apply to all projects that have not commenced 6 months after the proposed general permit is issued.

Therefore, MassDEP recommends that all projects that will result in 5 acres or more of impervious area (including roofs) statewide or in 2 acres or more of impervious area (including roofs) in the Charles River or other listed TMDL watersheds and that are scheduled to commence on or after October 1, 2009 meet all requirements of 314 CMR 21.00 as promulgated. Some projects may be required to retrofit their facilities to meet all the required Performance Standards. It is recommended that projects in the design phase attempt to meet these performance standards to minimize the possibility of future cost and disruption. Layover facilities are classified as Land Uses with Higher Potential Pollutant Loads (LUHPL) because they automatically require coverage under the EPA Multi-Sector General Permit. Any parking lot associated with a train station that has 1000 or more vehicle trips per day is also classified as LUHPPL. LUHPPLs require additional source control and pollution prevention
S-003-020 measures to prevent stormwater from becoming contaminated prior to discharge to wetlands. For the layover facility constructed as part of the Greenbush Project drip pads and industrial oil/water separators were required. The MassDEP website contains information regarding the proposed regulations.

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DEIS/DEIR Section 3.2.5.2.9. Impacts to environmental resources are discussed in relevant sections of Chapter 4.

S-003-012

As described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.3, the performance standard for Bordering Land Subject to Flooding (BLSF) requires that compensatory flood storage shall be provided for all flood storage volume that would be lost as the result of a proposed project within BLSF. BLSF would be replaced to the extent practicable.

S-003-013

DEIS/DEIR Chapter 4.16, Section 4.16.4.1 discusses compliance with wetland regulations and the performance standards established for each resource area and the need for a variance to proceed with the project. See Chapter 7, Draft Section 61 Findings for a full discussion of variance.

S-003-014

As described in DEIS/DEIR Chapter 4.16, Section 4.16.4.1.2, a variance from wetlands performance standards would be required for any of the Build Alternatives. A discussion of the public interest benefits of the project to public transportation needs, public safety, air quality and greenhouse gas reduction is provided in Chapter 2, Sections 2.2.2.3, 2.2.2.4, and 2.2.2.5, respectively. A comparison of each alternative's impacts, both beneficial and adverse, to these factors and other environmental and societal resources is provided in Chapter 3, Section 3.3.3. Chapter 5 describes smart growth benefits.

S-003-015

The potential environmental impacts of induced growth are described in the secondary (indirect) effects analyses for the baseline, build without mitigation ("business as usual"), and build with mitigation ("smart

The determination on whether a project is classified as redevelopment or new development is made on a case-by-case basis. The Greenbush rail bed had been in disuse for many years, and required installation of a new rail bed (a subsurface stone bed essentially acting as a French drain to keep the rail bed dry) and stormwater drainage system. While some of the stations as part of that project involved reuse of existing previously developed sites (e.g. bowling alley, lumber yard), there were expansions outside of the previously developed footprint which constituted new development. The runoff from the previously developed areas only needs to meet the stormwater standards to the maximum extent practicable while runoff from new development (including expansions onto existing pervious surfaces) needs to fully meet the stormwater standards. Because stormwater runoff from both new development and redevelopment may be directed to the same drainage system, the approach pursued was to attempt to fully meet the stormwater standards. This is especially critical for stormwater discharges to public drinking water supplies, vernal pools, Class A waters, and shellfish growing areas.

S-003-021 The ENF proposes that no stormwater mitigation measures would be implemented along the tracks as is constructed of clean materials and would not result in a new point source stormwater discharge. MassDEP's experience with the Greenbush project demonstrated that railroads include a track drainage system that consists of open swales and subsurface pipe, designed to direct runoff away from the track and track bed. The swales and pipes discharge to wetlands and streams located along the rail alignment. Typically, headwalls, flared end structures, and riprap splash pads need to be constructed in banks to accommodate the stormwater discharge.

S-003-022 Where the proposed work is in along stream banks wetlands jurisdiction is triggered, resulting in the application of the stormwater standards prior to the point of discharge. The stormwater standards need to be met as part of any Order or Variance, for portions of the proposal within wetlands jurisdiction as the Stormwater Standards were adopted directly as part of the Wetland and Water Quality Certification regulations effective January 2, 2008. The ENF erroneously refers to the less stringent standards that were previously contained within the Stormwater Policy. MassDEP and EOT should consult on post-construction peak rate attenuation, stormwater recharge, water quality treatment, and source control along the rail alignment, as well as construction issues which could cause stormwater contamination. This is particularly the case where discharges are located in Zone 1s, Zone A's and ORWs (including vernal pools).

Water Quality Certification

S-003-023 The DEIR should present information about the number and locations of stream crossings in the to enable the Department to more fully evaluate each alternative's impacts. New crossings will need to comply with the Stream Crossing Standards under 314 CMR 9.00 and the Programmatic General Permit under Section 404 of the Federal Clean Water Act. The Department encourages meeting the "new crossing" standard because it will improve wildlife and fish passage and may be considered as mitigation of impacts where meeting the "new crossing" standard" is not required by regulation.

S-003-024 Pursuant to 314 CMR 9.00, the regulations that implement Section 401 of the federal Clean Water Act, project proponents must demonstrate that they have avoided impacts to wetlands to the extent practicable and, where impacts are unavoidable, that impacts have been

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growth") scenarios. These analyses are provided in Section 5.3.2 of Chapter 5 of the DEIS/DEIR. The Commonwealth would assist local communities in implementing the Corridor Plan to mitigate adverse effects of induced growth and catalyze smart growth.

S-003-016

As described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.3, the mitigation design for the LEDPA, when selected, would replace the functions and values provided by wetlands that would be altered during reconstruction or construction of the LEDPA. Mitigation site locations would be identified within the watersheds impacted by the project.

S-003-017

As described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources, such as the Hockomock Swamp, Pine Swamp, and Assonet Cedar Swamp. Specifics of the Vegetation Monitoring Plan will be developed for the LEDPA, when selected.

S-003-018

Proposed mitigation measures, based on the current level of design, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.3. Wetland mitigation goals for each alternative are summarized in Table 4.16-65, in Section 4.16.3.6.5. The goals are based on federal and state regulatory requirements (including mitigation ratios) for the different types of wetlands. A detailed mitigation plan for unavoidable wetlands impacts will be developed as part of final design for the LEDPA, when selected.

S-003-019

Final design for the South Coast Rail project will comply with the

S-003-024 minimized. Impacts that are necessary to meet the project purpose after avoidance and minimization measures have been applied require mitigation. Discharges to ORWs require a variance pursuant to 310 CMR 4.00.

MassDEP will rely on the MEPA process' determination of alternative analysis and the USACOE's process of selection of the "Least Environmentally Damaging Practicable Alternative" to establish the preferred alternative. Following selection of a preferred alternative, MassDEP will evaluate avoidance, minimization and mitigation measures at a finer scale when applying the standards applicable to variances, and the standards applicable under Section 401 and Chapter 91.

Waterways (Chapter 91)

S-003-025 The DEIR should provide more detailed information in order to determine the extent of c. 91 jurisdiction, identify the structures and uses within jurisdiction that require authorization, determine the water-dependency of these structures and uses, and evaluate whether these structures and uses meet the applicable performance standards.

S-003-026 MGL c.91 Geographic Jurisdiction: Geographic areas subject to the jurisdiction of M.G.L. c. 91 and the Waterways Regulations at 310 CMR 9.04 include filled and flowed tidelands, navigable rivers and streams and great ponds. Filled tidelands considered Landlocked, as the term is defined at 310 CMR 9.02 do not require licensing but a Public Benefit Determination would be required by the Secretary of EEA. Preliminary review by the chapter 91 Program suggests that jurisdictional areas include: navigable river crossings in the Taunton (all alternatives), Mill (Stoughton line), and possibly the Cotley (Middleboro line), the Neponset (Northeast Corridor); filled tidelands (along the Fall River secondary, New Bedford main, South Station, and at the stations planned for New Bedford state pier, Whale's Tooth, and Battleship Cove). Layover stations that haven't been identified may also be located with c.91 jurisdiction. Neither Chartley Pond in Norton or Forge Pond in Freetown have been designated Great Ponds.

S-003-027 Activities requiring chapter 91 authorization: Any construction or substantial enlargement of an existing, previously authorized rail facility or accessory structures will require chapter 91 review and approval. Authorization is also required for any proposed dredging or fill. To determine what structures and uses will require c. 91 review and authorization, it is easier to first establish what doesn't require authorization. According to 310 CMR 9.05(3) (a) and 9.22, no license is required for the maintenance, repair and minor modification of previously authorized structures and uses within c.91 geographic jurisdiction. Maintenance specifically includes, at 9.22 (1)(b), "replacement of railroad track, stabilization of rail beds, reconstruction of culverts and catch basins, and other maintenance or repair of existing public transportation facilities and associated drainage systems, as necessary to preserve or restore the serviceability of such facilities for the original use, provided that maintenance and repair shall not include the substantial enlargement of such facilities, such as roadway widening, adding shoulders, or upgrading substandard intersections". As part of any replacement of bridges or culverts, any unauthorized components of fill or structure must be properly authorized. In addition, scour protection would be considered armoring that requires c. 91 review and approval. Therefore, the proponent should review all structures and uses within c.91 jurisdiction to determine if (a) there is previous authorization, (b)

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Massachusetts Department of Environmental Protection (MassDEP) regulations for surface water and groundwater protection, including stormwater discharges, during both the construction and operational periods.

S-003-020

The BMPs for layover facilities described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.11 would be incorporated in the final design of the LEDPA, when selected, in accordance with the Massachusetts Stormwater Management Standards for facilities classified as Land Uses with Higher Potential Pollutant Loads (LUHPPLs).

S-003-021

Final design of all elements of the LEDPA, when selected, would be in compliance with the Massachusetts Stormwater Management Standards and Regulations, which are summarized in DEIS/DEIR Chapter 4.17, Section 4.17.1.2.5. As described in Section 4.17.3.6.3, the stormwater management plan developed for the LEDPA, when selected, will incorporate Best Management Practices and will meet or exceed regulatory requirements.

S-003-022

During final design of the LEDPA, when selected, MassDOT will consult with MassDEP regarding protection of stormwater, drinking water supplies, and outstanding resource waters during construction and operation of the South Coast Rail.

S-003-023

Streams crossed by each alternative are listed in Tables 4.17-6 through 4.17-10, provided in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.1. The LEDPA, when selected, will be designed and constructed in compliance

S-003-027 existing rail beds, tracks and crossings can be replaced in kind, or (c) such structures will need to be substantially enlarged in a manner comparable to the roadway examples provided in the waterways regulations.

S-003-028 The Draft EIR should map the preferred railroad alternatives that overlays the natural high water line. The Waterway's Program offers assistance as may be necessary to locate historic maps and previous authorization in order to determine the line of geographic jurisdiction and the activities that would require authorization.

S-003-029 Determination of Water-Dependency: A railroad infrastructure facility can be considered either water-dependent or nonwater-dependent depending on its location and design. Pursuant to 310 CMR 9.12(2)(d) and (e), new railways, and any ancillary facility, are considered nonwater-dependent projects unless the Secretary of EEA determines that they cannot be reasonably located or operated away from tidal or inland waterways based on a comprehensive alternative analysis through MEPA.

S-003-030 Performance Standards: The Draft EIR should provide a preliminary analysis of how all structures within c. 91 jurisdiction meet the performance standards at 310 CMR 9.00. Pursuant to 310 CMR 9.32(2), reasonable measures should be taken to ensure structures within an Area of Critical Environmental Concern avoid, minimize and mitigate any encroachment into a waterway. Among other applicable standards, to preserve public rights in waterways, the replacement of bridges or culverts must ensure adequate new depth and headroom for craft to navigate the waterway and historic resources are preserved. All nonwater-dependent infrastructure facilities "shall take reasonable measures to provide open space for active or passive recreation at or near the water's edge" [310 CMR 9.55(2)].

Air Quality

Project Alternatives

The Environmental Notification Form (ENF) describes five primary transit alternatives that serve the corridor between Boston, Fall River, and New Bedford, including four rail alternatives and a highway alternative. The rail alternatives terminate at South Station and include alignments for Attleboro (diesel and electric options), Middleboro (diesel only), Attleboro/Middleboro Hybrid (diesel and electric options), and Stoughton (diesel and electric options and a Whittenton Branch alignment). The highway alternative is a bus rapid transit system from Route 24 to the Southeast Expressway High Occupancy Vehicle (HOV) Lane. The build year for most of the alternatives is 2016 and the design year for all alternatives is 2030. The base year condition includes an enhanced bus alternative.

Mesoscale and Microscale Analyses

The Project is expected to produce regional air quality benefits by providing transit service in the South Coast Corridor. The ENF describes the elements of the air quality analysis to be presented in DEIR. The DEIR must include a mesoscale air quality analysis of regional S-003-031

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with the appropriate federal and state regulatory requirements for impacts to surface water bodies, as summarized in Section 4.17.1.2.

S-003-024

DEIS/DEIR Chapter 4.16, Section 4.16.2 describes regulatory compliance requirements of Section 401 of the federal Clean Water Act for water quality certification. Avoidance, minimization, and mitigation measures for unavoidable wetlands impacts are described in Section 4.16.3.6 and in Chapter 7.

S-003-025

DEIS/DEIR Chapter 4.18, Section 4.18.4.2 describes Chapter 91 jurisdiction within the South Coast region and the South Coast Rail project alternatives' compliance with Chapter 91 regulatory requirements.

S-003-026

Chapter 91 jurisdictional areas for each of the South Coast Rail project alternatives are described in DEIS/DEIR Chapter 4.18, Section 4.18.3. No new structures would be required for any of the South Coast Rail alternatives; all work involving structures requiring Chapter 91 authorization would be replacement, modification, or maintenance efforts.

S-003-027

As described in DEIS/DEIR Chapter 4.18, Section 4.18.3, the rail alternatives would require new waterways licenses for bridge replacements over jurisdictional non-tidal rivers and streams, as well as approvals for maintenance or modifications to existing crossings. The Rapid Bus Alternative would not require any new waterways licenses, but would require approval for maintenance or minor modifications of existing uses. Detailed review of Chapter 91 requirements will be conducted for the LEDPA, when selected, in preliminary and final design.

S-003-031 emissions associated with each of the project alternatives including the emissions associated with the diesel and electric options. The mesoscale analysis must evaluate volatile organic compounds (VOCs), nitrogen oxide (NOx), carbon dioxide (CO2), carbon monoxide (CO), and particulate matter 2.5 micrometers and 10 micrometers in diameter ($PM_{2.5}$ and PM_{10}).

S-003-032 The DEIR must also include a microscale analysis to determine if the project will cause or exacerbate existing CO, $PM_{2.5}$, or PM_{10} localized "hotspots." The analysis should also address emission impacts from both vehicle and locomotive emissions in the vicinity of proposed transit stations and commuter parking areas.

Greenhouse Gas (GHG) Analysis

S-003-033 The Project is subject to the Massachusetts Environmental Policy Act (MEPA) GHG Policy. The DEIR must include an analysis of CO2 emissions for the baseline, build, and design years for each of the Project alternatives.

S-003-034 The GHG policy requires the proponent to quantify the direct and indirect generation of CO_2 from the project's operation resulting from on-site fuel burning or the consumption off-site energy generation. As described in the Policy, EOT should quantify the estimated GHG emissions associated with the project including transit corridor operations, stations, layover facilities and other project-related buildings using baseline standards and quantify the GHG reductions associate with design appropriate mitigation measures . As explained in the MEPA Greenhouse Gas Emissions Policy and Protocol, the proponent's energy model must comply with Chapter 780 CMR 13.00 7th ed. of the MA State Building Code, which is the baseline alternative for energy use in calculating GHG emissions. 780 CMR 13.00 7th ed. is the 2006 with 2007 supplement of the International Energy Conservation Code (IECC) or the 2006 with 2007 Supplement ASHRAE Standard 90.1 with some Mass.-specific supplements

S-003-035 MassDEP and the Department of Energy Resources encourage EOT to use this project as an opportunity to investigate and adopt energy efficiency and conservation measures and renewable energy generation opportunities in the design, construction and operation of all the project components. Typically, significant energy savings and GHG reductions can be obtained through high efficiency building designs, equipment, lighting, HVAC systems and use of photovoltaic system for energy and hot water generation. Energy savings can also be calculated for water conservation measures.

Stationary Sources

S-003-036 The EENF does not specifically address stationary sources. For the most part the stationary source review for the GHG content of the project EIR will focus on the information presented for the proposed stations and other buildings to be designed, built and/or modified within the project's scope. As the ENF does not include descriptions of the any buildings proposed, it may be that some of the following topics will not apply, or apply partially. The intent of these comments is to provide guidance applicable to most of the common stationary sources.

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S-003-028

Thank you for your offer of assistance. MassDOT intends to consult with the Waterways Program during preliminary and final design of the selected alternative. Figures included in DEIS/DEIR Chapter 4.18, Section 4.18.3 provide maps of each alternative in relationship to jurisdictional areas, but not at the level of detail needed to identify the natural high water line. Such mapping will be completed for the LEDPA, when selected.

S-003-029

The South Coast Rail project is considered non-water dependent.

S-003-030

A preliminary analysis of structures within Chapter 91 jurisdiction is provided in DEIS/DEIR Chapter 4.18, Section 4.18.3. Additional information will be developed for the LEDPA, when selected, in the preliminary and final design phases.

S-003-031

DEIS/DEIR Chapter 4.9, Sections 4.9.2 and 4.9.4.1 provide the results of the mesoscale air quality analysis. Emissions of each of the requested parameters were modeled.

S-003-032

DEIS/DEIR Chapter 4.9, Sections 4.9.2 and 4.9.4.2 provide the results of the microscale air quality analysis. Emissions of each of the requested parameters were modeled.

S-003-033

DEIS/DEIR Chapter 4.9, Section 4.9.4.2.1 provides the results of the greenhouse gas emissions analysis. Direct and indirect greenhouse gas

S-003-037 In general terms, The EIR should include a description for each building including the type, usage, and orientation. It should also include a description of the building envelope element (such as walls, roofs, window, etc.) along with the proposed design performance criteria (such as R or U-value) for each element. In addition the EIR should include a description of the building electrical and HVAC systems including design loads and levels (e.g. Lighting Power Density, design heating and cooling loads), equipment selected and relevant performance (e.g. the Coefficient of Performance or Energy Efficiency Rating for air conditioners)

S-003-038 Consistent with the GHG Policy the EIR should also model a mitigation alternative that would result in greater GHG reductions than the preferred alternative. Alternatives with greater energy efficiencies allow an understanding of potential opportunities for energy savings achievable by varying building design and layout strategies. Energy efficient techniques not selected should be thoughtfully explained to demonstrate that the alternative selected has avoided, minimized, and mitigated CO_2 emissions adequately.

S-003-039 Although it is unnecessary to provide a complete technological and financial analysis of all GHG reduction mitigation measures, it will benefit the proponent to use functional and quantitative analyses and approved models to assess feasible greenhouse gas reduction measures for the project type, starting with measures that offer the greatest energy reductions, and then considering opportunities to improve ongoing operations. These assessments should either lead to commitments to adopt the LEED and/or Energy Star elements, or the EIR should do a credible job in explaining why a particular efficiency or green power generation component is impracticable.

S-003-040 The subsequent filing must provide technical and cost justification for each of the measures listed below that is not adopted. The Appendix of the MEPA Greenhouse Gas Emissions Policy and Control document has a list of suggested mitigation measures to provide guidance in identifying items that should be considered for as the conservation of energy and the control of GHG emissions. Specifically the following measures would apply directly to the control of GHG emissions:

- Use high-albedo roofing materials
  The subsequent filing should fully consider these roofing materials, which are highly reflective and reduce cooling requirements for buildings.
- Install high-efficiency HVAC systems
  The subsequent filing needs to provide information regarding the HVAC system, including the heating system. Although there is a potential for additional first costs with highly efficient systems, more efficient units provide definite economic benefits over the life of the system
- Maximize interior day-lighting through floor plates, increased building perimeter and use of skylights, clerestories and light wells
- Incorporate window glazing to balance and optimize daylighting, heat loss and solar heat gain performance
  The subsequent filing should include the U-value of the windows to be used, which should be greater than code for the particular application
- Incorporate super insulation to minimize heat loss

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emissions from each project alternative, as well as from automobile traffic, were modeled.

S-003-034

The South Coast Rail project facilities (stations, layover facilities, etc.) would not produce greenhouse gas emissions. DEIS/DEIR Chapter 4.9, Section 4.9.4 provides the results of the motor vehicle and train locomotive GHG emissions for each alternative. The analysis was conducted for the years 2009 (baseline), 2016 (build), and 2030 (design). The South Coast Rail project is a GHG mitigation measure because it is designed to reduce vehicle miles of travel; mitigation measures to reduce emissions from diesel-powered locomotives would include block heaters and engine plug-ins at the layover facilities. The modeling was conducted in compliance with the MEPA Greenhouse Gas Policy. GHG emissions were also evaluated under baseline, build without mitigation, and build with mitigation (smart growth) scenarios, as described in Chapter 5, Section 5.3.2.7.

S-003-035

Evaluation of electric- and diesel-powered options for the rail alternatives, as well as alternative fuel sources for the Rapid Bus Alternative, are included in part to address energy conservation concerns. The air quality analysis provided in DEIS/DEIR Chapter 4.9, for example, compares the alternative's impacts to air quality based on the power source. Other infrastructure aspects of the South Coast Rail project would have minimal effect on energy conservation as, for example, the stations under consideration are all platform-only design, with no enclosed buildings. However, through the Corridor Plan implementation activities, station areas are being planned to showcase a variety of green technologies and techniques.

S-003-040

The project proponent should evaluate using the highest R-value insulation available. In general, providing the best building envelope possible provides the greatest gains in energy savings for building operations and insulation is generally very cost effective.

- Incorporate motion sensors and lighting and climate control
- Use efficient, directed exterior lighting

S-003-041

- Incorporate on-site renewable energy sources into project including solar and wind
  At a minimum, buildings should be oriented and roofs should be constructed to support the added weight of a solar photovoltaic (PV) system for potential installation during project construction or at a future date. It should be noted that a rooftop PV system operates even more efficiently, due to added reflectivity, when installed on a high-albedo roof. Considering the support of subsidies through the Commonwealth Solar and RPS programs, a life-cycle cost analysis should be done to evaluate the installation of a PV system during project construction under two scenarios: 1) construction, ownership and operation of a PV system by the building owner; or 2) construction, ownership, and operation of a PV system by a third party that will then enter into a long-term power purchase agreement with the building owner for the electricity produced by the system. (At this time, due to the current economic conditions, this option may not be readily available. However, future conditions may allow selection of this option during the period when the project is making these decisions). If neither of these scenarios is economically feasible at this time, the project should continue to consider the opportunity for installing PV at a future date and state their willingness to host a third-party owned PV array under a favorable power purchase agreement. The following website provides information on the Commonwealth Solar program and tools for performing basic life cycle cost analyses:
  http://www.masstech.org/renewableenergy/commonwealth_solar/index.html#
  Additional information on building design energy reduction measures and standards is available on many websites, including the following: http://www.eere.energy.gov/, http://www.nahb.org,www.sbicouncil.org, http://www.aceee.org, http://www.ashrae.org/, http://www.coolroofs.org/ and http://www.ornl.gov.

S-003-042

- Use water conserving fixtures that exceed building code requirements
  The factors for energy savings related to potable and waste water reductions are: Waste water treatment @ 1.3 kWh per gallon; Potable water supply @ 0.2 kWh per gallon.
- Conduct 3rd party building commissioning to ensure energy performance
  The subsequent filing should fully consider building commissioning, and for it to be conducted by a third party to ensure the commissioning process is thorough and energy performance of the building is maximized. In accordance with the Green Communities Act, building code revisions will be issued that will make building commissioning required for all non-residential buildings greater than 10,000 square feet
- Track energy performance of building and develop strategy to maintain efficiency

In addition to the measures above, DOER has identified several measures worthy of consideration in the subsequent filing, and adoption into the project, where feasible, as detailed below

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S-003-036

South Coast Rail buildings would not generate CO2 and therefore greenhouse gas emissions from the buildings were not included in the stationary source review. An estimation of greenhouse gas emissions from residential sources, based on induced growth, is provided in DEIS/DEIR Chapter 5, Section 5.3.2.7.

S-003-037

Station site designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8.

S-003-038

The range of alternatives considered in the DEIS, as described in Chapter 3, is based upon the requirements of the Secretary's Certificate on the ENF. Chapter 4.9, Section 4.9.4.2.1 compares the greenhouse gas emissions of each alternative; as noted, each of the Build Alternatives would result in lower greenhouse gas emissions than the No-Build Alternative. The South Coast Rail project therefore may be considered a mitigation measure itself.

S-003-039

The South Coast Rail project itself is a mitigation measure, as it would improve air quality in the region no matter which Build alternative is selected. Some alternatives would improve air quality more than other alternatives, but each would result in better air quality than the No-Build Alternative. Specific mitigation measures to reduce emissions from locomotives and buses from train engine plug-ins and bus electric block heaters would be used, depending upon which alternative is selected as

S-003-043

- Energy Efficient Lighting – The subsequent filing should provide information on the exterior and interior lighting. For interior spaces, enhanced or "Super T8" lighting, T5 or metal halide lighting should be installed, and for exit signs, LED lighting.

- Duct Insulation – Duct insulation is the baseline required by code. To enhance efficiency, the subsequent filing should note, and construction should reflect, that all ducts will be sealed with mastic, tested and then insulated, since duct leakage can be a major factor in energy losses.

- Lighting Motion Sensors, Climate Control and Building Energy Management Systems - To ensure that the energy systems function as designed long term, a strategy should be developed for monitoring energy performance of all buildings where the energy systems are centrally controlled, possiblely through a building management system. A building energy management system can incorporate basic energy saving measures such as lighting and climate control. Climate and lighting control should definitely be included for the building. Lighting control can provide savings for spaces that are occupied infrequently, such as storage areas. A system or strategy for monitoring energy performance would be expected to pay for itself through eliminating potential inefficient building energy operations, such as heating and cooling operating simultaneously in January.

S-003-044

As the project moves forward, it is recommended that the project proponent contact the New Construction division of the affected electric and/or gas utility providers to take advantage of any potential programs available for the design and installation of highly energy efficient equipment.

S-003-045

As the proponent is an entity of the Commonwealth, two related Massachusetts energy conservation programs should be reviewed for their applicability in the development of the GHG section:

- Executive Order 484 … Leading By Example - Clean Energy and Efficient Buildings (effective 4/18/2007)
- The recommendations of the Massachusetts Zero Net Energy Buildings Task Force (http://www.mazneb.org/). The task force was created to produce a report that:
  - Points the way toward broad marketability of zero net energy residential and commercial buildings in the private sector by 2020, and universal adoption of zero net energy buildings for new construction by 2030;
  - Specify an interim standard for state-owned construction that is significantly more stringent than the current Mass LEED Plus benchmark; and
  - Develop specifications for the first state-owned zero net energy building by January 1, 2010.

The MA ZNEB Task Force recommendation will be released in a written report in March 2009.

Mobile Sources

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the LEDPA. MassDOT is committed to using green building strategies for the stations and layover facility buildings, where applicable. Other greenhouse gas emission mitigation measures may be identified for the LEDPA, when selected, as the project progresses through final design.

S-003-040

The station concepts described in DEIS/DEIR Chapter 4.9, Section 4.9.2.10 consist of open air platforms that would not generate greenhouse gases. Stations will be designed in accordance with the MBTA's Railroad Operations Commuter Rail Design Standards Manual and will meet LEED Plus requirements. Efficient exterior lighting will be used at the stations.

S-003-041

State policy actions committed to in the South Coast Rail Corridor Plan include strategies for greening the stations and station areas (DEIS/DEIR Section 3.2.5.2.) In addition, page 68 of the Corridor Plan includes additional strategies for incoprorating renewable energy into the stations.

S-003-042

Station site designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8.

S-003-043

Station site designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally,

S-003-046 EOT should consult with MassDEP to determine the detailed air quality modeling parameters and assumptions for the mesoscale, microscale, and GHG air quality analyses to be presented in the DEIR. One key issue that will need to be addressed is how the analysis will examine the potential impacts of the project on land use in the project area as well as the incorporation of smart growth initiatives and transit oriented development (TOD).

Locomotive Emissions

S-003-047 Section 4.11 of the ENF indicates that the rail alternatives achieve faster travel times with electric propulsion as compared to diesel propulsion. The DEIR should provide detailed ridership estimates for both electric and diesel options for each rail alternative. MassDEP anticipates that a faster travel time associated with the electric options will result in increased ridership and improved regional emission benefits over the diesel options. MassDEP also anticipates that the electric options will provide additional air quality benefits compared to the diesel options in terms of locomotive engine emissions. However, the proponent should address in the DEIR the emissions impacts of increased power generation required for the electric propulsion options.

S-003-048

Operational Air Quality Mitigation Measures

S-003-049 The air quality analyses should account for emissions from all locomotive and bus layover facilities. Layover facilities should provide plug-ins and electric block heaters and the proponent should commit in the DEIR to a standard operating procedure for their required use. The DEIR should describe how EOTPW/MBTA will meet federal locomotive standards and the schedule for engine rebuilds and retrofits of all older locomotives. The MBTA has some dedicated funding to begin retrofitting commuter rail locomotive engines with diesel oxidation catalysts.

Construction Period Mitigation

S-003-050 MassDEP believes it is necessary to mitigate the construction-period impacts of diesel emissions to the maximum extent feasible and thus recommends that the proponent participate in the MassDEP Diesel Retrofit Program. Diesel emissions contain fine particulates that exacerbate a number of health conditions, such as asthma and respiratory ailments. MassDEP recommends that the proponent implement construction-period diesel emission mitigation, which could include the installation of after-engine emission controls such as oxidation catalysts or diesel particulate filters on construction equipment. For additional information see MassDEP's guidance document, "Diesel Engine Retrofits in the Construction Industry – A How to Guide." This document is available on MassDEP's website at http://www.mass.gov/dep/air/diesel/conretro.pdf. Additional questions or help can be directed to Gary Rennie of MassDEP at 617-292-5869.

S-003-051 In addition, MassDEP recommends that the proponent require its contractor(s) to use ultra low diesel fuel (ULSD) in their off-road construction equipment in conjunction with after-engine emission controls.

S-003-052 The Project construction period varies by Alternative, but is lengthy for all Alternatives. The DEIR Alternatives Analysis should more closely define the respective years-of-construction and final completion of each Alternative. Given the anticipated lengthy construction period and

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recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8.

S-003-044

MassDOT has noted and considered your comment.

S-003-045

Station site designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8.

S-003-046

MassDOT consulted with MassDEP in developing the air emissions study protocols. Induced growth effects were evaluated in the secondary and cumulative effects analysis of the project, described in Chapter 5, Sections 5.3.2 and 5.4.4 of the DEIS/DEIR. The South Coast Rail project's approach toward integrating smart growth and transit-oriented development is described in the preface and Chapter 5.

S-003-047

Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3.

S-003-048

Specific off-site electric power generating sources have not been identified for the South Coast Rail electric train alternatives. As discussed in DEIS/DEIR Chapter 4.9, Section 4.9.1.3.3, the project CO_2 emissions that would result from the electric trains were calculated using

S-003-052 possible roadway detours, EOT should explore establishing an ongoing construction period oversight program.

Compliance with the Massachusetts Idling Regulation

S-003-053 The DEIR should address how the proponent will comply with the Massachusetts Idling regulation (310 CMR 7.11). The regulation prohibits motor vehicles to idle their engines more than five minutes unless the idling is necessary to service the vehicle or to operate engine-assisted power equipment (such as refrigeration units) or other associated power. MassDEP recommends the posting of idling restriction signs in all loading and drop-off areas within transit station and commuter parking areas to remind all drivers, patrons, and delivery personnel of the state's idling regulation. Questions regarding this regulation should be directed to Julie Ross of MassDEP at 617-292-5958.

Bicycle/Pedestrian Facilities at Stations

S-003-054 The DEIR should commit to adequate station and TOD facilities to attract bicycle and pedestrian commuter access. TOD elements should include on and off-site enhancements to encourage more patrons, residents and commuters to walk and bicycle to and through the site/station. EOT should work with host municipalities to provide a network of roadway enhancements including roadway detection loops at study area intersections and striped bike lanes along travel routes. Station and TOD facilities should provide uniform and secure long-term commuter and short-term visitor bike storage facilities. Bicycle storage considerations should include either conveniently located individual bike lockers or weather protected inverted U racks with bicyclist access only or CCTV monitored locations.

C. 21E-MCP

S-003-055 Section 5.16 of the ENF discusses the potential presence of oil or hazardous materials. However this discussion is limited to the station properties, and to the Route 138 Grade Separated Crossing. There is no discussion of the evaluation of potential impacts on the right of way. It has been the MassDEP's experience that these railroad rights of way are frequently contaminated with oil or hazardous materials from a variety of sources, some of which may be exempt from the reporting requirements of the MCP. The presence of these materials can complicate construction to rehabilitate or expand rail lines within the right of way, whether or not the material is exempt from the reporting requirements of the MCP, as once these materials are moved, the reporting exemption may be lost. The MassDEP encourages the EOT to undertake a detailed pre-characterization of the presence of oil or hazardous materials within both the Station sites and on all areas of the right of way itself that will be subject to any rehabilitation or expansion work. The efforts taken by the MBTA on the Greenbush rehabilitation project provide a good model of this effort, and saved both time and money during construction by developing a soil management plan which detailed options for the offsite disposal or the re-use of soil within the right of way prior to construction.

In addition, the MassDEP encourages the pre-characterization of the presence of oil or hazardous materials within both the Station sites and on the right of way to avoid the possibility of multiple MCP reporting requirements, each with independent deadlines which will be challenging to

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equations converting estimated electric usage to emission rates based on accepted factors. The total amount of travel time was calculated for each train per trip, which includes the time for traveling round-trip plus the amount of time to move to the layover facility and back to the terminal station. The projected electric consumption for each train trip was calculated and then the electric consumption for each train per trip was then converted into tons of CO_2 per year.

S-003-049

DEIS/DEIR Chapter 4.9, Section 4.9.2.11 evaluates the locomotive and bus emissions, including from the layover facilities. MassDOT is committed to implementing mitigation measures to reduce emissions from diesel-powered locomotives (if such an alternative is selected) by using engine plug-ins or from diesel-powered buses by using block heaters (if the Rapid Bus Alternative is selected) at the layover facilities. Federal locomotive retrofit and engine rebuild standards, if a diesel-powered alternative is selected, would be met.

S-003-050

Construction specifications will require 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). Additionally, the Proponent will contractually require the construction contractors to utilize ultra-low sulfur diesel fuel for all off-road construction vehicles as an additional measure to reduce air emissions from construction activities.

S-003-051

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). Construction contractors will be required to utilize ultra-low sulfur

S-003-055

administer. During the Greenbush rehabilitation, the MBTA was able to use a single Release Tracking Number, and a single Release Abatement Plan under a Special Project Designation Permit to manage soil contamination within the entire right of way, and with deadlines that fit within the construction schedule. This approach provides a successful model that should be followed for the South Coast Rail Project. The MassDEP is available to provide guidance in planning the pre-characterization of soils or developing a soils management plan.

MassDEP appreciates the extent of information sharing and consultation that the EOT project team has engaged in prior to the filing of the ENF. The Department looks forward to continuing that dialogue among EOT and the other environmental agencies and directly with EOT on matters particularly within MassDEP's jurisdiction. If there are question on any of the comments, please contact me at 617-292-5972.

Sincerely,

Philip Weinberg
Associate Commissioner for Operations

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diesel fuel for all off-road construction vehicles as an additional measure to reduce air emissions from construction activities. Refer to DEIS/DEIR Section 4.9.3.2 for additional information.

S-003-052

A construction schedule for each alternative is presented in DEIS/DEIR Chapter 3, Table 3.3-13. A construction oversight program will be established during the preliminary engineering phase of the project, once a LEDPA has been selected.

S-003-053

As described in DEIS/DEIR Chapter 4.9, Section 4.9.3.2, MassDOT will install idling restriction signs on the premises of each station to remind drivers and construction personnel of the state's idling regulation.

S-003-054

The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. South Coast Rail stations have been conceptually designed to support multi-modal connectivity. These connections will be further evaluated during the Final EIS/EIR phase of the project, once a LEDPA has been selected. Multi-modal accommodations at the individual project stations, including bicycle parking, are described in DEIS/DEIR Section 3.2.5.2.8. MassDOT has held preliminary discussions with municipalities regarding station planning. Municipal comments were incorporated into the conceptual station designs. Specific off-site improvements would be evaluated during the preliminary engineering phase.

S-003-055

A detailed pre-characterization of soils at proposed station sites and

right-of-ways was conducted as part of the Hazardous Materials affected environment assessment and is described in Section 4.12.2 of the DEIS/DEIR. Recognized environmental conditions that may be encountered during construction of the South Coast Rail alternatives are also described in Section 4.12.2.

Construction of the South Coast Rail project would be conducted in compliance with applicable permitting and regulatory requirements, including the Massachusetts Contingency Plan (310 CMR 30.000).

Soil pre-characterization would be done in areas identified as adjacent to potentially contaminated sites, as identified in Section 4.12.4.1, Management of Impacted Soils, of the DEIS/DEIR.

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

March 20, 2009

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street
Boston MA 02114

&

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

RE: South Coast Rail
EOEA #14346

Dear Secretary Bowes and Mr. Anacheka-Nasemann:

The Department has reviewed the Memorandum for the South Coastal Rail Project submitted by the Executive Office of Transportation and Public Works and prepared by the Central Transportation Planning Staff (CTPS) of the Boston Metropolitan Planning Organization. The Memorandum provides a set of transit metrics for the South Coast Rail alternatives and their respective reductions in regional vehicle miles traveled. The CTPS travel demand model is viewed by the Department as a reliable model to use in projecting transit ridership and vehicle mile travelled factors for transportation analysis and planning.

S-004-001 The Memorandum indicates that the CTPS model is refined and tailored for the study area. The Department requests that the DEIR provide an explanation of how the model was refined to allow for an opportunity for reviewers to comment on the model's inputs, particularly the land use, service plans, station locations, and alignment/connectivity assumptions. The DEIR should

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

MassDEP on the World Wide Web: http://www.mass.gov/dep
Printed on Recycled Paper

S-004-001

DEIS/DEIR Chapter 3, Section 3.2.4.2, Ridership Model Inputs, describes the elements and assumptions the model uses to estimate future ridership. Ridership projections associated with smart growth will be evaluated in the Final EIS/EIR.

S-004-001 also include information on how the model or other analysis methodologies will account for implementation of smart growth strategies in the study area. For example, to what extent would transportation oriented development near proposed rail or bus stations affect ridership projections.

S-004-002 The modeling assumed commuter rail fares ranging from $1.48 to $5.68 for a one-way trip and did not account for fare increases from current to projected conditions in 2030. Based on the current fare structure at the MBTA, fares currently range from $1.70 to $7.75 for a one-way fare and these fares are likely to increase over time. The modeling should account for, or at least provide a sensitivity analysis that reflects, a fare structure escalation to determine ridership for the projected 2030 operations for each of the alternatives.

S-004-003 Because the model was developed prior to the recently announced infusion of federal financial aid to Amtrak's Northeast Corridor line, it did not reflect whether the anticipated improvements in Amtrak service would affect the model's projected outcomes for the Attleboro Alternative. The DEIR should address, and if feasible and appropriate quantify, the extent to which stimulus funded improvements will affect the model's assumptions on travel time and ridership. Where those improvements will involve work on the roadbed and related infrastructure, the DEIR should also discuss how that nature and timing of that work may impact the construction cost and schedule factors estimated in the ENF for the Attleboro Alternative.

If there are question on any of the comments, please contact me at 617-292-5972.

Sincerely,

Philip Weinberg

Philip Weinberg
Associate Commissioner for Operations

S-004-002

As summarized in DEIS/DEIR Chapter 3, Section 3.2.4.2.4, the travel demand model compared the economics of using the proposed transit system to the economics of driving or using existing commuter bus service. Fares for the "No Build" Alternative were based on the existing commuter bus monthly fare structure. Fares for the Build Alternatives, including both rail and Rapid Bus alternatives, were based on the current MBTA commuter rail monthly fare structure. Should fares increase, they would increase similarly for each alternative and would not differentiate the alternatives. Therefore, fare increases were not considered in the evaluation of alternatives.

S-004-003

The ridership modeling of the No-Build Alternative takes into consideration other new transit projects potentially affecting ridership of the South Coast Rail, and the modeling of the Build Alternatives is compared to those results in DEIS/DEIR Chapter 3, Section 3.2.4. None of the stimulus-funded projects are anticipated to affect travel times on the Northeast Corridor.

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

MassWildlife

Wayne F. MacCallum, *Director*

9 January 2009
Ian Bowles, Secretary
Executive Office of Environmental Affairs
Attention: MEPA Office, Aisling Eglington, EOEA No.14346
100 Cambridge St.
Boston, Massachusetts 02114

RECEIVED
JAN 9 2009
MEPA

Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, N.E. Regulatory Division
ATTN: CENAE-R-PEA
696 Virginia Road
Concord, MA 01742

Project & Document Reviewed: *South Coast Rail Project Environmental Notification Form*
Proponent: *Executive Office of Transportation & Public Works (EOT)*
NHESP Tracking No. *98-3735*

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

The Massachusetts Division of Fisheries & Wildlife (the "Division) has reviewed both the Notice of Intent ("NOI") to prepare an Environmental Impact Statement ("EIS") and the Environmental Notification Form ("ENF") for the proposed South Coast Rail Project, and would like to offer the following comments on the ENF and the scope of the EIS.

The ENF presents a detailed description of the purpose and need for the project as well as the Phase 1 alternative analysis conducted, in consultation with the Interagency Coordinating Group and other stakeholders, prior to EOT's filing of the ENF. In addition, the ENF considers a range of alternatives which differ in their ability to achieve the stated goals of quality of service, improvements in air quality, opportunities for smart growth and constructability. The project alternatives also vary considerably in extent of impacts to state-listed endangered species, wildlife habitat, wetlands, public land, and other environmental resources.

S-005-001

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 6 of the ENF, all of the project alternatives proposed to be brought forward for analysis in the DEIR involve some level of work in or immediately adjacent to Priority Habitat of Rare Species. Consequently, most of them will likely require EOT to file with the NHESP for review of the work under MESA. However, these alternatives 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 DEIR alternatives (Stoughton). However, see Section 4.5.4, p.4-29, even if the need for a MESA permit could not be completely avoided, e.g., due to impacts to priority habitat associated with constructing a second track along portions of the New Bedford Main Line, any

www.masswildlife.org

Division of Fisheries and Wildlife
Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7891
An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

S-005-001

Based on the current level of project design, MassDOT believes that all of the South Coast Rail Build Alternatives would result in a "take" of rare species. Further refinement of the design of the LEDPA, when selected, may reduce or eliminate "take" requirements. If "take" is necessary, the project would require that NHESP issue a Conservation and Management Permit. MassDOT has assessed practical alternatives that would avoid and minimize impacts to state listed species, and would therefore comply with the regulatory performance standards.

S-005-001 required endangered species mitigation would be modest compared to the mitigation that would likely be required for the Stoughton alternative.

The Stoughton alternative would use an inactive railroad right of way that bisects the Hockomock Swamp Area of Critical Environmental Concern ("ACEC"). At +/-16,950 acres, this ACEC encompasses the largest freshwater wetland system in Massachusetts. As shown in Table 5-4 (p. 5-40), 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 +/-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. As outlined in Section 5.4.2, 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 DEIR alternatives would run within or immediately adjacent to existing active rail lines (Middleborough Simple – Option 2B) 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 Alternatives Analysis

S-005-002 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). Therefore, at a minimum the DEIR should contain a detailed quantification and analysis of the relative impacts of the alternatives proposed for analysis therein on state-listed species and their habitats. The Division notes that the project proponent has been engaged in pre-filing consultations with NHESP staff, and has conducted preliminary endangered species habitat assessments and surveys. In order to adequately quantify relative impacts of
S-005-003 the alternatives, however, the project proponent *may* need to conduct additional endangered species habitat assessments and surveys (e.g. along portions of the New Bedford Main Line). Therefore, I strongly recommend that the project proponent continue to consult with NHESP staff in order to develop a plan for preparing the required alternatives analysis well in advance of the 2009 spring field season.

S-005-004 In addition to a detailed endangered species impact analysis, the DEIR alternatives analysis should provide a detailed assessment of the relative ability of these respective alternatives to achieve the stated project goals in a cost-effective manner. As it is already clear that the Rapid Bus and Middleborough Simple – Option 2B alternatives would have a significantly lower impact on state-listed species and their habitats than the Stoughton alternative, it is particularly important to understand how the alternatives differ in terms of quality of service, constructability, schedule, cost, and opportunity for smart growth. For example, Section 6.7 (pp. 6-14-6-16) states that fixed rail stations offer greater "stability, predictability, and perception of premium service" and the Rapid Bus alternative is anticipated to have the lowest potential for smart growth opportunities. However, the Rapid Bus alternative may cost less to implement than some of the other alternatives, and appears to result in greater commuter time-savings (22-28 minutes) than the Middleborough Simple (up to 3 minutes) and Stoughton (4-17 minutes) alternatives. Given the substantial differences in the expected environmental impact of the recommended alternatives, the DEIR/EIS should include a comprehensive analysis and quantification of these trade-offs.
S-005-005 Table 1 summarizes the Division's recommended elements of an endangered species alternatives analysis in the Draft EIR/EIS.

S-005-002

DEIS/DEIR Chapter 4.15, Section 4.15.3.3 describes the impacts to state-listed species and their habitats that would potentially result from any of the South Coast Rail project alternatives. The analysis includes direct, indirect, and cumulative effects of each alternative, and provides a comparative evaluation for the set of elements comprising each alternative: alignment, stations, and layover facilities.

S-005-003

MassDOT consulted with the NHESP in developing protocols to quantify the relative impacts of each alternative, and conducted some studies in key locations. Additional studies may be required for the LEDPA, once selected.

S-005-004

A comparison of each South Coast Rail alternative's impacts, both beneficial and adverse, to key environmental and societal resources is provided in DEIS/DEIR Chapter 3, Section 3.3.3.

S-005-005

DEIS/DEIR Chapter 4.15, Section 4.15.3.3, provides a comparison of the direct and indirect effects to rare species from each of the South Coast Rail alternatives. Preliminary mitigation measures for each alternative are identified in Section 4.15.3.6.4; the mitigation measures for the project will be refined once the LEDPA is selected and as the project design advances. A cost-benefit comparison of mitigation measures for each alternative has not been completed. Such an evaluation will be completed for the LEDPA mitigation measures to aid in the selection of the measures that will be implemented.

S-005-005

Table 1. Recommended Elements of Endangered Species Alternatives Analysis

1. Detailed endangered species impact analysis based on adequate species survey and habitat assessment for each alternative
2. Detailed endangered species permitting framework for each alternative – to inform cost-benefit analysis
3. Detailed cost-benefit analysis to compare quality of service, constructability, schedule, cost, opportunity for smart growth, and environmental impacts for each alternative

S-005-006

Finally the DEIR/EIS alternatives analysis should include a detailed analysis of the environmental permitting pathways of the respective alternatives, including a thorough and realistic assessment of how the environmental permitting will affect constructability, cost, and schedule. In advance of the DEIR/EIS,

S-005-007

I strongly recommend that the project proponent consult with NHESP staff to discuss a detailed endangered species permitting framework for each of the proposed DEIR alternatives. Such consultation is essential for the development of a realistic cost-benefit alternatives analysis.

S-005-008

For example, the NHESP has provided preliminary comment to the project proponent that the proposed trestle through the Hockomock, as we understand it, is not long enough to adequately maintain the dispersal and migration ability of the state-listed Blanding's Turtle (Threatened), Blue-spotted Salamander, and Eastern Box Turtle (both Special Concern). Therefore, the trestle will likely need to be extended or other effective crossing structures will need to be constructed both north and south of the

S-005-009

proposed trestle. In addition, the NHESP has not yet evaluated trestle design plans, and variations in trestle design are likely to influence cost, constructability and schedule. Finally, the endangered species net-benefit mitigation standard required to be met when issuing a Conservation & Management Permit under MESA, as well as conditioning necessary to protect endangered species during construction, may increase the cost of the Stoughton alternative, and this consideration should be specifically factored into the cost-benefit analysis of the respective alternatives.

EIS Alternatives Analysis & Least Environmentally Damaging Practicable Alternative ("LEDPA")

S-005-010

In order to ensure the integrity of the LEDPA alternatives analysis, it is critical that the project proponent, in concert with the ACOE, develop clear criteria for comparatively assessing and quantifying both the practicability and environmental impacts of the alternatives. Such criteria should address in detail the relative ability of the various alternatives to practicably achieve the project purpose; the relative importance of factors such as ridership, cost, and smart growth planning in such an evaluation, and the metrics to be used for measuring each alternative's ability to support these considerations. Similarly, there needs to be a clear approach to quantifying each alternative's impact on the environment and for determining the weight given to this criterion.

S-005-011

For example, certain alternatives may have similar square footage impacts to wetland, but dramatically different impacts on the ecological integrity of wetland complexes and extent of wetland habitat fragmentation. The landscape context, uniqueness, regional significance, and habitat quality of the various wetlands to be impacted should be evaluated in addition to the physical extent of direct wetland loss. In evaluating these impacts, it is important to thoroughly evaluate an alternative's direct (e.g. wetland loss, direct hindrance to the movement of wildlife) and indirect impacts (e.g. edge effects, spread of invasive species, degradation of habitat quality and wetland function in areas surrounding the project alignment). The Division recognizes that both the earlier Phase 1 alternatives analysis and the ENF analysis by the project proponent under MEPA will be useful in determining the scope of the EIS under

S-005-012

NEPA. However, it is still important that the ACOE establish through the NEPA scoping process clear, upfront criteria and guidance for completing the specific alternatives analysis to be used to select the LEDPA.

S-005-006

Permitting requirements for the South Coast Rail project are summarized in Chapter 7 of the DEIS/DEIR. Chapter 4.15, Section 4.15.4 discusses the specific permitting requirements related to impacts to rare species.

S-005-007

Consultation with NHESP has been ongoing since 2007 and will continue as the project design advances. Such consultation will include review of the permitting framework for the LEDPA, when selected. As noted in the response to Comment No. S-005-005, a cost-benefit analysis of mitigation measures may be conducted to aid in the selection of mitigation measures for the LEDPA, but not for the selection of the LEDPA.

S-005-008

The preliminary design for the trestle through the Hockomock Swamp is provided in DEIS/DEIR Chapter 4.15, Section 4.15.3.6.2. The proposed trestle length has been extended to approximately 2 miles. The trestle design will be refined if one of the variants of the Stoughton Alternatives is selected as the LEDPA.

S-005-009

Should a Stoughton Alternative be selected as the LEDPA, trestle design plans would be developed during the preliminary engineering phase of the project. Cost of trestle design has been included in capital cost of this alternative.

S-005-010

Chapter 4.15, Section 4.15.3.5 of the DEIS/DEIR evaluates and compares the alternatives' impacts to state-listed species, using criteria developed in coordination with NHESP.

S-005-012 I note that the ACOE , EPA, DEP, and NHESP all have regulatory requirements for alternatives analysis, and have been participating in the Interagency Coordinating Group process to facilitate an early and efficient environmental review of the South Coast Rail Project. I encourage continued coordination among the agencies as the ACOE develops criteria and guidance for conducting the LEDPA alternatives analysis.

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.

S-005-013 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.

S-005-014 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

S-005-015 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.

Impacts to Hockomock Wildlife Management Area & Other Open Space

S-005-016 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. Therefore, I request that the DEIR/EIS include a detailed analysis of the range of potential impacts of the alternatives on the Hockomock Swamp WMA, as well as a detailed analysis of the impacts of the alternatives on other protected open space.

In closing, although our comment letter requests additional information and analyses to be presented in the DEIR, the Division wants to emphasize that EOT has been proactive in addressing endangered species permitting issues to-date. As a result, the Division is confident that the requested endangered species impact assessment and alternatives analysis can be conducted promptly and in line with the project

S-005-017 permitting timeline outlined in the ENF. At the same time, in keeping with the MESA regulatory framework set forth in 321 CMR 10.23 it is important that EOT thoroughly assess the viability of alternatives that could avoid the need for a MESA permit, and pursue such alternatives if they are shown to be practical and viable.

S-005-011

Potential habitat fragmentation, wildlife movement barriers, edge effects, and degradation of habitat quality are characterized as biodiversity impacts, and are described for each alternative in Chapter 4.14, Section 4.14.3.5.

S-005-012

The Corps will select the least environmentally damaging practicable alternative from the set of alternatives presented in DEIS/DEIR Chapter 3, Section 3.2.1, and is expected to continue to consult with other regulatory agencies in its decision-making process. Although a LEDPA has not been selected, a preliminary evaluation of the alternatives with respect to selection criteria is provided in Section 3.3.

S-005-013

The potential surface water impacts of each alternative, described in DEIS/DEIR Chapter 4.17, Section 4.17.3.5, would be mitigated as described in Section 4.17.3.6.4. With mitigation and drainage features in place, none of the Build Alternatives are expected to impair any water resources. The ability of any surface water body to support fisheries would not be compromised by the South Coast Rail project.

S-005-014

Mitigation for construction period impacts, including erosion and sedimentation controls to minimize and eliminate sedimentation of wetlands and waterways, are described in Section 4.14.3.3.6 of the DEIS/DEIR. Erosion and sedimentation controls would be installed before construction begins, properly maintained, and removed after disturbed areas have stabilized. Construction phasing will be developed during final design and will include best management practices for erosion and sedimentation control as necessary.

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

Thomas W. French, Ph.D.
Assistant Director

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

S-005-015

The final design for the South Coast Rail project will be developed in accordance with all applicable regulations, including those related to culverts replacement and installation, such as the Stream Crossing Standards.

S-005-016

The potential direct and indirect impacts to the wildlife habitat of the Hockomock Swamp WMA and other protected open spaces that would result from any of the Stoughton Alternatives (including the Whittenton variations) are described in Chapter 4.14, Section 4.14.3.2 of the DEIS/DEIR.

S-005-017

Based on the current level of project design, MassDOT believes that all of the South Coast Rail Build Alternatives would result in a “take” of rare species. Further refinement of the design of the LEDPA, when selected, may reduce or eliminate "take" requirements. If "take" is necessary, the project would require that NHESP issue a Conservation and Management Permit. MassDOT has assessed practical alternatives that would avoid and minimize impacts to state listed species, and would therefore comply with the regulatory performance standards.

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 olmstedi*).

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 olmstedi*).

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 olmstedi*).

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 olmstedi*).
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 (*Catastomus 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 redfin 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 olmstedi*).

Fisheries surveys of the Rattlesnake Brook have yielded 4 species: American eel (*Anguilla rostrata*), banded sunfish (*Enneacanthus obesus*), brown bullhead (*Ameiurus nebulosus*) and redfin 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*), redfin pickerel (*Esox americanus*), striped bass (*Morone saxatilis*), tessellated darter (*Etheostoma olmstedi*), 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*), redfin pickerel (*Esox americanus americanus*), tessellated darter (*Etheostoma olmstedi*) 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*), redfin pickerel (*Esox 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 olmstedi*).

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

Eglington, Aisling (EEA)

From: Regosin, Jonathan (FWE)
Sent: Thursday, March 19, 2009 11:07 AM
To: Eglington, Aisling (EEA)
Cc: Egan, Kristina (EOT); 'Standley, Lisa'; 'SCREIS@usace.army.mil'; Lehan, Richard (FWE)
Subject: RE: South Coast Rail Travel Demand Analysis - Additional Comments

Dear Aisling:

Ridership projection modeling is an important element of the South Coast Rail alternatives analysis and in identifying the Least Environmentally Damaging Practicable Alternative (LEDPA) for the proposed project. Although the NHESP believes that the current model is adequate for this stage of the review process, we request that the project proponent continue to refine the ridership modeling in consultation with the inter-agency coordinating group and individual regulatory agencies. It is important to recognize and account for the inherent uncertainty in such modeling. This uncertainty results from uncertainty in the various input parameters. For example, the modeling is sensitive to factors such as cost, relative travel times, income, and other demographic data and there is uncertainty in the estimation of each of these variables. As a result, the final model should describe in considerable detail each model variable, and provide a detailed justification for each parameter value entered into the model (i.e. the "assumptions"). In addition, the final model should contain a formal uncertainty and sensitivity analysis, which will lead to the presentation of a *range* of projected boardings for each alternative. By conducting the uncertainty analysis, the reader will be able to have a reasonably high degree of confidence that the actual number of boardings for a given alternative will fall within the range presented in the uncertainty analysis.

S-006-001

S-006-002

S-006-003

Jon Regosin, Ph.D.
Regulatory Review Manager
Natural Heritage & Endangered Species Program
Massachusetts Division of Fisheries & Wildlife
North Drive
Westborough, MA 01581
Phone: (508) 389-6376
Fax: (508) 389-7891

1

S-006-001

The Interagency Coordinating Group has discussed and approved the ridership model used by CTPS.

S-006-002

DEIS/DEIR Chapter 3, Section 3.2.4.2, Ridership Model Inputs, describes the elements and assumptions the model uses to estimate future ridership.

S-006-003

As described in DEIS/DEIR Chapter 3, Section 3.2.4.1, the CTPS model used a modeling process consistent with those of other major transportation projects in eastern Massachusetts. The ridership model does not include uncertainty or sensitivity analyses. The uncertainties and sensitivities would be similar for the alternatives and therefore would not differentiate between them.

JAN. 9. 2009 1:45PM 6176261509 NO. 0212 P. 3

Commonwealth of Massachusetts

Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, Massachusetts 02114
(617)626-1520
fax (617)626-1509

Paul J. Diodati
Director

Deval Patrick
Governor
Ian A. Bowles
Secretary
Mary B. Griffin
Commissioner

January 9, 2009

Ian A. Bowles
Secretary, Executive Office of Environmental Affairs
Attn: MEPA Office, Aisling Eglington
100 Cambridge Street, Suite 900
Boston, MA 02114

Alan Anacheka-Naseman
U.S. Army Corps of Engineers, N.E. Regulatory Division
ATTN: CENAE-R-PEA
696 Virginia Road
Concord, MA 01742

Re: EOEA #14346, South Coast Rail Project

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

The Division of Marine Fisheries (*MarineFisheries*) has reviewed the Environmental Notification Form by the Executive Office of Transportation and Public Works (EOT) to develop a public transportation system for the South Coast region, and offers these comments with respect to potential impacts of the project on marine fisheries resources and habitat. *MarineFisheries* is also providing these comments to the U.S. Army Corps of Engineers (ACOE), which is seeking public comment on the scope of the Environmental Impact Statement to be prepared pursuant to NEPA.

S-007-001 The proposed alternatives cross a number of rivers and streams that may have diadromous fish populations. *MarineFisheries* anadromous fisheries biologists have prepared the following list of named streams adjacent to or crossed by the South Coast Rail Project alternatives. Depending on the resources present and the alternatives to be evaluated in the EIR/EIS, *MarineFisheries* will most likely recommend time-of-year restrictions on all in the water construction for the water bodies supporting diadromous fish populations. However, before recommending time-of-year restriction, our biologists will need a more detailed description of cross stream construction from EOT.

Below is a list of the potentially affected rivers and streams with a brief summary of *MarineFisheries* current understanding of the status of diadromous fish populations.

- **Assonet River** – No anadromous river herring above the Tisdale Pond Dam.
- **Beaver Brook** – Unknown if it supports any anadromous resources. American eel (*Anguilla rostrata)* likely.

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S-007-001

Potential impacts to fisheries within the South Coast Rail study area are described in Section 4.14.3 of the DEIS/DEIR. Mitigation measures to address these impacts are described in Section 4.14.3.6 of the DEIS/DEIR. Final mitigation measures, such as culvert and bridge reconstruction, will be developed for the LEDPA during the final design and permitting process.

- **Black Brook** – Tributary to the Satucket River. No anadromous river herring access at this time. American eel likely.
- **Blue Hill River** – Tributary of the Monatiquot River. No anadromous river herring access at this time. American eel likely.
- **Cedar Swamp River** - Tributary of the Assonet River. No anadromous river herring access at this time. American eel likely.
- **Cotley River** – Tributary of the Taunton River. No anadromous river herring access at this time. American eel likely. Recommended for possible future development.
- **Dam Lot Brook** – Outlet Jones Pond. Unknown if it supports any anadromous resources. American eel likely.
- **East Branch Neponset River** – Tributary to the Neponset River. No anadromous river herring access at this time. American eel likely. Recommended for development for American shad (*Alosa sapidissima*) and river herring (*Alosa spp*). Dam removal proposed for main stream Neponset River.
- **Fall Brook** – Tributary of Three Mile River. No anadromous river herring access at this time. Three Mile River is being developed with passage at lower obstructions. American eel likely.
- **Furnace Brook** – Tributary to the Taunton River. Outlet of Lake Rico. Supports river herring (*Alosa spp*). Active local interest in fish passage. American eel likely.
- **Hodges Brook** – Tributary to Wading River. No anadromous river herring access at this time. American eel likely.
- **Lovett Brook** – Tributary to Salisbury Brook Inlet to Ellis Brett Pond. No anadromous river herring access at this time. American eel likely.
- **Mill River** – Tributary to the Taunton River, outlet of Lake Sabbatia, under active restoration. Supports river herring (*Alosa spp.*) white perch (*Morone americana*) and American eel. Dam removals and fish passage underway or in planning. Alewife (*Alosa pseudoharengus*) currently confined to habitat below first obstruction Taunton State Hospital Dam.
- **Neponset River** – Major coastal drainage, main stem supports alewife, blueback herring (*Alosa aestivalis*), rainbow smelt (*Osmerus mordax*), American shad, white perch and American eel. Currently under assessment for two dam removals. Migratory species presently confined below Baker Chocolate Factory Dam in Milton. Future candidate for major anadromous run restoration.
- **Pine Swamp Brook** – Tributary to Forge River, outlet of Prospect Hill Pond. No anadromous river herring access at this time. American eel likely.
- **Queset Brook** – Tributary to Coweeset Brook, outlet of Ames Long Pond. No anadromous river herring access at this time. American eel likely.
- **Rattlesnake Brook** – Tributary of Assonet River. Supports populations of river herring, rainbow smelt, white perch and is stocked with trout. Upstream access is currently limited to area around the Old Bleachery Reservoir outlet.
- **Steen Brook** – Possible spelling error; the referenced stream is probably **Steep Brook**. Tributary to the Taunton River. Not listed as supporting any anadromous runs at this time. American eel likely.
- **Taunton River** – Major coastal drainage. Supports populations of alewife, blueback herring, American shad, Atlantic tomcod (*Microgadus tomcod*), sea lamprey (*Petromyzon marinus*), gizzard shad (*Dorosoma cepedianum*), hickory shad (*Alosa mediocris*), Atlantic sturgeon (*Acipenser oxyrhynchus*), brook (*Salvelinus fontinalis*) and brown trout (Salmo trutta). There is ongoing restoration work within this system.

MarineFisheries anadromous fisheries biologists noted that some of the proposed work is above the head of the tide and/or the first obstruction in the water body, fisheries in this area are better addressed by *Mass Wildlife*, not *MarineFisheries*. In that regard, it is *MarineFisheries* understanding that *MassWildlife's* comment letter on the South Coast Rail project addresses fisheries resources above head of tide.

Any questions about this review may be directed to Frank Germano at our New Bedford office at (508) 910-6344.

Sincerely,

Paul Diodati

Paul J. Diodati
Director

cc: Charles Patton, Regina Villa Associates
Eileen Feeney, DMF
Heather Marshall, DMF
Christopher Boelke, NMFS
Robert Boeri, CZM
Richard Lehan, General Counsel, DFG
Ed Reiner, EPA
Ken Chin, DEP

Eglington, Aisling (EEA)

RECEIVED JAN 9 2009 EEA

From: Madden, Diane (MHD) [Diane.Madden@state.ma.us]
Sent: Friday, January 09, 2009 2:36 PM
To: Egan, Kristina (EOT); Eglington, Aisling (ENV); SCREIS@usace.army.mil
Cc: Lucien, Lionel (EOT); Mohler, David (EOT)
Subject: Comments on ENF/Federal Scoping - South Coast Rail EEA # 14346

Hello,

I would like to submit the following comments for the DEIS predominantly.

S-008-001 The Rapid Bus Alternative 5 would require approval by the Federal Highway Administration of an Interchange Justification Report for changes to the I-93/Route 24 Interchange, any additional capacity on I-93 (Route 128) between Route 24 and Route 3 and for any changes to the I-93/Route 3 Interchange (the Braintree Split). In the absence of federal funding for the project, this action by Federal Highway would be a federal action which would trigger Section 4(f) for the use of any parkland, among other resources, such as the Blue Hills Reservation, which closely borders I-93 in this area.

Therefore, the DEIS should include aspects of the IJR requirements to aid FHWA's review. You may wish to check with them whether a Draft Section 4(f) would be requried to be included in the DEIS, as it especially might if the Rapid Bus Alternative were chosen for advancement.

S-008-002 Please also keep in mind that, in the future, if federal transportation funding is used for any aspects of the project, the requirements for NEPA compliance may switch to FHWA's rather than the Corps. You could check with them on that, as well.

S-008-003 The permit tables should be updated to include these, as applicable.

If I can help with these matters, or if you have any questions, please do not hesitate to contact me.

Diane Madden
Sr. Project Manager
MassHighway Environmental
617-973-7477

S-008-001

If the Rapid Bus Alternative is selected as the LEDPA, an Interchange Justification Report and Section 4(f) evaluation would be completed.

S-008-002

The FHWA is a cooperating agency with respect to the DEIS, and has particpated in the Interagency Coordinating Group. The DEIS/DEIR has been developed to meet the NEPA requirements of the federal DOT agencies.

S-008-003

The Corps is the lead federal agency on the project and is completing the NEPA process as described in the DEIS/DEIR. There is no expectation that the FHWA would take over the lead federal agency role. However, FHWA is participating in the project as a cooperating agency. Tables listing permit requirements for the South Coast Rail project are provided in Chapter 7.

AE

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

RECEIVED
DEC 23 2008
MEPA

December 17, 2008

Secretary Ian A. Bowles.
Executive Office of Energy & Environmental Affairs
Attn: Aisling Eglington, MEPA Unit
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: South Coast Rail Project, Southeastern Massachusetts. MHC #RC.15924. **EEA#14346.**

Dear Secretary Bowles:

Staff of the Massachusetts Historical Commission have reviewed the Environmental Notification Form (ENF) for the project referenced above. The proposed project consists of the evaluation of six project alternatives for the South Coast Rail project, including a No-Build Alternative (Enhanced Bus), Alternative 1(electric/diesel commuter rail through Attleboro), Alternative 2(electric/diesel commuter rail through Middleborough), Alternative 3 (electric/diesel commuter rail through both Attleboro and Middleborough), Alternative 4 (electric/diesel commuter rail through Stoughton), and Alternative 5 (Rapid Bus).

Project alternatives would include new construction and/or enhancement of existing rail or highway infrastructure and associated stations, utilities and storage/equipment areas. MHC notes that the Executive Office of Transportation recommends that three alternatives be evaluated in the DEIR, including Alternative 2B through Middleborough, Alternative 4 through Stoughton, and Alternative 5, Rapid Bus.

S-009-001 MHC will review the project under Section 106 of the National Historic Preservation Act of 1066, as amended (36 CFR 800) and looks forward to a determination of the area of potential effect (APE), consultation and a determination of effect from the lead federal agency for the project.

S-009-002 S-009-003 S-009-004 A State Archaeologist's permit has been issued to the PAL for a reconnaissance survey for the alternatives proposed in the ENF, and is noted in Chapter 8.14.1, page 8-12. MHC understands that additional historic and/or archaeological investigations will be conducted based on the results of the reconnaissance survey and that this office will comment on the scope of proposed identification efforts. Summary results of the investigations should be discussed in the Draft and Final Environmental Impact Reports (DEIR, FEIR) in a way that does not reveal sensitive archaeological site locational information. The draft Section 61 findings for the project should include proposed measures developed to avoid, minimize or mitigate adverse effects to significant historic and archaeological resources for the preferred alternative.

220 Morrissey Boulevard, Boston, Massachusetts 02125
(617) 727-8470 • Fax: (617) 727-5128
www.sec.state.ma.us/mhc

S-009-001

MassDOT has consulted with MHC and other cooperating agencies in determining the APE. The various South Coast Rail project APEs were established by the U.S Army Corps of Engineers in terms of project alternatives and segments, work and operations (i.e., electrified and diesel) types, and resource class (see agency correspondence June 5, 2009 letter and final APE statement). MHC concurred with the Corps' definition of the South Coast Rail Project APEs in a letter dated July 2, 2009.

S-009-002

DEIS/DEIR Chapter 4.8, Section 4.8.1.2 describes the cultural resources survey work completed to date, and identifies where survey work is still outstanding. MassDOT and the Corps will continue to consult with MHC throughout the survey process.

S-009-003

The descriptions of sensitive archaeological sites provided in DEIS/DEIR Chapter 4.8, Section 4.8.2.2, do not reveal locational information.

S-009-004

As documented in Section 4.8 of this DEIS/DEIR, MassDOT has developed each of the alternatives under consideration to avoid impacts to historic resources wherever feasible, and to minimize adverse impacts to historic resources. Where impacts are not avoidable, MassDOT will develop a comprehensive mitigation plan for the selected alternative (the LEDPA) as described in Chapter 5 of this DEIS/DEIR. This mitigation plan will be developed in consultation with the MHC prior to the publication of the FEIS/FEIR, and will be documented in a Memorandum of Agreement and the MHC's Section 61 Findings, both of which will be included in the FEIS/FEIR.

S-009-005 The ENF references historic and archaeological resources in multiple sections, including Section 5.11.1, page 5-77, Section 7.1.5, page 7-2, and Section 8.14, page 8-11-13. Historic and Archaeological resources referenced in discussions on pages 5-87 through 5-90, and as presented in Section 5.11.1-3 figures 5-27, 28, and 29 should be cross-referenced and verified to location prior to publication in the draft Environmental Impact Report. At least one historic resource adjacent to or within a proposed APE is not correctly referenced: the Ames Shovel Shop, referenced on page 5-89 as MHC #TAU CAN.89 located in Easton, is actually known as the Oliver Ames & Sons Shovel Manufactory and is located in Canton (MHC's Inventory # CAN.89). The actual North Easton Ames Shovel Shop buildings (i.e. North Easton Shovel Shop Buildings, MHC Inventory #s EST.4-6) are not referenced, although they are directly adjacent to the Easton Railroad Station (EST.8), which is included in Table 5-28.

S-009-006 MHC notes that in Sections 8.14.1 through 3, pages 8.11-13, several consulting parties are not listed, and should be provided the opportunity to review and comment during consultation, including the Mashpee Wampanoag Tribal Historic Preservation Officer, Massachusetts Commission on Indian Affairs, and all relevant Town Historical Commissions.

These comments are provided to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), Massachusetts General Laws Chapter 9, Sections 26-27C (950 CMR 70-71) and MEPA (301 CMR 11). If you have further questions please contact Ann Lattinville, Director of Architectural Review, or Jonathan K. Patton, Archaeologist, at this office.

Sincerely,

Brona Simon

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

xc: Richard Doyle, FTA
Peter Butler, FTA
Donna Laidley, FTA
Karen Kirk Adams, ACOE-NED, Regulatory, Attn: Alan Anacheka-Nasemann
Kate Atwood, ACOE-NED
Andrew Brennan, MBTA
Holly Palmgren, MBTA
Kristina Egan, EOT
Lisa A. Standley, VHB, Inc.
Bettina Washington, THPO, Wampanoag Tribe of Gay Head (Aquinnah)
George Green Jr., THPO, Mashpee Wampanoag Tribe
James A. Peters, Jr. Massachusetts Commission on Indian Affairs
Boston Landmarks Commission
Historical Commissions, Towns of: Quincy, Milton, Canton, Randolph, Braintree, Holbrook, Avon, Stoughton, Norwood, Canton, Sharon, Easton, Foxborough, Mansfield, Bridgewater, Brockton, West Bridgewater, Taunton, Berkley, Lakeville, Middleborough, Norton, Attleborough, Fall River, Freetown, New Bedford

S-009-005

Your comment has been noted, and the correction made.

S-009-006

Parties consulted during the cultural resources investigations are discussed in DEIS/DEIR Chapter 4.8, Section 4.8.1.1. The Corps has initiated consultation with Native American tribes.

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

Frederick A. Laskey
Executive Director

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

AE

January 9, 2009

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office - Aisling Eglington
100 Cambridge St, Suite 900
Boston, MA 02114

RECEIVED
JAN 7 2009
MEPA

Subject: EOEEA #14346 – South Coast Rail Project
Executive Office of Transportation and Public Works

Dear Secretary Bowles:

Thank you for the opportunity to comment on the Environmental Notification Form (ENF) for South Coast Rail Project proposed by the Executive Office of Transportation and Public Works (EOT). The South Coast Rail project is an initiative of EOT to bring public transportation to the South Coast Region of Massachusetts.

Under the Massachusetts Environmental Policy Act (MEPA) review process, the South Coast Rail project is subject to the preparation of an ENF and a mandatory Environmental Impact Report (EIR). EOT proposes to comply with the requirements of MEPA by filing this ENF, which describes the different alternatives that will be further evaluated in detail in the EIR, identifies the environmental resources likely to be affected, and identifies the regulatory review and permits likely to be required for each alternative. The project is also undergoing a concurrent review by the U.S. Army Corps of Engineers under the National Environmental Policy Act (NEPA). The Corps of Engineers, the lead federal agency for the project, will coordinate with MEPA in overseeing EOT's preparation of a federal-required Environmental Impact Statement (EIS) and the state-required EIR.

S-010-001 MWRA comments relate specifically to the possibility that an 8(m) permit may be required pursuant to Section 8(m) of Chapter 372 of the Acts of 1984, MWRA's Enabling Legislation. Section 8(m) authorizes MWRA to issue permits to build, construct, excavate, or cross within or near an easement or other property interest held by the MWRA, with the goal of protecting Authority-owned infrastructure. The South Coast Rail ENF describes six alternatives, including a No Build alternative. Chapter 7 identifies state and federal permits or approvals required for the project. It appears that two of the alternatives described in the ENF (Alternative 1-through Attleboro and Alternative 2-through Middleborough), may require an 8(m) permit from MWRA.

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S-010-001

MassDOT anticipates that a Section 8(m) permit would only be required if the Attleboro Alternative is selected as the LEDPA. The Middleborough Alternative has been eliminated from consideration in the DEIS/DEIR, and a Section 8(m) permit would not be required for the Stoughton Alternative.

S-010-002 The ENF also states that Alternatives 1 – 4 could require the construction of a new Boston mid-day layover facility, new overnight layover facilities in the south coast region and track improvements at South Station, which will all be identified and evaluated in the Draft EIR. Without design or engineering plans, it is difficult to predict at this time whether an MWRA 8(m) permit will be required for these improvements.

S-010-003 Given that several alternatives will be fully evaluated through the environmental review process as part of the EIR/EIS, it is unclear whether MWRA will need to issue any permits. It is preferable that MWRA coordinate and work with the Interagency Coordinating Group during the development of the EIR/EIS to assist the Proponent in identifying MWRA water and sewer facilities and easements. Once a preferred alternative is selected, MWRA staff will continue to work with the Proponent to identify those specific areas where MWRA permitting will be required in an effort to avoid and/or mitigate impacts to these facilities.

I have enclosed a copy of MWRA's 8(m) Permit Application for your review in the event the permit is necessary. When more detailed design and engineering plans become available, please provide them to MWRA and I will coordinate the Authority's in-house review with appropriate staff. Thank you for the opportunity to comment, and I can be reached at (617) 788-1165 if you have questions or need additional information.

Very truly yours,

Marianne Connolly

Marianne Connolly,
Program Manager, Regulatory Compliance

cc: Alan Anacheka-Nasemann, U.S. Army Corps of Engineers
Kristina Egan, EOT
Ralph Francesconi, MWRA Water Permitting (without attachments)
Kevin McKenna, MWRA Sewer Permitting (without attachments)

C:MEPA:14346SoCoastRailENF.doc

2

S-010-002

A new mid-day layover facility in Boston and the South Station Expansion project are undergoing environmental review separate from the South Coast Rail project. None of the candidate overnight layover facility sites for the South Coast Rail project would require an MWRA 8(m) permit.

S-010-003

MassDOT has noted and considered your comment. At the time of final design, MassDOT will coordinate with appropriate regulatory and permitting agencies to ensure all permits required for development of the project are obtained. The MWRA is a member of the Interagency Coordinating Group.

MASSACHUSETTS WATER RESOURCES AUTHORITY
APPLICATION FOR 8(m) PERMIT
WATERWORKS PROJECTS

What is this application and why is it necessary?

This application, when completed and submitted, requests the MWRA to issue an 8(m) Permit. Section 8(m) of chapter 372 of the Acts of 1984 enables the Authority to issue permits to other entities to build, construct, excavate, or cross within an easement or other property interest held by the Authority.

How to complete and submit this application?

Please print legibly in black or dark blue ink or type all responses. Answer all questions: if a question does not apply to your project, write "Not Applicable" or "N/A". Include all necessary documents. Keep a copy of the completed application for your records.

Send a $100.00 non-refundable check for the administrative processing fee, the original and five (5) copies of the completed application and any other required documents to either:

Massachusetts Water Resources Authority
Wastewater 8(m) Permitting Unit
2 Griffin Way
Chelsea, MA 02150
Attn: Kevin McKenna
Or
Massachusetts Water Resources Authority
Waterworks 8(m) Permitting Unit
2 Griffin Way
Chelsea, MA 02150
Attn: Ralph A. Francesconi

Permit Process:

- MWRA staff will review the application to determine if your request can be approved. If MWRA cannot issue the requested permit, you will receive a letter explaining the reasons for denying the request.
- If the permit application is approved, MWRA staff will send you three original 8(m) Permits for your signature. Additionally, a completed 8(m) Permit Assessment Fee Form noting any additional charges beyond the administrative processing fee (if required) will be sent.
- Upon receipt of all signed originals and payment for any additional fees, MWRA will execute the document.
- MWRA will mail the executed documents with a Notice to Proceed.

Questions and answers:
For answers to questions about this application and MWRA 8(m) Permits, contact MWRA's Wastewater 8(m) Permitting Unit at (617) 305-5956 or MWRA's Waterworks 8(m) Permitting Unit at (617) 305-5827.

January 15, 2009

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114
Attention: Aisling Eglington, MEPA Office

Re: South Coast Rail
Environmental Notification Form, EEA #13902

Dear Secretary Bowles:

The City of Boston Environment Department has reviewed the Environmental Notification Form (ENF) filed by the Massachusetts Executive Office of Transportation and Public Works (EOT) and offers the following comments.

The ENF outlines six alternatives for bringing public transportation between the South Coast region and South Station in Boston. Common to all rail alternatives is inadequate existing infrastructure, track improvements and the unconditional need for three new tracks at South Station. EOT and the Massachusetts Bay Transportation Authority (MBTA) are in discussions with the United States Postal Service (USPS) regarding the acquisition of rights to a portion of the USPS property adjacent to South Station. As the ENF notes, capacity expansion of South Station will occur in any case.

Some of the proposed alternatives use portions of existing commuter rail lines. 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 Old Colony Main Line (Middleborough) cannot accommodate additional trains without significant infrastructure improvements. The Northeast Corridor also has 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).

No-Build – enhancement of existing bus service
This alternative would add to existing service with minor improvements to existing transit and roadways.

Alternative 1 – commuter rail through Attleboro
This alternative does not extend commuter rail service. Commuter rail service would necessitate use of the Attleboro Secondary, a proposed Attleboro Bypass and a third track which would be added to the Northeast Corridor from the bypass to the transfer interlocking just south of Readville.

Both overhead electrical contact system-powered locomotive (Option 1A) and diesel engine (Option 1B) operations for this alternative will be studied. An overhead contact system is not now in place and would have to be constructed for Option 1A as would associated power substations.

Revenue service would begin in about 2020.

EOT recommends that this alternative be removed from further consideration.

Alternative 2 – rail through Middleborough
This alternative would provide diesel-powered commuter rail service through Middleborough. Some trains would extend service. Variations to this alternative are the Middleborough Full option (2A) which would require major infrastructure improvements to the Old Colony Main Line between Braintree and Quincy and the Middleborough Simple (Option 2B) would not. Improvements for Middleborough Full would include reconstructing freight tracks, adding a second track on the Old Colony Main Line north of Plymouth Line Junction to South Station, modifying existing Red Line tracks, modifying the interlocking at Columbia Junction and constructing a tunnel through Quincy Center for the Red Line. The Red Line reconstruction would reduce the four tracks (two Ashmont and two Braintree) two and an elevated structure would be constructed above the Old Colony Main Line south of Savin Hill to connect the Braintree tracks to the Ashmont tracks.

M-001-001 Although suspended at present, the MBTA had out for bid the lease of development rights over 4.5 acres of land at the JFK/UMass station. We understand that development on the parcel is expected to be primarily over about 1.9 acres covering most of the area between the tracks and Morrissey Boulevard. We ask that the DEIR discuss the implications of this alternative on air rights development.

Revenue service for 2A would begin in about 2020; 2B service would begin in about 2016.

EOT recommends further evaluation of 2A.

Alternative 3 – rail through Attleboro/Middleborough
This alternative would provide commuter rail service through Attleboro and Middleborough. Existing service would be extended from the Old Colony Middleborough Line. Both electric and diesel options will be evaluated for the section through Attleboro (the hybrid alternative) with diesel-only

M-001-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

commuter rail service for the section through Middleborough. A major improvement for this alternative would be reconstructing freight tracks. As the Northeast Corridor also has insufficient capacity for South Coast operations, a new bypass track would be constructed in Attleboro and a third track added to the Northeast Corridor from the Attleboro bypass to Readville.

Revenue service would begin in about 2020.

EOT recommends that this alternative be removed from further consideration.

Alternative 4 – rail through Stoughton
This alternative would provide commuter rail service by extending the existing Stoughton service line with an option to serve the Whittenton section of Taunton. Both electric (4B) and diesel options (4A) will be evaluated as will Option 4C, diesel via the Whittenton Branch. Major improvements for this alternative would be reconstructing freight tracks, restoring out-of-service and an abandoned right-of-way on the Stoughton line between Taunton and Stoughton and, on the Whittenton branch, adding a second track to the Stoughton line from Stoughton Station to Canton Junction. New catenary from wire from Tower 1 Interlocking to Readville would be required.

Revenue service would begin in about 2016.

EOT recommends further evaluation of this alternative.

Alternative 5 – rapid bus express service
This alternative would necessitate the construction of a dedicated primarily reversible bus lane along Routes 24 and I-93/128. It would also use the existing I-93/Route 3 high occupancy vehicle (HOV) zipper lane; buses would also spend a short amount of time in mixed traffic. Major improvements would include construction of a new lane from Route 140 to Route 24 to I-93, constructing a reversible bus lane in the median from I-495 to the Braintree split and modifying the interchange at the Braintree split. Modern Rapid Bus vehicles would be required for this alternative.

Revenue service would begin in about December 2016.

EOT recommends further evaluation of this alternative.

M-001-002 In support of emissions reduction and general sustainability goals, we ask that the DEIR identify technologies and measures that can be taken to minimize the environmental impacts of new or upgraded facilities. These would include, but are not limited to, energy generation, energy- and water-conservation, use of regional and recycled materials and minimizing light pollution.

M-001-003 The DEIR should discuss the fuel that would be used to power the Alternative 5 rapid bus express service and the associated impact on specific emissions.

M-001-004 The ENF indicates the expectation that South Coast Rail service will result in an overall diminution of emissions resulting in improved air quality. We ask that the DEIR identify the type of diesel fuel that will be used for rail service and compare its emissions to those of the vehicles that will be removed from roadways.

Locomotives have a typical service life of 40 years, and are often overhauled five or more times

M-001-002

The project would not preclude future development of renewable energy generation at station sites or along the corridors. MassDOT is committed to making all aspects of the project as green as possible. The agency's GreenDOT Policy Direction (June 2, 2010) is a comprehensive environmental responsibility and sustainability initiative with the goals of reducing greenhouse gas emissions, promoting healthy transportation alternatives, and supporting smart growth.

M-001-003

Air quality for the Alternatives are compared in Section 4.9 of the DEIS/DEIR. At this time, the rail comparisons assume either electric or diesel alternatives, and the Rapid Bus alternative assumes diesel fuel.

M-001-004

Alternative fuels were evaluated for the Rapid Bus Alternative. Some of the alternative fuels that are being considered include biodiesel, natural gas, and electric. This analysis assumes that the Rapid Bus Alternative would use diesel fuel. According to EPA requirements, diesel fuel has and continues achieve substantial reductions in VOC, NOX, CO, CO2, PM2.5, and PM10 emissions. The existing buses currently run on diesel and have the infrastructure in place to serve additional buses. If the Rapid Bus Alternative is selected as the LEDPA, MassDOT would evaluate the use of alternative technologies (hybrid) or fuels. DEIS/DEIR Chapter 4.9, Section 4.9.4 provides the results of the air quality analyses, including the net amount of emissions reduced.

BED comments - South Coast Rail ENF, EEA #13902
Page 4

during this period. **40 CFR Parts 9, 85, et al. Control of Emissions of Air Pollution From Locomotive Engines and Marine Compression-Ignition Engines Less Than 30 Liters per Cylinder**, which became effective on July 7, 2008, has set near-term emission standards for newly-built engines that will phase in starting in 2009. The near-term program also includes new emission limits for existing that apply when they are remanufactured, and take effect as soon as certified remanufacture systems are available, as early as 2008. The long-term emissions standards for newly-built locomotives are based on the application of high-efficiency catalytic aftertreatment technology and will achieve significant reductions in particulate matter (PM) and oxides of nitrogen (NO_x). These standards begin to take effect in 2015 for locomotives. Because of their small
M-001-005 number, locomotives manufactured before 1973 are exempt. We ask that the DEIR include a discussion of how rolling stock needs will be met for each rail alternative and the implications for air quality.

The U.S. Environmental Protection Agency (EPA) is considering a proposal to require idle reduction devices on all new Tier 3 and 4 locomotives. The commenter also recommended requiring the installation (retrofit) of an idle reduction device on all existing regulated locomotives upon remanufacture.

We are aware that two idle-reduction technologies that are currently used in the railroad industry, Auto Engine Start Stop (AESS) and Auxiliary Power Units (APU). We understand that most locomotives manufactured since 2001 have come equipped with AESS, and many other locomotives
M-001-006 have been retrofitted with an AESS or an APU. As numerous trains will lay over in Boston, the DEIR should include a discussion of how AESS and/or APU technology will be used in a rail alternative.

The ENF shows that no alternative will impact wetland resources or Areas of Critical Environmental Concern (ACEC) in Boston.

The ENF describes vibration analyses for areas in Attleboro, Norton, Lakeview, Freetown, Canton, Stoughton, Bridgewater and Middleborough. We note that vibration is an existing issue for some Orange Line stations and their immediate environs as is noise. They are most prominent around
M-001-007 Roxbury Crossing, Ruggles and Massachusetts Avenue. The DEIR should identify the number of net new trips that will be added under each rail alternative and match them to the times of existing services.

M-001-008 As yet unidentified areas of Boston may be used for South Coast Rail-associated facilities. If potential locations are identified in the DEIR, any natural and historic resources that might be affected should be identified and impacts assessed.

M-001-009 We ask that the DEIR describe the work, associated timelines and potential impacts at and around Readville station when catenary is being installed and identify the work and length of construction periods for other work that would occur in Boston.

According to the Massachusetts Department of Environmental Protection (DEP), about 33 percent of mobile source particulate matter (PM) and ten percent of all nitrogen oxide (NO_x) pollution in the northeast is caused by construction vehicles. More than 90 percent of diesel engine particulate emissions are highly respirable and carry toxins deep into the lung, exacerbating human respiratory ailments. The U. S. Environmental Protection Agency (EPA) has proposed classification of diesel exhaust as "highly likely to be carcinogenic in humans." It estimates that diesel engines currently on the road can run for 1,000,000 miles and remain in

M-001-005

Rolling stock required for each alternative is presented in DEIS/DEIR Chapter 3, Section 3.2.5.2.6. Air quality analysis for the alternatives is presented in Chapter 4, Section 4.09.

M-001-006

A new Boston mid-day layover facility is a separate project conducted by the MBTA and is undergoing separate environmental review. Terminal layover facilities are conceptually designed to include electric plug-ins to allow for shut downs of locomotives while inside the layover facility.

M-001-007

Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3.

M-001-008

Any additional sites that may be used for South Coast Rail-associated facilities would be subjected to environmental analysis in accordance with NEPA and MEPA requirements. The MBTA is advancing the mid-day layover as a separate project.

M-001-009

Construction methodology and schedule impacts are evaluated in the DEIS/DEIR Chapter 3, Section 3.2.5. Time-lines for construction activities in Boston would be developed during the final design process.

BED comments - South Coast Rail ENF, EEA #13902
Page 5

operation for as long as 20 to 30 years. This amounts to 160 to 240 tons of pollution over the life of each engine.

The use of flow-through filters and diesel particulate filters on pre-2007 diesel vehicles can reduce air quality degradation caused by emissions of carbon monoxide (CO), volatile organic compounds (VOC), NO_x and air toxins generated by heavy-duty equipment. Oxidation catalysts and catalyzed particulate filters reduce toxic emissions of formaldehyde, benzene, acrolein and 1-3 butadiene by as much as 70 percent, decrease localized adverse impacts and reduce dust and odor complaints from project abutters and regulatory agencies. We ask that all pre-2007 diesel construction vehicles working on the project be retrofitted using retrofit technologies approved by the United States Environmental Protection Agency (EPA) and that contractors be required to use ultra low-sulfur diesel (ULSD) fuel (15 ppm), in all off-road construction equipment. M-001-010

Best Available Control Technologies (BACT) and other best management practices (BMP) should be employed to minimize construction noise impacts. Measures should include: M-001-011

- securing any decking on roadways so that there is no rattling when traffic passes over
- using vehicles and equipment with either ambient-sensitive or manually adjustable back-up alarms
- the proper sizing of impact equipment such as hoe rams, pile drivers and jackhammers and powering only to the degree needed to perform the work
- the installation of noise suppression enclosures on hoe rams
- the placement of stationary noise producing equipment such as pumps and generators as far away as possible from residential and sensitive receptor locations
- keeping engine housing panels on all equipment closed; and when not in use, shutting off equipment.

Thank you for the opportunity to offer comment. We look forward to the DPIR.

Sincerely,

Bryan Glascock
Director

South Coast Rail 1.09.doc.DBG:MTZ.mtz

M-001-010

Best Available Control Technologies (BACT) and other best management practices (BMP) will be employed to minimize construction impacts.

M-001-011

As described in Section 4.6.3.4.3 of the DEIS/DEIR, MassDOT will minimize construction noise impacts. Construction noise control is accomplished by the use of quiet equipment with enclosed engines and/or high-performance mufflers and quieting procedures such as locating stationary construction equipment as far as possible from noise-sensitive sites. Noise guidelines will be incorporated into the construction documents and shall be in conformance with local, state, and federal statutes. Specific noise control measures will be reviewed during detailed engineering design and are negotiated as part of the construction permitting process. Noise specifications will be enforced through a program of field inspection and compliance review.

TOWN OF EASTON
Planning & Community Development
136 Elm Street
North Easton, Massachusetts 02356
Tel: (508) 230-0630 Fax: (508) 230-0639

January 9, 2009

Secretary Ian Bowles
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: **EOEA #14346/** Comments on the Scope for the Environmental Impact Statement and Environmental Impact Report for the U. S. Army Corps of Engineers and Massachusetts Environmental Policy Act Office

Dear Secretary Bowles,

The Town of Easton's Department of Planning is writing to provide 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). Easton's Board of Selectmen, Conservation Commission, Planning & Zoning Board, and Historical Commission are submitting comments under separate cover, and we hereby incorporate these comments by reference.

Restoration of rail service to through the Town of Easton would be severely disruptive. Although the existence of a seemingly ready rail bed makes the Stoughton alternative attractive, we urge the Army Corps of Engineers and EOT to consider that in the decades since rail service ceased, development patterns have sprung up around train in ways that are incompatible with active trains. Emergency service routes, Safe Routes to Schools, and local streets crisscross the rails; homes are built within a few feet of what could be passing trains. Even when rail service was at its peak in this area, trains ran slowly and

but a few times a day. Today, service requirements would dictate higher-speed trains once an hour. At-grade rail would severely impact homeowners who abut the rail.

M-002-001 It is our understanding that under the Clean Water Act, the Army Corps of Engineers *must choose* the project alternative with the least environmental impact that meets project goals. The Rapid Bus alternative clearly has the least environmental impact, since it would primarily run over the existing Route 24 highway. The Rapid Bus alternative has also been shown to meet project goals in terms of cost and travel time.

Although the busses are less glamorous than rail, Bus Rapid Transit (BRT) systems have been successfully implemented all over the world (and recently in Boston as the Silver Line). We urge the EOT and the Corps to carefully consider the Rapid Bus alternative. New-start rail, on the other hand, has frequently proved to be a disappointment in terms of ridership and cost overruns.

Please feel free to contact me if you have any questions.

Sincerely,

Alice Savage
Easton Department of Planning & Community Development

cc: Aisling Eglington, MEPA Office
Robert Varney, Regional Administrator, EPA
Matt Schweisberg, EPA

M-002-001

Chapter 40, Section 230(a) of the Code of Federal Regulations (40 CFR 230) states that "Except as provided under section 404(b)(2), no discharge of dredged or fill material shall be permitted 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."

TOWN OF EASTON
Conservation Commission
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January 9, 2009

Secretary Ian Bowles
Massachusetts Environmental Policy Act Office
Executive Office of Energy and Environmental Affairs
100 Cambridge Street
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Aisling.eglington@state.ma.us

Alan R. Anacheka-Nasemann, PWS
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RE: **EOEA #14346**/ Comments on the Scope for the Environmental Impact Statement and Environmental Impact Report for the U. S. Army Corps of Engineers and Massachusetts Environmental Policy Act Office, and on the Environmental Notification Form

Secretary Bowles:

On behalf of the Town of Easton Conservation Commission[1], we hereby submit the following comments on the South Coast rail Environmental Notification Form (ENF), and scoping for the Environmental Impact Statement (EIS) and Environmental Impact Report (EIR). Our comments are restricted to issues pertaining to resources within our jurisdiction pursuant to the Massachusetts Wetlands Protection Act and the Town of Easton Wetlands Bylaw.

As you are aware, the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) regulates activities affecting wetlands, waters, and other areas subject to protection in order to contribute to the following interests: protection of public and private water

[1] Please note that Kyla Bennett, Vice Chairman of the Easton Conservation Commission, has recused herself from this matter as she has is working on this case in her capacity as Director of New England PEER.

supply; protection of ground water supply; flood control; storm damage prevention; prevention of pollution; protection of land containing shellfish; protection of fisheries; and protection of wildlife habitat. The Easton Conservation Commission is very concerned about the potential adverse impacts to wetlands (both within and outside of the Hockomock Swamp), streams, and our municipal drinking water supply associated with the Stoughton Alternative, or Alternative 4. Our specific comments are set forth below.

M-003-001 **Burden of Proof.** The Massachusetts Wetlands Protection Act regulations, found at 310 CMR 10.00 et seq., state that the applicant has the burden of proof to demonstrate "that the proposed work within a resource area will contribute to the protection of the interests identified in M.G.L. c. 131, § 40 by complying with the general performance standards established by 310 CMR 10.00 for that area." 310 CMR 10.03(1)(a)(2). We believe that this burden will be very difficult to overcome for the Stoughton Alternative given the estimated environmental impacts. As such, we urge the EOT to consider other alternatives available to it.

Need for a Variance. Page 5-17 of the ENF states:

> ...each of the South Coast Rail alternatives would result in unavoidable impacts to wetlands protected under state and federal regulations. Preliminary estimates of the loss of wetlands range from 1.3 acres for Alternative 5, to 9.9 acres for Alternative 3.[2] Any of the alternatives under consideration would require a variance from the requirements of the Massachusetts Wetlands Protection Act because they would alter more than 5,000 square feet of vegetated wetland, and would result in the loss of wetlands within an Area of Critical Environmental Concern.

310 CMR 10.05(10) explains that a variance can be issued by the Commissioner of the Department of Environmental Protection when s/he finds that:

> 1. there are no reasonable conditions or alternatives that would allow the project to proceed in compliance with 310 CMR 10.21 through 10.60; 2. that mitigating measures are proposed that will allow the project to be conditioned so as to contribute to the protection of the interests identified in M.G.L. c. 131, § 40; ***and*** 2. that the variance is necessary to accommodate an overriding community, regional, state or national public interest; or that it is necessary to avoid an Order that so restricts the use of property as to constitute an unconstitutional taking without compensation (emphasis added).

M-003-002 Therefore, in order for the Executive Office of Transportation (EOT) to obtain a variance for this work, it must first demonstrate that there are no other less damaging alternatives available. To that end, the Easton Conservation Commission is concerned that the Commonwealth has an unfair bias for the Stoughton Alternative, and has eliminated other alternatives prematurely. For example, page 1-3 of the ENF states:

[2] We note that page 1-4 of the ENF states that "up to 14 acres of fill material" will be necessary for t6his project. The draft EIR should reconcile these differing amounts of fill.

M-003-001

The DEIS/DEIR evaluates seven alternatives (Attleboro Electric, Attleboro Diesel, Stoughton Electric, Stoughton Diesel, Whittenton Electric, Whittenton Diesel, and Rapid Bus). A LEDPA will be identified in the Final EIS/EIR. As discussed in the DEIS/DEIR, none of these alternatives can be constructed in compliance with the performance standards in 310 CMR 10.00.

M-003-002

MassDOT is committed to continuing to work with the Corps and DEP to identify a LEDPA that satisfies the Commonwealth's objectives, is practicable and reasonable to construct, and minimizes environmental harm and maximizes environmental benefits.

In 2002, a Final EIR, submitted by the MBTA, concluded that extending the Stoughton Line was the most practicable and feasible of the alternatives and EOT received state-level approval from the Secretary of Environmental Affairs to proceed with planning for the South Coast Rail project as an extension of the existing Stoughton Line.

M-003-003 The ENF neglects to mention that this conclusion was reached based on faulty data, and after the Massachusetts legislature *mandated* that the MBTA use this route. If the EOT is truly taking a fresh look at this project, its alternatives, and its impacts, it should not rely on the previous EIR. Rather, the new EIR should examine alternatives and estimated impacts today, and explain any discrepancies with the findings in 2002.

M-003-004 In addition, page 4-52 of the ENF states, "The design and permitting schedule for this alternative is approximately six months to a year shorter than other alternatives due to the benefit of using some of the design concepts completed during the Final EIR phase in 2002." Again, the fact that the previous EIR enables the Stoughton Alternative to be built faster should not be used as a reason to give preference to this alternative.

M-003-005 The second hurdle that the EOT must overcome in obtaining a variance is to demonstrate that any mitigation must result in the project contributing to protection of interests outlined in the Act. The Easton Conservation Commission cautions that it will be difficult, if not impossible, to mitigate for the proposed impacts to numerous vernal pools, forest interior wildlife habitat, drinking water supplies, streams, wetlands, riverfront area, and other resource areas.

M-003-006 Finally, the EOT must demonstrate that the "variance is necessary to accommodate an overriding community, regional, state or national public interest." In this case, it is difficult to claim that the rail is an "overriding" interest, particularly when the ridership figures have not been gathered. Page 2-4 of the ENF states that "The latent demand for transit (the number of daily work trips from the South Coast region to Boston), based on U.S. Census 2000 Journey-to-Work (JTW) data, is approximately 8,000," it is unclear how many of these people already take mass transportation to work, and how many would be served by the proposed Fall River/New Bedford rail. The "South Coast region" includes many towns, many of whom already have commuter rail available to them. Moreover, when the Greenbush line was built, it pulled many commuters off of the existing commuter boats rather than getting more people to use mass transportation. EOT should thus explain why this proposed rail results in an overriding community, regional, or state interest.

Impacts Associated with Stoughton Alternative. Page 5-15 of the ENF states that the diesel Stoughton Alternative would result in the following wetland impacts (in addition to the impacts associated with the Southern Triangle):

- 3.9 acres of wetland fill (0.04 acres of marsh, 0.76 acres of shrub wetlands, 2.7 acres of forested wetland, and 0.43 acres of open water), for a total of 6.7 acres.

M-003-003

DEIS/DEIR Chapter 3 describes the alternatives considered, and Chapter 4 describes the environmental impacts of each alternative for a broad range of resources. Discrepancies from the 2002 study are due to further refinements of the project design, additional information on the resources studied and, in some cases, changes in evaluation methodology.

M-003-004

MassDOT has noted and considered your comment.

M-003-005

Proposed mitigation measures for unavoidable impacts are described in each resource section of DEIS/DEIR Chapter 4, as appropriate. A detailed mitigation plan for each adversely affected resource will be developed for the LEDPA, when selected, in accordance with regulatory requirements.

M-003-006

Chapter 2 provides a description of the purpose of, and need for, the proposed project and why MassDOT believes it will provide an overriding public interest.

- 0.78 acres of wetland fill in the Hockomock Swamp ACEC.
- Work in proximity to nine certified vernal pools (17 potential vernal pools).
- Require ten new stream/river crossings.[3]
- High indirect impacts to wetlands – 6,400 feet of new/abandoned railroad construction crossing wetlands.
- intersect or run adjacent to four public water supply protection areas, including a Zone II for a proposed well and two Zone I areas.

The ENF states that the electrified Stoughton Alternative would result in similar, but slightly higher, impacts.

M-003-007 First, it is unclear which of these impacts will occur in the Town of Easton. We request that the draft EIR articulate which impacts are associated with each town. Second, the Easton Conservation Commission is interested in understanding how these estimated impacts compare with the estimates in the 2002 EIR and the August 30, 2002 Certificate issued by then Secretary Bob Durand. That certificate stated:

> Construction of new or modified track on the existing rail ROW will cause a range of direct wetlands impacts, primarily in areas where wetlands have impinged on the ROW since rail service was halted in the late 1950s. The FEIR estimates that under the Trestle Alternative, the project will alter a total of 6.8 acres of bordering vegetated wetlands (BVW), 12,000 linear feet of bank, and 6.8 acres of land subject to flooding. The project will also affect 19.3 acres of previously developed riverfront area.

M-003-008 The estimate of wetland impacts contained in the 2008 ENF are significantly smaller than those in the 2002 final EIR. The new draft EIR should explain these discrepancies. We are also concerned that the ENF neglects to mention some impacts. For example, the "high indirect impacts," need to be quantified, as do the impacts to Riverfront Area. Please note that the Easton Wetlands Bylaw considers lands within 200 feet of all streams, both intermittent and perennial, to be Bylaw riverfront area. Finally, Table 5-3 on page 5-18 of the ENF is misleading. Specifically, it states that the "indirect impacts" for the Stoughton Alternative are 6,400 feet. While this figure may accurately reflect the linear amount of wetland impact, it does not begin to quantify the actual acreage of impact. Forest fragmentation and edge habitat impacts can extend hundreds of meters M-003-009 into a forest for some species. The EIR must make an attempt to quantify the indirect impacts associated with this habitat fragmentation.

M-003-010 The Conservation Commission is also concerned that the ENF does not mention the stream which is located on the abandoned railbed itself. Specifically, the railbed between Purchase Street and Prospect Street contains flowing water for many months of the year. The water level reaches a foot or more in depth. The following photographs were taken

[3] Note that page 5-50 states that Alternative 4 would "cross or run adjacent to 13 named streams, in addition to the streams listed for the Southern Triangle." The EIR should resolve this discrepancy.

M-003-007

Wetland resources in Easton are identified in Table 4.16-20, in Section 4.16.2.2.4 of DEIS/DEIR Chapter 4.16, and the areas of the potential impacts from the Stoughton Alternatives (including the Whittenton variants) are depicted in Figure 4.16-8b-c.

M-003-008

Wetland impacts identified in the 2008 ENF differ from the 2002 FEIR due to a different method used to map wetland areas. The potential wetland impacts described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3, were determined by a comparable method across all alternatives. Wetland impacts for the LEDPA, when selected, are expected to be further refined, based on continued development of the project.

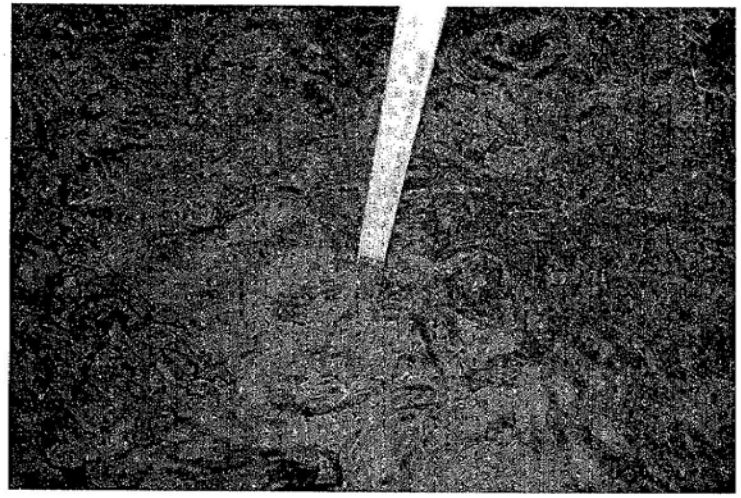
M-003-009

Habitat fragmentation within wetlands that would potentially result from the alternatives is described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2. Additional analysis of the potential indirect effects to wetlands from growth induced by the South Coast Rail project is provided in Chapter 5, Section 5.3.2.4.

M-003-010

The perennial stream referred to in this comment is not a jurisdictional perennial stream. This was confirmed by the Easton Conservation Commission and DEP in their review of the previous (2002) ANRAD.

by an Easton resident in December of 2008, and shows how the railbed is completely inundated by the stream.



Therefore, the EIR must discuss the impacts to this stream.

The Easton Conservation Commission is also very concerned that the EOT has backed away from its promise to construct a trestle for two miles through the Hockocmock Swamp. Specifically, page 4-51 of the ENF states, "A ***mile-long*** trestle section would be constructed in Raynham and Easton to minimize environmental impacts to the Hockomock Swamp" (emphasis added). However, under the 2002 certificate, Secretary Durand required a two-mile trestle:

> The single track would be carried on an elevated concrete trestle structure for the most sensitive area of Hockomock Swamp, extending approximately two miles from Route 106 to the Taunton-Raynham Greyhound Track. The trestle would be supported on concrete columns spaced approximately 30 feet apart. The bottom of the trestle would be at least three feet above the top of the existing embankment, allowing free movement by the rare turtle and salamander species that would be affected by the At-Grade Alternative. Periodically the existing embankment would be removed to a level above the waterline, to permit five-foot-high clear passage areas for deer and other large wildlife.

M-003-011 The draft EIR should explain why the EOT is now proposing to cut the trestle in half, and how this will impact the Hockomock Swamp and wildlife.

M-003-012 Finally, the EIR must assess the impacts associated with the proposed stations. The ENF states that the North Easton station includes "undeveloped areas and may require

M-003-011

The proposed trestle length is approximately 1.8 miles, increased from the approximate 1-mile length proposed in the ENF. Potential impacts to Hockomock Swamp biodiversity from the Stoughton Alternatives are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.5.

M-003-012

Potential wetlands impacts from each of the stations are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.10. The North Easton Station is not expected to impact any wetland areas, as there are none on the site.

construction in naturally-vegetated areas." Since there are wetlands on this site, these impacts must be included in the EIR.

Smart growth. Page 1-8 of the ENF states, "New transit service to the South Coast will bring new jobs and homes to the region. Uncontrolled, new growth can bring some unwanted changes, eating up farms, fields and forests, and eroding historic villages and cities." The ENF is replete with references to the fact that this project will result in smart growth. In fact, smart growth is part of the EOT's project purpose.

The Commonwealth's "Smart Growth/Smart Energy Toolkit" defines smart growth as, "Well-planned development that protects open space and farmland, revitalizes communities, keeps housing affordable and provides more transportation choices."[4] In order to protect open space, smart growth must direct growth to appropriate places, while simultaneously taking otherwise developable land off the table for development. In this case, the EOT has not begun to articulate how this project would result in smart growth that also protects open space. The Easton Conservation Commission is concerned that this proposed project will spur additional secondary growth in the town, thus leading to additional resource area impacts. Therefore, the EIR should articulate how the proposed project would help the Town of Easton deal with this growth. M-003-013

Pages 4-53 to 4-54 of the ENF state that the project will "Strengthen… historic town, village and city centers (Easton Village…station…) …Opportunities include both adaptive reuse in station site areas (e.g., now-vacant mill buildings adjacent to the Easton Village station)…." We would like to point out that many of those mill buildings are, in fact, in use and that regardless of the selected location of the Southcoast rail, plans for re-use of the site are being evaluated. Finally, Table 5-2 of the ENF states that there are no wetland resources at the proposed North Easton station. On the contrary, there are resources at the site, and the EIR should reflect this. M-003-014 M-003-015

Impacts to conservation land. Pages 5-27 to 5-28 of the ENF states that the Stoughton Alternative would impact the Hockomock Swamp, the DFW Hockomock Swamp Wildlife Management Area, Town of Easton Conservation land, McCarthy Conservation Land in Easton, and Town of Easton Water Department Land. The ENF also states that:

> In areas adjacent to conservation lands in Easton and Stoughton, this alternative would upgrade existing track infrastructure and increase train traffic, but would not result in the loss or change of any resource, and would not create adverse noise impacts on public open space users.

Given that there is virtually no "track infrastructure" in many of these areas, the work would be more than an "upgrade." Moreover, in the areas where there had previously been no tracks and no trains, there would definitely be a loss to the resource and a disturbance to the users. M-003-016

[4] http://www.mass.gov/envir/smart_growth_toolkit/pages/glossary.html

M-003-013

The indirect impacts are assessed in Section 5.2.1.5 of the DEIS/DEIR. The Town of Easton requested and is receiving planning assistance under the Technical Assistance Program to explore redevelopment opportunities around proposed stations and along Route 138.

M-003-014

The current use and proposed re-use of the mill buildings has been taken into consideration in determining the South Coast Rail project's potential impacts from the Stoughton Alternatives' use of the Easton Village site for a station.

M-003-015

As noted in the response to Comment No. M-003-012, there would be no wetland impacts from the North Easton Station.

M-003-016

DEIS/DEIR Chapter 3, Section 3.2.5.2 describes the infrastructure requirements for each of the rail alternatives. The potential impacts to conservation areas (ACECs and public open spaces) that would result from the rail alternatives, including the Attleboro Bypass segment where no tracks have ever been located, are described in Chapter 4.1, Section 4.10.3.2. Mitigation measures to offset those impacts are described in Section 4.10.3.4.

M-003-017

Impacts to municipal drinking water. Page 5-44 of the ENF states that "All of the municipalities in and along the project alternatives have public drinking water supply wells that could be affected by future ground water contamination." The proposed rail goes through the Zone 1 of one of Easton's most productive municipal wells, as well as many linear feet of our Zone IIs. The Easton Conservation Commission is extremely concerned about the potential impact to our wells, particularly from trains carrying freight. These impacts, and any proposed mitigation, should be discussed in detail in the ENF.

Impacts to Wildlife. Page 5-19 of the ENF states:

> The ACEC provides habitat for at least 13 species listed as rare, endangered, or of special concern by the NHESP, and much of the ACEC is designated as BioMap Core Habitat. The DCR designation describes the ACEC as one of the most extensive inland wildlife habitats in southeastern Massachusetts. The Atlantic white cedar swamp and acidic fen wetland communities scattered throughout the ACEC are considered to be outstanding examples of these unique natural communities.

M-003-018

When designated as an ACEC, former Secretary John DeVillars stated that the "Hockomock Swamp clearly is unique in all of Massachusetts…as fragmentation occurs elsewhere, the 'Hock' will become one of the few places in eastern Massachusetts with relatively large and contiguous habitat." Moreover, The Nature Conservancy has identified the Hockomock as "a resource of national importance … the Swamp is among the most important wetland complexes remaining in the North Atlantic Coast Eco-region stretching from Delaware to Maine." If the EOT bisects the Hockomock with its proposed rail, many of these features will be lost forever. Moreover, these impacts cannot be mitigated. The Easton Conservation Commission therefore urges you to take a hard look at other alternatives so that the Hockomock will indeed remain a large and contiguous habitat.[5]

Page 5-42 of the ENF also states:

> Alternative 4 would result in the loss of potential habitat of three state-listed species (i.e., Blanding's turtle, eastern box turtle, blue-spotted salamander), and would partially interrupt a migratory corridor used by blue-spotted salamanders, four-toed salamanders, and spotted turtles. These impacts would be unavoidable, and where they occur within wetland resource areas, would require that the project obtain a variance from strict compliance with the WPA Regulations. Based on the 2008 NHESP Atlas, the Stoughton Route crosses two NHESP Priority habitats (Habitat #1297and 1392). These Priority habitats include land within the Hockomock Swamp ACEC and Pine Swamp.

[5] We note that the ENF claims that the rapid bus alternative would also impact the Hockomock Swamp. However, the impacts associated with the rapid bus alternative are far less damaging, particularly because they do not bisect the swamp; rather, the bus would be adjacent to existing Route 24 on the outskirts of the Hockomock.

M-003-017

As described in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2, all of the Build Alternatives would pass through drinking water protection areas. The alignment does not pass through the Zone I area of the Gary Lane well, and is adjacent to and outside of a 400-foot radius around the well. With mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources. The railroad is not a significant source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. 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.

M-003-018

DEIS/DEIR Chapter 3, Section 3.1 describes the range of alternatives considered for the South Coast Rail project. The alternatives considered in the DEIS/DEIR, as required by the Certificate on the ENF, are described in Section 3.2. The LEDPA will be selected by the Corps based upon a balance of beneficial and adverse impacts, rather than just one issue.

M-003-019 The ENF fails to mention that turtles have been observed nesting on portions of the abandoned rail bed. Loss of nesting habitat is one of the impacts that should be quantified in the EIR. Moreover, the EIR should disclose any evidence available supporting the contention that the proposed trestle will actually function to allow wildlife to cross the railbed.

M-003-020 Finally, page 5-47 of the ENF states that herbicides will be applied to the right-of-way. The Easton Conservation Commission is extremely concerned about the impact these herbicides will have on the vernal pools, wetlands, streams, wildlife, and water supply in the Town of Easton. These impacts should be thoroughly discussed in the EIR.

M-003-021 **Conclusion.** Given the significant adverse impacts to wetlands, waters, water supply, and wildlife from the Stoughton Alternative, the Easton Conservation Commission urges the EOT and the U.S. Army Corps of Engineers to drop the Stoughton Alternative from consideration. Even if the proposed train can be demonstrated to be of overriding public interest, sacrificing the Hockomock Swamp is too high of a price to pay. Bisecting the Hockomock would be devastating not only to the Town of Easton, but to an entire eco-region.

Thank you for your consideration and the opportunity to comment.

Sincerely,

Patricia Haederle, chairperson

cc: Aisling Eglington, EEOEA
Matt Schweisberg, EPA
Ed Reiner, EPA
Lealdon Langley, DEP

M-003-019

As discussed in Section 4.14.3.2.5 of the DEIS/DEIR, the structure will be elevated three to four feet above the existing railroad berm, and therefore will not impede movement across or along the right-of-way. This is not expected to result in loss of nesting habitat because there will be no construction on the existing berm except for pilings, and the habitat characteristics of open sandy soil will not be altered.

M-003-020

As described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources. If either of the Stoughton Alternatives is selected as the LEDPA, MassDOT is committed to specifying the Hockomock Swamp as a "no-spray" zone in a Vegetation Monitoring Plan.

M-003-021

MassDOT has noted and considered your comment. The analysis in Chapter 4, for various resources, shows that re-established rail service through the Hockomock Swamp on an elevated trestle would not be devastating to that ecosystem.

TOWN OF EASTON

HISTORICAL COMMISSION

AE

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January 2, 2009

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

Secretary Ian Bowles
EEA
attn.: MEPA Office (Aisling Eglington) 100
Cambridge Street, Suite 900, Boston MA 02114

Sirs:

M-004-001 The Easton Historical Commission continues to oppose the so-called Stoughton Alternative for rail service to Fall River and New Bedford due to real and potential damage to historic structures within the North Easton Historic District, a National Register District, and elsewhere along the rail bed. We believe that Alternative 44 (Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane) would provide a more flexible, lower cost, environmentally and historically friendly way of providing passenger service to New Bedford and Fall River.

M-004-002

Measurements of vibration by South Coast Rail for the ENF show vibration in the range of 80 to 97 Vdb (table 5-36, page 5-115). These measurements were taken at a minimum of 50 feet from the tracks. The reading of 97 Vdb for a commuter train in Bridgewater is just below the threshold that South Coast Rail believes could cause damage to fragile buildings (figure 5-12, page 5-116). That reading took place 60 feet from the tracks with a train speed of only 35 mph. Readings as high as 86 Vdb 60 feet from the track were obtained in Stoughton with a commuter train going only 20 mph. The observed results presented in the ENF do not correspond to the chart figure 5-13 on page 5-118 of the ENF which predicts a 95 Vdb ten feet from the track of a train moving at 50 mph. Moreover, recent damage to Old South Church from vibrations caused by an MBTA project raises further doubts about the ability to accurately assess potential damage from vibrations in the North Easton Historic District. Historical structures at risk include, but are not limited to: the H.H. Richardson designed Old Colony Railroad Station, a National Landmark, which is approximately 10 feet from the track and buildings in the historic Ames Shovel Shop complex. One of these buildings, the New Plate Polishing Shop (1880) sits less then ten feet from the tracks of the proposed route. The wooden McCarthy Block, built in the 1880s and the Gate Keeper's House on Short Street would also be impacted as they too sit but a few feet from the tracks. While all these structures were built when the original rail bed was in use, the size, speed, and proposed frequency of modern trains will place an unknown stress on these significant buildings. Clearly, South Coast Rail's own study shows this historic structures are highly at risk for vibration damage. At the very least extensive monitoring during construction and permanent monitoring after construction would be necessary. Mitigation measures to reduce this vibration such as a ballast mat, wooden ties or other methods would be required. They would add to the cost of this already costly alternative and might prove totally ineffective.

M-004-003

Melanie Deware, Paul Fitzpatrick, Edmund Hands, Gregory J. Galer, David Olsen, John Ventresco
Catherine Adler and Larry Mowatt, Associate

M-004-001

As described in DEIS/DEIR Chapter 4.8, Sections 4.8.3.5.1 and 4.8.3.10.6, the proposed changes to the Stoughton Line and the introduction of a new station at Easton Village would affect the visual setting of the three historic properties closest to the project through the introduction of new elements. Vibration levels at the Easton Historic Train Station and other historic buildings in Easton Village would be below the 100 VdB vibration threshold for the onset of minor structural damage (such as small cracks in plaster walls) to fragile and historic buildings.

M-004-002

The Rapid Bus Alternative was advanced for evaluation in the DEIS/DEIR. This alternative is described in DEIS/DEIR Chapter 3, Section 3.2. Rapid Bus is compared to other Build alternatives in Section 3.3.

M-004-003

Proposed mitigation measures for vibration impacts are described in DEIS/DEIR Chapter 4.7, Section 4.7.3.7. A detailed mitigation plan to offset vibration impacts will be developed for the LEDPA, when selected.

M-004-004 The fencing and safety features required by the rail alternative would negatively and permanently impact the historic district. The proposed mitigation including the use of black paint for fencing and additional landscaping coupled with the uncertain ability of the MBTA to maintain that mitigation would, in fact, further degrade the visual impact of the Shovel Shop and the F. L. Olmsted designed grounds of the Old Colony Railroad Station. Architectural historians, students, and other scholars from around the nation regularly visit North Easton as a uniquely preserved historic landscape. The intrusion of modern rail and its required fencing and safety features would forever negatively alter this National Register district and its National Landmarks.

M-004-005 A viable alternative to costly and ineffective rail transportation exists. The lower cost of the bus alternative also produces the shortest ride time from New Bedford and Fall River. The bus alternative does not negatively impact historically or environmentally sensitive areas, and it can cheaply and quickly adapt itself to changing technology in environmentally friendly vehicles and computer routing.

The Easton Historical Commission strongly urges the Army Corps of Engineers and Secretary Bowles to adopt Alternative 44 (Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane) as the most historically and environmentally sensitive transportation option for southeastern Massachusetts.

Respectfully submitted,

Chair, Easton Historical Commission

Melanie Deware, Paul Fitzpatrick, Edmund Hands, Gregory J. Galer, David Olsen, John Ventresco
Catherine Adler and Larry Mowatt, Associate

M-004-004

Constructing fences and other safety features would introduce new visual elements to the historic district. To the extent practical, these features would be designed to be consistent with the architectural style of other buildings within the district.

M-004-005

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA/NEPA process.

AE

Telephone 508-230-0501
Fax 508-230-0519

Office of the Board of Selectmen
136 Elm Street
North Easton, Massachusetts 02356

RECEIVED
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MEPA

December 29, 2008

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Response by Easton Board of Selectmen to South Coast Rail ENF

Dear Secretary Bowles:

M-005-001

As the Commonwealth of Massachusetts struggles to balance its budget while continuing to provide basic services in a deteriorating economic climate, we understand how difficult it is to balance competing priorities. The Governor's transportation agenda is one such example. While we fully respect his commitment to expand commuter rail service to Fall River and New Bedford through the Stoughton Alternative, it will only further strain state financial resources and result in irreversible – but avoidable – environmental damage. Accordingly, we urge you to support the selection of Alternative 44, as outlined in the November 2008 South Coast Environmental Notification Form prepared for the Executive Office of Transportation, as the only viable and practicable alternative for the South Coast Rail Project.

Alternative 44, *Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane*, would fulfill the Governor's commitment to expand transportation options for Southeastern Massachusetts and offers the best alternative by fully meeting the requirements of MEPA/NEPA while resulting in the least environmental impact. It is our hope that the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency, under their joint review authority of section 404(c) of the Clean Water Act, will concur with our contention that Alternative 44 is the only option that fully meets all conditions of the CWA.

As clearly stated in the EPA Guidelines at 40 CFR 230.10(a), "no discharge of dredged or fill material shall be permitted 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 impacts." It would:

- Provide public transit between New Bedford/Fall River and Boston;
- Make the best use of existing transportation infrastructure while minimizing potential environmental impacts;
- Utilize an existing transportation corridor on Route 24;
- Improve operations on Route 128 with a new dedicated HOV bus lane;

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M-005-001

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA/NEPA process.

- Require no wetland filling in either the Hockomock or Fowl Meadow Areas of Critical Environmental Concern;
- Require no work in proximity to certified or potential vernal pools.

Additionally, Alternative 44 is consistent with smart growth principles because it will:

- Serve two historic population centers (New Bedford and Fall River);
- Result in no loss of farmland, historic or archaeological resources;
- Promote redevelopment in four clusters of brownfields sites as identified in the ENF; and
- Encourage the location of the Fall River and New Bedford stations in developed areas while locating other bus transit stations in undeveloped areas near highways.

M-005-002 If the MBTA is allowed to construct the rail line through the Hockomock Area of Critical Environmental Concern, it will result in irreparable harm through the direct filling of over 14 acres of state wetlands, and at least 7.5 acres of federal wetlands. Further, it will degrade 30 vernal pools, 20 of which are certified and therefore considered Outstanding Resource Waters, fragment the largest freshwater vegetated wetland in Massachusetts, degrade an Area of Critical Environmental Concern (ACEC), and result in damage to at least seven state-listed rare and endangered species.

These impacts are avoidable. While we accept the need to encourage increased mass transit options for Southeastern Massachusetts, the Easton Board of Selectmen is resolute in its belief that the intent and spirit of state and federal law must be respected by selecting the least damaging practicable alternative.

In closing, we urge you to give full consideration to Alternative 44 before you issue the conditions that must be addressed in the Draft Environmental Impact Report.

Respectfully,

Colleen Corona
Chair

John Haederle
Clerk

Ellen Barlow
Selectman

Charles King
Selectman

Irwin Cohen
Selectman

cc: Congressman Stephen F. Lynch
Robert Varney, Regional Administrator, US EPA Region 1
Secretary of Transportation, James Aloisi
Senator Thomas Kennedy
Senator Brian A. Joyce
Representative Geraldine Creedon
Representative David L. Flynn
Representative Christine Canavan
Easton Board of Selectmen
Marc Rousseau, Director of Planning & Community Development

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M-005-002

As described in DEIS/DEIR Chapter 4.14, Section 4.14.2.2.3 and Chapter 4.16, Section 4.16.2.2.4, a thorough review of the potential impacts to the Hockomock Swamp has been completed. Further refinement of the conceptual design of the railroad bed through the swamp has reduced the permanent wetland impacts to an estimated 1.74 acres and the temporary (construction-related) impacts to 0.57 acres. Seven certified, ten potential, and four field-verified vernal pools have been identified along this segment. Some fragmentation of wildlife habitat within the Hockomock Swamp would occur as a result of this alternative; the proposed trestle has been extended to 1.8 miles to allow unimpeded wildlife movement and not change the current hydrologic regime. Adverse impacts to the Hockomock Swamp that would result from the Stoughton Alternatives, if any of the variants are selected as the LEDPA, would be mitigated in accordance with regulatory requirements.

AE

TOWN OF EASTON

MASSACHUSETTS

Office of the Town Administrator

DAVID A. COLTON
Town Administrator

January 9, 2009

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RE: **EOEA #14346**/ Comments on the Scope for the Environmental Impact Statement and Environmental Impact Report for the U. S. Army Corps of Engineers and Massachusetts Environmental Policy Act Office

Dear Ms. Eglington and Mr. Anacheka-Nasemann,

The Town of Easton is writing to provide 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). Easton's Conservation Commission is submitting comments under separate cover on the wetlands impacts associated with the project, and we hereby incorporate these comments by reference. In addition, Easton's Historical Commission is also providing comments under separate cover on the impacts to our historic district and buildings. We would also like to incorporate these comments by reference.

M-006-001 The Town of Easton is extremely concerned about the State's insistence on carrying the Stoughton Alternative, or Alternative 4, through to this stage of the review process. We believe that this alternative is unpermittable, and therefore should have been eliminated. We are also deeply concerned about the impacts this alternative would have on our town. Our specific comments are set forth below.

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M-006-001

MassDOT has noted and considered your comment.

Need for the project. As you are well aware, the cost of this project has skyrocketed from $196 million in 1995 to $1.4 to $3 billion dollars today. In these uncertain economic times, the Commonwealth has a responsibility to spend money wisely. In addition, it is important to note that the Massachusetts Bay Transportation Authority (MBTA) currently bears a huge debt, and has recently been reported to be on the verge of bankruptcy.[1] Despite these financial difficulties, the Executive Office of Transportation (EOT) has not released ridership figures for the project that would justify the expenditure of this money. The ENF states that there are 8,000 people in the "South Coast area" that currently travel to the Boston area for work. However, many of those people already use mass transportation, and should not be included in the figures for demand. For example, according to the U.S. Census Journey to Work data, 1,339 people from Easton travel to Boston and the immediate vicinity for work. Easton is currently approximately 5 miles from four train stations: Stoughton, Brockton, Mansfield, and Sharon. In addition, many people drive a few more miles to the Canton Junction and Route 128 stations. Therefore, it is likely that many of these 1,339 people already use the MBTA to get to work, and they should not be included in the ridership figures. We urge the EOT to: consider less costly alternatives that would still provide transportation between Fall River/New Bedford and Boston, such as the Rapid Bus Alternative (Alternative 5); and use only new riders in its calculation of ridership figures.

M-006-002

Greenhouse gases. The ENF states on page 2-11 that, "A shift in travel from automobiles to rail could reduce vehicle emissions, improve regional air quality, and reduce the Commonwealth's contribution to greenhouse gases and climate change." In addition, page 5-105 of the ENF states, "The South Coast Rail project is anticipated to result in reductions of air pollutants and greenhouse gases, by replacing automobile trips with more efficient public transit." While taking vehicles off the road will indeed reduce greenhouse gas emissions, the emissions from the cars driving to stations, emissions from the trains themselves, and emissions from cars associated with induced traffic must be included in the calculation. Once the rail is built, if traffic on the highways is reduced, more cars will ultimately take their place. Therefore, we urge the EOT and the Corps to consider the phenomenon of induced traffic carefully in the EIR/EIS before attributing air quality improvements to this project.

M-006-003

The Town is also concerned about investing such a large amount of money into a fossil fuel technology. Regardless of when we will reach peak oil next year or in 20 years, that time will come. Given the huge investment necessary for this project, it seems reasonable to invest in a power source that is flexible. Building a diesel train that may not be operable in a few decades is counterintuitive. If the Rapid Bus Alternative is chosen, buses can be hybrid or even electric, and thus maintain a flexible fuel source. Even if diesel buses are initially used, the dedicated bus lane can be used in the future for electric buses. The EIR/EIS should examine the issue of the need for flexible fuels in this transportation project.

M-006-004

Impacts to wetlands, wildlife, and drinking water. As stated previously, Easton's Conservation Commission submitted a comprehensive comment letter on Easton's

[1] See Boston Globe, December 14, 2008, "T approaching dire financial straits."

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M-006-002

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA/NEPA process.

M-006-003

These project-related effects were evaluated in the secondary and cumulative effects analysis of the project, provided in DEIS/DEIR Chapter 5, Sections 5.3.2.7 and 5.4.1, respectively. The South Coast Rail project's approach toward integrating smart growth and transit-oriented development is provided in the Corridor Plan, and the Commonwealth will provide municipalities with resources to help control future development patterns.

M-006-004

Air quality for the Alternatives are compared in Section 4.9 of the DEIS/DEIR. At this time, the rail comparisons assume either electric or diesel alternatives, and the Rapid Bus alternative assumes diesel fuel. Hybrid diesel fuels would be analyzed after a LEDPA has been selected.

concerns regarding wetlands, wildlife and municipal water. To summarize those concerns, the Town is extremely concerned about the impacts associated with the Stoughton Alternative: 6.7 acres of wetland fill, innumerable direct impacts, adverse impacts on more than a dozen vernal pools, stream crossings, impacts to rare species, and potential contamination of our wells. I am particularly concerned about the potential impacts to the municipal water. Easton has been fortunate to have plentiful clean drinking water. However, the proposed rail goes through the Zone I of one of our most productive wells, and through acres of our Zone IIs. Moreover, the Hockomock Swamp was designated as an Area of Critical Environmental Concern (ACEC) in part because of its importance to drinking water. The Commonwealth's designation document states:

> The value of the Hockomock Swamp resource area for public water supply is critical. The natural geologic, soil and vegetation features of the ACEC receive precipitation, contain it as surface water, and allow it to percolate and recharge the underlying aquifer systems…. the original area nominated for ACEC designation contains over one trillion gallons of water in groundwater storage. The State Department of Environmental Protection's Division of Water Supply….state that "the natural resources in these towns are of unquestionable value"…The municipalities and the region have a vital interest in the protection and preservation of these aquifers for existing and future water supply. At present, Raynham has two public water supply wells and West Bridgewater has one located in the ACEC. Other potential well sites have been identified… the Easton Water Division …has located a potential well site [in the Hockomcok]." …The same natural features that provide for replenishment of the aquifers in this area also provide for critical flood control by holding stormwater and allowing it to be discharged more slowly into the Town and Snake Rivers. Inappropriate development could threaten this critical public health and safety function of the ACEC.[2]

M-006-005 By allowing the Hockomock to be bisected by a rail line that carries not only passenger trains, but freight trains as well, the state would be jeopardizing this critical drinking water resource for a number of towns, including Easton. Therefore, the EIR/EIS should carefully consider the impacts to existing and potential drinking water supplies for these towns.

Indirect impacts to the Town. Page 1-8 of the ENF states that, "New transit service to the South Coast will bring new jobs and homes to the region. Uncontrolled, new growth can bring some unwanted changes, eating up farms, fields and forests, and eroding historic villages and cities." The Town of Easton is extremely concerned about the impacts the Stoughton Alternative would have on our town. If there are two train stations in Easton, the town will be hard pressed to control the growth associated with this. Although the State has offered technical assistance to Easton and other affected communities, technical assistance alone will not prevent sprawl. Unless there is an actual legal mechanism in place to prevent sprawl, Easton will suffer from traffic, overcrowded schools, financial shortages, and reduced emergency services. The EIR/EIS should discuss precisely how affected communities like Easton will be helped. M-006-006

[2] http://www.mass.gov/dcr/stewardship/acec/acecs/designations/hock_des.pdf

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M-006-005

As described in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2, all of the Build Alternatives would pass through drinking water protection areas. However, with mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources. The railroad is not a significant source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. 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.

M-006-006

The indirect impacts are assessed in Section 5.2.1.5 of the DEIS/DEIR. The primary legal mechanism to control growth is through zoning, which can be changed by the Town of Easton. The Commonwealth is committed to continuing to assist municipalities with growth management and has provided $300,000 annually in technical assistance. In addition, in October, EO 525 was signed directing state agencies to align investment to support the implementation of the Corridor Plan.

Station stops in Easton. Pages 4-49 to 4-50 of the ENF indicate that the EOT is considering two station stops in Easton: one in historic North Easton Village (at Shovel Shop), and the second at the Roche Brothers Plaza in North Easton. Page 5-101 of the ENF states that "Alternative 4 could result in traffic impacts at stations, grade crossings, and temporary construction-related impacts." The Town is extremely concerned about the impacts of the Shovel Shop station location on traffic and parking. Currently, parking in downtown Easton is extremely limited. Since there would be no parking spaces associated with this station stop (it is considered a "walk to" or "drop off" station), it is likely that people would try to park in the residential or commercial areas to get to the station. This would adversely impact both the businesses and the residents of downtown North Easton. Easton also has a policy of having children walk to school unless they live more than 1.5 miles from the schools. Many children walk from downtown Easton to the schools, and we are concerned that the additional traffic – not to mention the tracks themselves – would create a safety hazard for these children. Moreover, the historic buildings are in very close proximity to the abandoned rail in this location, and we are concerned about the effect of high speed trains on these buildings. Finally, the proposed station at Roche Brothers is less than 3 miles from the existing station in Stoughton. Having two stations so close together does not make much sense.

M-006-007

M-006-008

M-006-009

M-006-010

Grade crossings and necessary road improvements. Page 5-102 of the ENF states:

> Several improvements are likely to be necessary to accommodate the proposed rail station, including improvements at the following intersections: Center Street at Main Street/Lincoln Street, Lincoln Street at Barrows Street, Route 138 at Main Street .... Route 138 at the site driveway, Route 138 at Union Street, Route 138 at Elm Street, and Route 138 at Route 123 (Belmont Street).

M-006-011

The EIR/EIS should discuss who is going to bear the costs of these improvements, construction times, and the impact it will have on the town. Some of these intersections are quite narrow, and have historic structures adjacent to them. The specific types of "improvements" necessary should be articulated, together with an explanation as to whether there will be any takings of public or private property.

Pages 5-102 to 5-103 of the ENF state that Alternative 4 would create 15 new grade crossings including what appear to be seven in Easton: Elm Street, Oliver Street, Short Street, Depot Street (Route 123), Purchase Street, Prospect Street, Foundry Street (Route 106). The ENF also states, "These new grade crossings would have the potential to impact traffic flow..... Increased train frequency at these crossings could affect traffic delays and congestion...." The proposed train would essentially slice the Town of Easton in half from north to south. All of our emergency vehicles (police and fire) are on the west side of that divide, while two of our schools and many businesses and residences are on the east side. The EIR/EIS should articulate the impacts on accessibility by emergency vehicles. The Town is not in a financial position to build new fire and police stations on the east side of the train line, and this are concerned that the proposed project would put a number of our residents at risk.

M-006-012

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M-006-007

DEIS/DEIR Chapter 4.1, Section 4.1.4.2.5 describes traffic impacts in the vicinity of each station, including the Easton Village Station. MassDOT is funding a further traffic study for the Easton Village Station by the Old Colony Planning Council.

M-006-008

Safety measures are outlined in DEIS/DEIR Section 4.1. Further safety measures, including traffic safety mitigation measures, will be evaluated as part of preliminary engineering.

M-006-009

DEIS/DEIR Chapter 4.8, Section 4.8.3.10.6 documents that vibration levels at the Easton Historic Train Station and other historic buildings in Easton Village would be below the 100 VdB vibration threshold for the onset of minor structural damage (such as small cracks in plaster walls) to fragile and historic buildings.

M-006-010

As described in DEIS/DEIR Chapter 3, Section 3.1.4, potential station locations were determined based on a number of criteria, including smart growth development potential and demographics of the surrounding area. The analysis shows that the North Easton Station would generate substantial ridership.

M-006-011

Costs for grade crossings would be included in overall construction financing. The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

M-006-013 **Ride times.** The ENF states that the ride times associated with the Diesel option for Alternative 4 from FallRiver/New Bedford would be between 83 and 88 minutes. However, the ENF also states that travel times longer than 90 minutes (the time it takes to drive from Fall River/New Bedford) are impracticable. It is unlikely that someone could either drive to or walk to one of the stations in Fall River or New Bedford, park their car, wait for the train, and not add on an additional 2 to 7 minutes. Therefore, Alternative 4 would result in total ride times that are longer than 90 minutes, and therefore should be impracticable. On the other hand, ride times for the Rapid Bus Alternative are 62 minutes and 68 minutes, respectively.

M-006-014 **Vibration and noise impacts.** Page 5-119 of the ENF states, "Potential vibration impacts for Alternative 4 … were evaluated and presented in the 2002 Final EIR." It then adds that 57 residences in Easton would be impacted. The 2002 EIR is now seven years old. These data should be re-evaluated, particularly in light of new construction that has occurred in the vicinity of the abandoned rail bed since then.

M-006-015 **21E sites**. Page 5-120 of the ENF discusses potential contaminated sites that would need to be examined before construction. However, the ENF did not mention the old Mitrano Chevorlet property in the center of Easton, which may have dumped brake fluid and other potentially hazardous fluids into the ground 40 years ago. The EOT should coordinate with the Easton Board of Health on this matter.

M-006-016 **Conclusion.** The Town of Easton is deeply disappointed and extremely concerned that the Stoughton Alternative is once again EOT's preferred alternative for this project. We believe that the environmental impacts associated with this alternative are not only the highest of all alternatives, but also unpermittable under the federal Clean Water Act. We urge the EOT and the Corps to carefully consider other alternatives, such as the Rapid Bus alternative, which would be far less damaging, more flexible, and would be a relatively reasonable cost. The Stoughton Alternative would result in unacceptable environmental and social impacts on the Town of Easton, and we remain opposed to its selection.

Please feel free to contact me if you have any questions.

Sincerely,

David Colton
Town Administrator

cc: Robert Varney, Regional Administrator, EPA
Matt Schweisberg, EPA
Karen Adams, U.S. Army Corps. of Engineers

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M-006-012

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative. Potential impacts to emergency response vehicles would be evaluated after selection of the LEDPA.

M-006-013

The trip times and ridership estimates have been updated in the DEIS/DEIR and are detailed in Chapter 3, Section 3.2.4.

M-006-014

The noise section of the DEIS/DEIR (Section 4.6) reflects updated data and analysis since the 2002 FEIR. Noise monitoring was conducted at sensitive receptor areas along the corridors between December 2008 and March 2009. The noise impacts were calculated using the FTA Guidelines and the most up to date MassGIS database at the time of analysis.

M-006-015

A database report, provided by Environmental Data Resources, including DEP State Listed Hazardous Waste Sites, Brownfield sites, National Priorities List or Superfund sites, CERCLIS sites, and others, was reviewed for each station location. MassDOT also performed a municipal file review of the Site properties including Conservation Commission, Board of Health, Building Department, Zoning Department, and Fire Department records for each affected municipality. The Mitrano Chevrolet property was not listed in the database report or identified in the municipal file review. It is not considered to have the potential to impact the project area.

M-006-016

As described in the Preface to the DEIR, MassDOT has identified the

Laurie Burt, Commissioner DEP
Ian Bowles, Secretary, EOEEA
Lealdon Langley, DEP
Senator Brian Joyce
Senator Thomas Kennedy
Representative Geraldine Creedon
Congressman Stephen Lynch
Senator John Kerry
Senator Edward Kennedy
Representative David Flynn
Representative Christine Canavan
Mark Stankiewicz, Stoughton Town Manager
Stoughton Board of Selectmen
Randall Buckner, Raynham Town Manager
Raynham Town Selectmen

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Stoughton family of alternatives as its Preferred Alternative. MassDOT believes this family of alternatives best balances transportation and environmental benefits with environmental impacts.

TOWN OF EASTON
MASSACHUSETTS
Office of the Town Administrator

DAVID A. COLTON
Town Administrator

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March 17, 2009

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RE: **EOEA #14346/** Comments on the South Coast Rail Travel Demand Analysis Results

Dear Ms. Eglington and Mr. Anacheka-Nasemann,

The Town of Easton is writing to provide comments on the South Coast Rail Travel Demand Analysis that was issued on February 13, 2009. We 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). We would like these comments on the travel demand study to be read in conjunction with our previous letter dated January 9, 2009.

Easton remains concerned about the State's insistence on carrying the Stoughton Alternative, or Alternative 4, through to this stage of the review process, especially now that the ridership figures have been released. Our specific comments are set forth below.

M-007-001

Service Assumptions. The Travel Demand Analysis uses a forecast year of 2030. Page 5 of the Analysis states that "Rail travel times were based on the 2030 operations simulations and ***reflect future improvements*** along the corridors" (emphasis added). The Draft Environmental Impact Report (DEIR) should specify what these future improvements entail, when they will occur, how they will be paid for, and what the actual

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M-007-001

Future transportation improvements included in the regional travel demand model are provided in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, Regional Plan. These improvements are considered part of the No-Build Alternative because their construction is reasonably foreseeable.

M-007-001
M-007-002

travel times would be *without* these improvements. We also request that the DEIR show ridership figures from the years 2016 (scheduled date of completion) through the end date of 2030.

Travel Times: The travel times used in the model range from a low of 62 minutes to a high of 90 minutes.

Alternative	Attelboro, Diesel	Attleboro, Electric	Middle-boro, Full	Middle-boro, Simple	Stoughton, Diesel	Stoughton, Electric	Rapid Bus
Run Time to South Station (from FR/NB)	82/84	72/75	87/90	87/90	83/85	73/76	62/68

M-007-003

However, these run times do not include the time it takes someone to drive or walk to the station and wait for the train or bus. These times should be included in the DEIR, as they are artificially low. By adding these drive and wait times to your run times, you will find that some of the alternatives result in times over 90 minutes. The Environmental Notification Form (ENF) states that all "run times are then used to measure the feasibility of an alternative compared to EOT's goal to improve the current drive time to the South Coast region: (ENF, p. 4-6). Moreover, page 4-60 of the ENF states:

> The quality of service considers the travel time of each alternative, compared to travel by automobile, from the terminal stations at Fall River and New Bedford to South Station in Boston. Most alternatives were shown to provide a faster service than the 90 minute drive time from the South Coast to Boston. All alternatives would provide a more consistent and reliable means of travel to Boston.

By omitting the time it takes people to get to the station and get on the train or bus, the comparison of ride times is not valid. If you use this travel time as one of the bases to eliminate alternatives, it should eliminate all but the Rapid Bus, and the Attleboro and Stoughton Electric alternatives. Therefore, the DEIR must address the total time it takes someone to get to Boston.

M-007-004

Finally, we take issue with the assertion that all of these alternatives would "provide a more consistent and reliable means of travel." The Boston Globe recently reported that the Franklin commuter rail is only on time 46% of the time, and the Haverhill line is on time 78% of the time (see http://www.boston.com/news/local/articles/2008/03/09/city_hopes_hybrid_taxis_gain_steam/?page=2). Moreover, the Stoughton line, which is the one EOT wants to extend, was on time only 73% to 75% of the time (see http://worcesteria.wordpress.com/2008/03/10/mbta-on-time-performance-for-february/). On-time arrivals from 46% to 78% of the time are neither "consistent" nor "reliable."

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M-007-002

2030 ridership projections for each alternative are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. Ridership for the projected opening year was not presented as these figures would be temporary and are expected to grow to the 2030 figures.

M-007-003

How well a transit alternative appeals to potential riders is directly related to how easily patrons can get to stations. The travel demand model that estimates ridership takes into account the surrounding transportation infrastructure and any barriers that make access to the station difficult, which could potentially add to the in-vehicle travel time to the station.

M-007-004

The projected on-time performance for each of the South Coast Rail alternatives is provided in DEIS/DEIR Chapter 3, Section 3.3.2.3. The MBTA system-wide on-time performance for calendar year 2008 ranged from 78 to 95 percent.

Cost: The ENF does not specify costs associated with each alternative, or give an explanation of why the budgetary goal is $1.4 billion. Specifically, it states, "Detailed cost estimates have not been developed for the alternatives at this early stage in the project" (ENF, p. 4-34) for each alternative. However, the ENF does give "order of magnitude" costs (ENF, p. 4-7) relative to EOT's budgetary goal of $1.4 billion.

Using this analysis, the Stoughton Diesel would cost $1.4 billion, or $560,000 per new estimated rider, the Stoughton Electric would cost slightly less than $2 billion, or nearly $700,000 per new estimated rider, and the Rapid Bus would cost $420 million, or $240,000 per new estimated rider. In light of these relative costs, the Town of Easton believes that the most fiscally responsible alternative is the Rapid Bus Alternative. M-007-005

Ridership: The ridership figures appear to be lower than ridership estimates in 2002. The current ridership estimates for *new* riders are:

Alternative	Attelboro, Diesel	Attleboro, Electric	Middle-boro, Full	Middle-boro, Simple	Stoughton, Diesel	Stoughton, Electric	Rapid Bus
New Riders	2,350	2,850	1,950	700	2,500	2,950	1,750

However, what the ENF fails to mention is that some of these "new" riders may currently take private buses to Boston. Specifically, when Scott Peterson of CTPS was asked whether some or all of the private bus riders switch to the trains, he responded that:

> 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 todays [sic] 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.

Therefore, if we understand this correctly, 1,500 of the "new" riders for the Stoughton Alternative currently ride on of the private bus services. So, the Stoughton Diesel would actually attract only 1,000 new mass transportation riders, and the Stoughton Electric would attract only 1,450 new riders. If this analysis is correct, it would have a large impact on both the analysis of change in vehicle miles traveled and the air quality analysis. M-007-006

Specifically, the ENF states on page 2-11 that, "A shift in travel from automobiles to rail could reduce vehicle emissions, improve regional air quality, and reduce the Commonwealth's contribution to greenhouse gases and climate change." In addition, page 5-105 of the ENF states, "The South Coast Rail project is anticipated to result in

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M-007-005

The cost per rider for each alternative is presented in Table 3.3-12 of Chapter 3, Section 3.3.2.1.

M-007-006

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3 Summary of Ridership Modeling Results.

M-007-007 reductions of air pollutants and greenhouse gases, by replacing automobile trips with more efficient public transit." The DEIR should determine how many of the new riders on each alternative are currently driving cars before it can claim a reduction in GHG emissions.

M-007-008 **Station boardings:** The Travel Demand Analysis presents numbers of boardings at the new stations, but does not break it down by station. In order to assess how the alternatives would affect each town, the DEIR should present information that estimates the number of riders boarding at each new station.

M-007-009 **Conclusion.** The Town of Easton understands the need to build infrastructure to connect Southeast Massachusetts to jobs in other regions, and to invest in Massachusetts' older industrial areas. However, we believe that the DEIR overstates the environmental benefits that will accrue from the rail alternatives proposed, and that inflated new ridership numbers and depressed time-of-travel estimates will tend to overstate the potential economic benefits, as well. We again urge the EOT and the Corps to carefully consider other alternatives, such as the Rapid Bus alternative, which would be far less environmentally damaging, more flexible, *and* would cost less.

Please feel free to contact me if you have any questions.

Sincerely,

David Colton /AAS -

David A. Colton
Town Administrator

cc: Robert Varney, Regional Administrator, EPA
Matt Schweisberg, EPA
Karen Adams, Corps
Laurie Burt, Commissioner DEP
Ian Bowles, Secretary, EOEEA
Lealdon Langley, DEP
Senator Brian Joyce
Senator Tom Kennedy
Representative Geraldine Creedon
Congressman Stephen Lynch
Senator John Kerry
Senator Edward Kennedy
Representative David Flynn
Representative Christine Canavan
Stoughton Town Manager
Stoughton Board of Selectmen
Raynham Town Manager
Raynham Town Selectmen

4

M-007-007

The mesoscale analysis presented in DEIS/DEIR Chapter 4, Section 4.9.1.3.3 evaluated the changes in emissions based upon modal travel shifts from private automobiles to rail service from the proposed South Coast Rail Project. All of the alternatives showed that there would be a reduction in emissions for all pollutants which includes greenhouse gas emissions.

M-007-008

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. The section includes data on boardings at each station.

M-007-009

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA/NEPA process.

TOWN OF LAKEVILLE
Town Office Building
346 Bedford Street
Lakeville, MA 02347

CONSERVATION COMMISSION
TELEPHONE (508) 946-8823
FAX (508) 946-0112

RECEIVED
JAN 7 2009
MEPA

January 7, 2008

To Whom It May Concern:

M-008-001 The Lakeville Conservation Commission wishes to submit the following comments regarding the Environmental Notification Form (ENF) for the SouthCoast Rail project that was submitted to our office in November 2008. Our department would like to ensure that the construction of the Fall River Secondary and New Bedford Line does not impair the functions of the Assonet Cedar Swamp and associated wetlands, waterways and wildlife habitat.

The Assonet Cedar Swamp in Lakeville borders the Cedar Swamp River and Assonet River. This extensive wetland contains one of the largest Atlantic White Cedar Swamps in the Commonwealth. With the New Bedford line passing through this wetland system we would like to take the opportunity to emphasize the high level of sensitivity of the wetland resources and associated habitat at Assonet Cedar Swamp as they are extremely sensitive to even small changes in hydrology or water quality. In fact, existing conditions indicate that the historic construction of the existing rail bed has impacted the wetlands significantly.

The reconstruction and upgrading of the existing rail bed would result in the unavoidable impacts to wetland resource areas:

- Physical effects resulting from the alteration of upland vegetation or soils.
    a. Changes in wind velocity and direction, temperature, light and noise.
    b. Change in habitat provided by adjacent wetlands and have the potential to shift the function and values provided by these wetlands.
- Impacts on the vegetation and aquatic communities due to changes in physical parameters of light, temperature, pollutants and the introduction of invasive species.
- Impacts to hydrology.
- Thirteen species listed as rare, endangered or of special concern as designated by the Natural Heritage Endangered Species Program (NHESP).
- Loss of wildlife and plant community habitats.
- Direct and indirect effects to vernal pools.
- Fencing which would alter the migration of all species.
- Fragmentation on a sensitive habitat that would impact the plant and animal population.

M-008-001

DEIS/DEIR Chapter 4.10, Section 4.10.2 describes potential impacts to wetland functions and values of the Assonet Cedar Swamp. Based on GIS-level wetland mapping and the current conceptual design, wetland impacts within the swamp that would potentially result from improvements to the New Bedford Main Line have been limited to 0.5 acre. The Fall River Secondary does not pass through the Assonet Cedar Swamp.

M-008-002 • Biological surveys to be conducted and carried out with consultation from NHESP and the Lakeville Conservation Commission.

M-008-003 • The Lakeville Conservation Commission would like the MBTA to closely examine opportunities to reverse longstanding adverse hydrologic impacts and to retain the services of individuals that have exhibited expertise with Atlantic White Cedar Swamps.

The Lakeville Conservation Commission appreciates your consideration of these matters and would like to stress the importance of a Conservation and Management Plan to ensure that the environmental impacts are minimized or altogether avoided.

Sincerely,

Tara Martin
Conservation Agent

Cc: MEPA Office
Army Corps of Engineers

M-008-002

MassDOT consulted with the NHESP in developing protocols to quantify the relative impacts of each alternative. No biological surveys were requested in the Assonet Swamp area.

M-008-003

These existing hydrological conditions have been in effect for more than 150 years and changes could have significant adverse effects to the wetland ecosystems that have developed over that period. MassDOT is therefore not considering hydrologic modifications as part of the South Coast Rail project.

Town of Lakeville

Town Office Building
346 Bedford Street
Lakeville, MA 02347

OFFICE OF
SELECTMEN
TELEPHONE (508) 946-8808
FAX (508) 946-0112

January 9, 2009

Alan Anacheka-Nasermann
US Army Corps of Engineers,
New England District
696 Virginia Road
Concord, MA 0174202751

Dear Mr. Anacheka-Nasermann:

The Lakeville Board of Selectmen (the Board) hereby submits the following comments from the Town of Lakeville regarding the Environmental Notification Form (ENF) for the South Coast Rail Project dated November, 2008:

M-009-001 The Board's most pressing concern is the possible closing of the Lakeville Commuter Rail Station and the Executive Office of Transportation and Public Works' (EOT) recommendation to advance the Middleborough simple alternative and eliminate the Middleborough full alternative. The idea of closing the Lakeville Station, turning it into a parking lot and busing passengers to a new station in Middleborough, would defeat all our exhaustive efforts to establish a pedestrian friendly transit-orient development area for Lakeville. This area surrounding the Lakeville Station includes an industrial park, retail and business space, and, presently under construction a 200+ unit 40R complex directly adjacent to the station. Previously, the Board formally objected to any considerations given to closing the Lakeville Station (a parking lot would in truth be a closing of the station) in a letter to Kristina Egan dated July 29, 2008, a copy of which is attached.

M-009-002 The Board is also concerned about residential growth the South Coast Rail Project will bring to Lakeville. Lakeville's western neighborhoods are only minutes from either of the proposed East Taunton station locations. Table 5-19 in the ENF discusses percentage of developed areas in communities that make up the South Coast. However, there is no mention that although Lakeville is 34.4% developed, 18% of Lakeville is surface water, and a large portion of that water is public drinking water for the cities of Taunton and New Bedford and surrounding communities. Table 5-20 indicates Lakeville's population will grow 59% between 2000 and 2030, the third fastest of the South Coast Communities. With the possible closing of the Lakeville Station, the South Coast Rail Project could have negative economic impacts on Lakeville, while increasing residential growth.

M-009-003 The Board is concerned with the potential for environmental degradation from any possible reconstruction of the Middleborough Secondary line that runs across northern Lakeville or the assured

M-009-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-009-002

Induced growth, a likely secondary impact of the South Coast Rail project, is described in DEIS/DEIR Chapter 5, Section 5.3.2 for each affected community under build without mitigation and build with mitigation (smart growth) scenarios. MassDOT would provide technical assistance to each community, including the Town of Lakeville, as part of the smart growth initiative.

M-009-003

Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose. No impacts to the Assonet Cedar Swamp are expected, as described in Chapter 4.10, Section 4.10.3.2 of the DEIS/DEIR.

M-009-003 reconstructing of the Fall River and New Bedford freight lines that run adjacent to and through the Assonet Cedar Swamp. We are pleased the Assonet Cedar Swamp is recognized in the most recent ENF, but believe that the characterization that there will be little or no impacts in an area where active freight lines now exist is inaccurate and minimizes concerns for public safety and the environment. The use of these three freight lines, upgraded for high speed commuter rail service, will be significantly more intrusive than had been their limited use for infrequent freight service. We respectfully request that detailed studies be done to assess the full impact of a fully scheduled commuter rail, as opposed to the current lesser-utilized freight lines.

We suggest that some information in the ENF is incorrect or misleading. Please review the following:

M-009-004 Pg. 5-24 Private Open Space – The Assonet Cedar Swamp Wildlife Sanctuary allows public access, although access points are limited.

M-009-005 Pg. 5-41 Potential Effects Common …reads "The only major change would be an increase in train frequency." The proposed increase in train speed is also a significant change. According to the 2002 FEIR, freight trains can only travel at 10 miles per hour. Commuter trains travel up to an estimated 70 mph.

M-009-006 Pg. 5-44/48 Table 5-5 and Table 5-7 Named Streams… please add Peirce Brook named in 2001 by the United States Board of Geographic Names. Several additional unnamed perennial streams were identified in an Order of Resource Area Delineation issued by the Lakeville Conservation Commission on December 20, 2002.

M-009-007 Pg. 5-59 – Section 5.7.3 Massachusetts Agricultural Restrictions Program - Lakeville had the first APRs in the Commonwealth. Lakeville is not mentioned in this section.

M-009-008 Pg. 5-61 Residential – Lakeville is not listed here.

M-009-009 Pg.5-81 Table 5-28 – Add Lakeville's Peirce and Haskins Cemetery, Fall River Secondary

M-009-010 Pg. 5-114 Second paragraph refers to Lakeview (should be Lakeville).

M-009-011 Pg. 5-115 Table 5-36 refers to Beechwood Road in Lakeview, Beechwood Road is in Freetown.

M-009-012 The Lakeville Board of Selectmen would like to support the South Coast Commuter Rail Project, but cannot support a project that would result in the loss of our commuter rail station.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Rita A. Garbitt
Town Administrator

Enclosure
CC: Secretary Ian Bowles, EOEEA

M-009-004

There are no designated trails or access points into the sanctuary.

M-009-005

As described in DEIS/DEIR Chapter 3, Section 3.2.5.2.1, freight trains on the Fall River Secondary, New Bedford Main Line, and Attleboro Secondary operate at a maximum speed of 40 mph. The commuter rail train maximum speed of 70 mph is consistent with other trains within the MBTA system.

M-009-006

Pierce Brook is identified in Figures 4.16-4a-b in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.2.

M-009-007

Lakeville has been added to the list of communities participating in the Massachusetts Agricultural Preservation Restriction Program, described in DEIS/DEIR Chapter 4.11, Section 4.11.1.3.1.

M-009-008

Lakeville has been added to the table showing the area of communities that can be developed within the land use study area, provided in Chapter 4.2, Section 4.2.2.1.2 of the DEIS/DEIR.

M-009-009

The Pierce and Haskins Cemetery has been included in the DEIS/DEIR at Chapter 4.8, Section 4.8.2.1.1.

M-009-010

Comment noted.

Town of Lakeville

Town Office Building
346 Bedford Street
Lakeville, MA 02347

OFFICE OF
SELECTMEN
TELEPHONE (508) 946-8803
FAX (508) 946-0112

July 29, 2008

Kristina Egan,
South Coast Rail Manager
Executive Office of Transportation
Ten Park Plaza, Room 4150
Boston, MA 02116-3973

RE: Comments on Station Locations

Dear Kristina:

At a meeting held on July 15, 2008, the Board of Selectmen was updated by our representative to the Commuter Rail Task Force on information she received at the July 11, 2008 meeting of the Task Force regarding potential commuter rail station locations. The Board of Selectmen would like to take this opportunity to formalize our objection to any considerations given to closing the commuter rail station in Lakeville.

The Elected Officials and the residents of Lakeville have put exhaustive efforts into planning and rezoning the area around our train station to create an attractive business, industrial and residential area. These efforts include:

1. In addition to the original industrial park, we presently have a 200+ unit 40R development under construction directly adjacent to the train station.

2. A Walgreen's Pharmacy and a construction rental equipment business were recently opened. There are two banks and two real estate offices also located in that area.

3. The Zoning Board of Appeals has permitted a law office for that area and a convenience store with retail gasoline sales is also being considered. A CVS Pharmacy is permitted and will begin construction next year in conjunction with the relocation of Route 79, which will include a new signalized traffic intersection where Commercial Drive intersects with Main Street (Route 105).

M-009-011

Comment noted.

M-009-012

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

4. The property known as the former Lakeville Hospital property is being planned for development with a Super Stop & Shop and a Chili's Restaurant. Additionally, the developers of this property have begun the permitting process for a high end condominium/townhouse residential development which will be enhanced by the relocation of Route 79.

Recently, the Town of Lakeville was the recipient of a $375,000.00 MORE Job Opportunity Grant from the Executive Office of Housing & Economic Development to improve the municipal water service in this area. We are presently in talks with officials in Taunton regarding the design and construction of a water tower.

In summary, Lakeville has, and is continuing to, put many hours and monies into this area of Town with the target being increased tax dollars from more business driven development. Closing the commuter rail station would have a severe detrimental affect on our efforts to define this area as Lakeville's pedestrian friendly Business District. The current rail station parking lot is filled to capacity most days and at times, overflow capacity. By eliminating the Lakeville commuter rail station, it would mean additional traffic would be diverted onto already crowded State highways, namely Interstate 495 and Route 24.

We would like to respectfully request that these factors be seriously considered when evaluating your options for the potential rail expansion.

Sincerely,

Charles E. Evirs, Jr, Chairman
Lakeville Board of Selectmen

AE

Town of Middleborough

CONSERVATION COMMISSION

RECEIVED JAN 12 2009 MEPA

January 8, 2009

Secretary Ian A. Bowles
EOEA, Attn: MEPA Office
Aisling Eglington, MEPA Analyst
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: South Coast Rail Project ENF Comments – EOEA No. 14346

Dear Secretary Bowles and Analyst Eglington:

On behalf of the Middleborough Conservation Commission I am writing in response to the recent Environmental Notification Form (ENF) that was sent to our office for review.

M-010-001 After careful review of the ENF there was one discrepancy that stood out within section 5 under table 5-3 that Alternative 2B, which is the Middleborough Simple would be filling 3.6 acres of wetland resource area. Within section 5-14 under Alternative 2 – Middleborough it states in paragraph 3 that Option 2B would not affect the resources of Town Brook and Furnace Brook in Quincy and in table 4-1 it states that Option 2B would have no improvements to the Old Colony Main Line. So if there are no improvements to be made with Option 2B, why would 3.6 acres of wetland be filled? It would seem that the 3.6 acres of wetland filling only pertains to the Middleborough Full.

M-010-002 Of major concern is that the Stoughton Alternative would be going through the Hockomock Swamp Area of Critical Environmental Concern (ACEC). This is the largest swamp in Massachusetts, being approximately 17,000 acres or 10 square miles in size and provides 71/2 billion gallons of water storage. There are three public water supply wells located within the Hockomock, which are quite successful since the swamp is comprised of medium to high yielding aquifers. As you probably know there are at least 13 rare and endangered species within this unique resource. Middleborough is concerned with the swamp because although it is not within our political boundaries, the Hockomock is a regional resource. This swamp is at the headwaters to the Town River, which in turn flows into the Taunton River, which is the River the Watershed that most of Middleborough belongs to is named for. In quoting the Mass.Gov website under ACEC Designations for the Hockomock Swamp ACEC; "Because of its size, it is a unique and irreplaceable wildlife habitat"

20 CENTRE STREET — MIDDLEBOROUGH, MASSACHUSETTS

M-010-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-010-002

The Stoughton Alternatives' potential impacts to the resources of the Hockomock Swamp ACEC are described in Chapter 4.10, Section 4.10.3.2.5 of the DEIS/DEIR. Additional information regarding impacts to the biodiversity and water resources of the Hockomock Swamp ACEC is provided in Chapter 4.14. Section 4.14.3.2.5 and Chapter 4.17, Section 4.17.3.3.5, respectively.

M-010-003 From an environmental perspective the Middleborough Simple Alternative would not impact resource areas since it would be running through an existing developed area and would not be going through any ACEC lands. The other pluses to this Alternative are that it satisfies the time frame to get the rail up and running, it is cost prohibitive and it would provide an opportunity to revitalize the downtown area of Middleborough including the clean up of several sites on Cambridge Street and the obstacle of dealing with privately owned land along the rail line is not an issue here.

M-010-004 The Stoughton Alternative still has not totally addressed the cost of wetland impacts as is stated within the ENF. This alternative would also be working near 9 certified vernal pools, creating 10 new stream/river crossings, and several Article 97 public open spaces will be impacted such as the Pine Swamp Conservation Area, Stoughton Memorial Conservation land, Town of Easton Conservation land, McCarthy Conservation land in Easton and the Bird Street Conservation area in Stoughton. Stoughton Alternative 4 is going through not only the Hockomock Swamp ACEC but also the Fowl Meadow ACEC.

In conclusion, the Middleborough Conservation Department is in favor of the Middleborough Simple Alternative.

Sincerely,

Patricia J. Cassady, Agent
For the Middleborough Conservation Commission

Cc: Middleborough Board of Selectmen
Middleborough Town Manager, Charles Cristello
Middleborough Planning Department
Middleborough Health Department
Middleborough Water Department
Middleborough Citizens Environmental Health Impact Committee

M-010-003

Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose.

M-010-004

DEIS/DEIR Chapter 4.16, Section 4.16.3 identifies the potential wetland impacts of each alternative, including the Stoughton Alternatives, based on the current level of project design. Potential impacts to ACECs and Article 97-protected properties are discussed in Chapter 4.10, Section 4.10.3.

AE

Town of Middleborough

CONSERVATION COMMISSION

RECEIVED

MAR 18 2009

MEPA

March 13, 2009

Secretary Ian A. Bowles
EOEA, Attn: MEPA Office
Aisling Eglington, MEPA Analyst
100 Cambridge Street, Suite 900
Boston, MA 02114

Alan Anacheka-Nasemann
US ACOE – Regulatory Division
Attn: CENEA-R-PEA
696 Virginia Road
Concord, MA 01742

RE: South Coast Rail Project Regional Priority Development & Priority Protection Areas (Draft) Comments – EOEA No. 14346

Dear Secretary Bowles, Analyst Eglington and Mr. Anacheka-Nasemann:

M-011-001

On behalf of the Middleborough Conservation Commission I am writing in response to the most recent South Coast Rail Economic Development and Land Use Corridor Plan entitled "Regional Priority Development & Priority Protection Areas (Draft)". Concerning the Town of Middleborough there are some areas that are regionally significant that have not been highlighted enough as far as priority protection goes.

These areas most significant to the Town of Middleborough and to the region as a whole are the Taunton River Corridor and the Nemasket River Corridor. Although some of the Taunton River bordering Middleborough and Bridgewater on the subject map is showing areas of protection along the corridor the whole section of the Taunton River should show areas of priority protection along both sides of this River. As you may know the Taunton River has been studied extensively over the years first through a group call the Taunton River Stewardship Program which then blossomed into the Taunton River Wild & Scenic Study Committee. During these years not only was the upper and lower Taunton River examined but the contributing tributaries were also included of which the Nemasket River is one of these tributaries.

The Taunton River Wild & Scenic Study includes priority protection areas on both sides of the Taunton as shown on the attached map. The Nemasket River is equally important as a regional resource since it is not only ecologically rich but also has great historical and archeological significance. The Nemasket River and the other tributaries to the Taunton were studied extensively during the Wild & Scenic Study.

20 CENTRE STREET — MIDDLEBOROUGH, MASSACHUSETTS

M-011-001

Your comments have been incorporated into the process for developing the Priority Map published in the 2009 South Coast Rail Economic Development and Land Use Corridor Plan.

M-011-001 The Nemasket River also has significant areas designated as BioMap Core Habitat (see attached Wild & Scenic Ecology and Biological Diversity Map A). There are important agricultural properties along the Nemasket that are included as priority areas for protection in Middleborough's current Open Space and Recreation Plan. The attached Open Space and Recreation Plan Protected Open Space and Priority Preservation Land map dated June 2008 shows that the majority of the land either already protected or anticipated to be protected is along waterways such as the Taunton River and the Nemasket River.

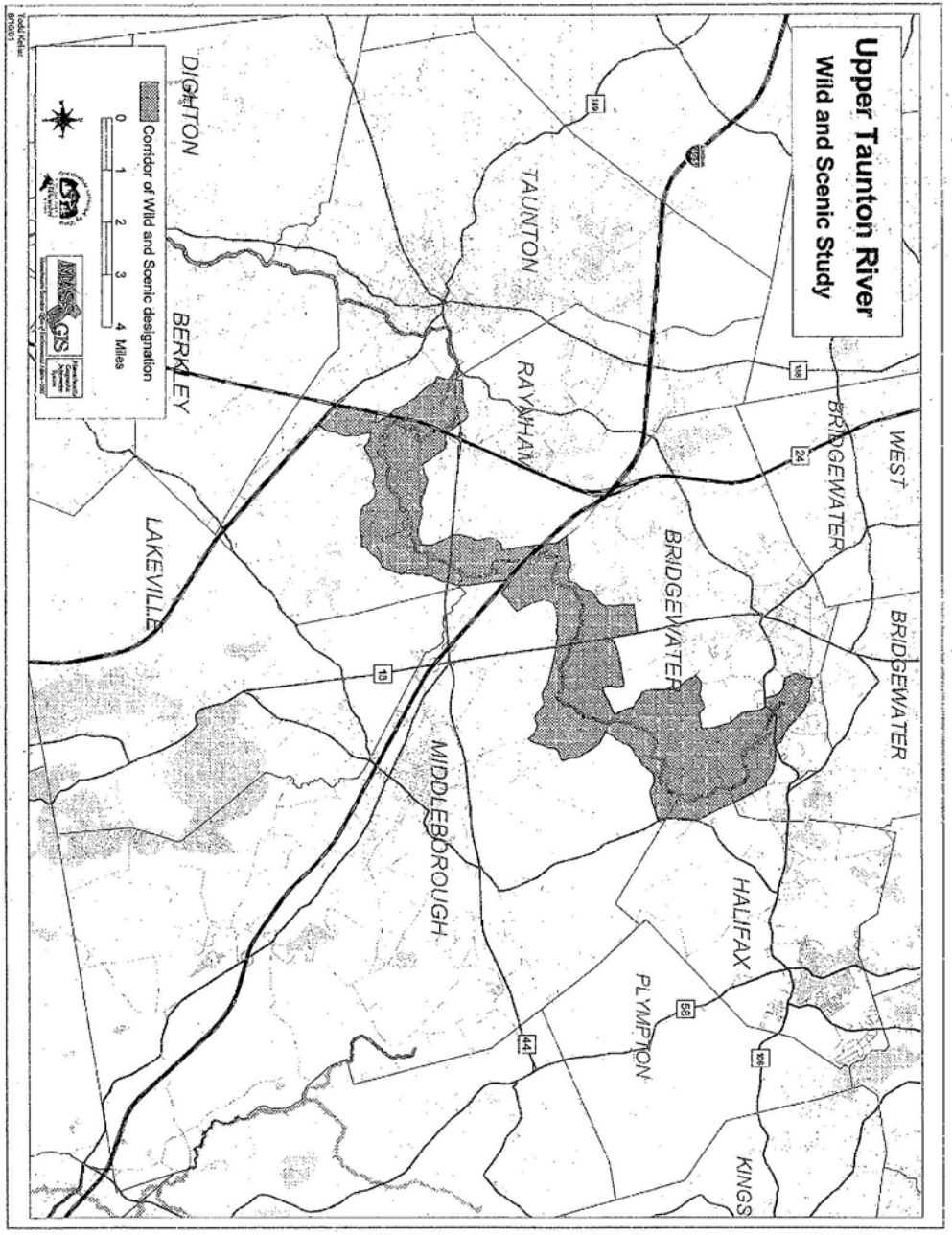
Protecting these areas in turn protects the integrity of the watershed, which is a regional resource and significant to everyone. The watershed knows no political boundaries.

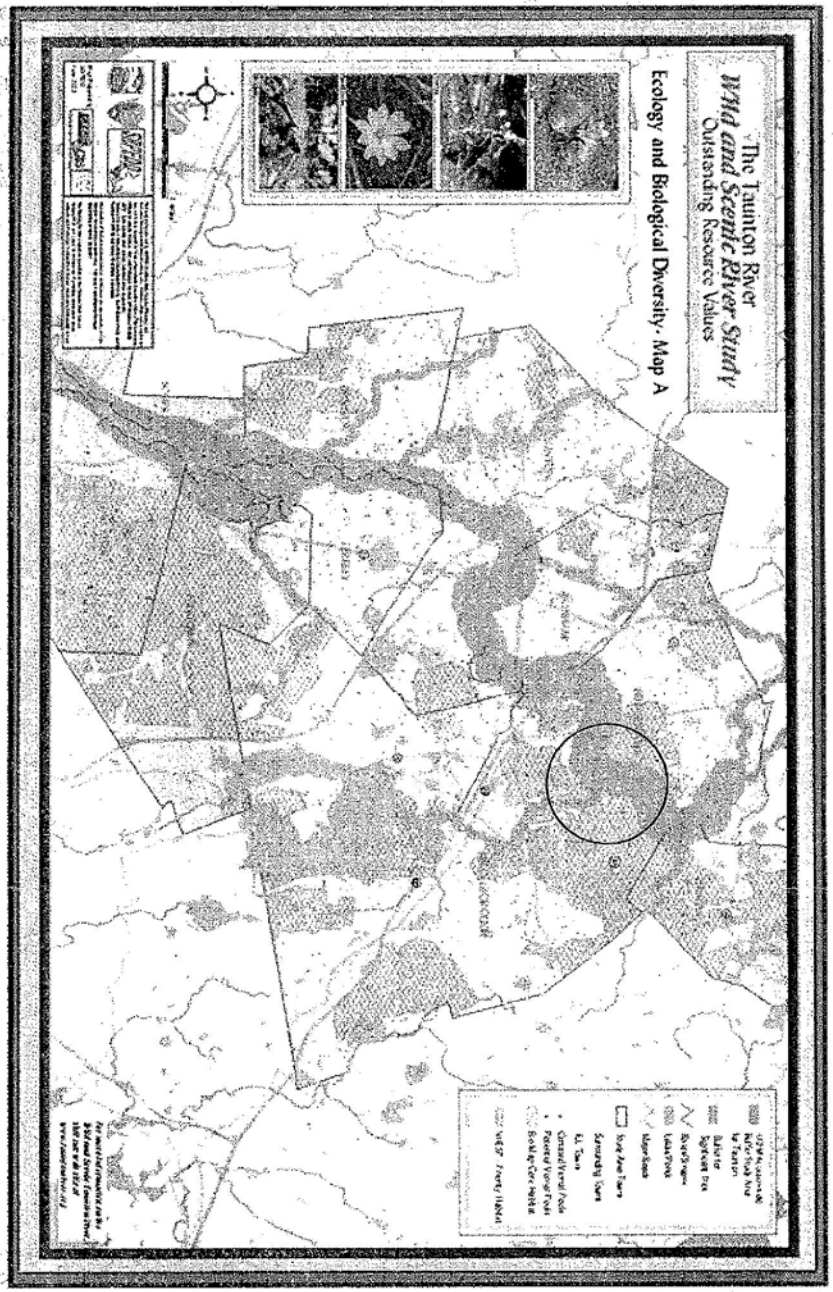
Sincerely,

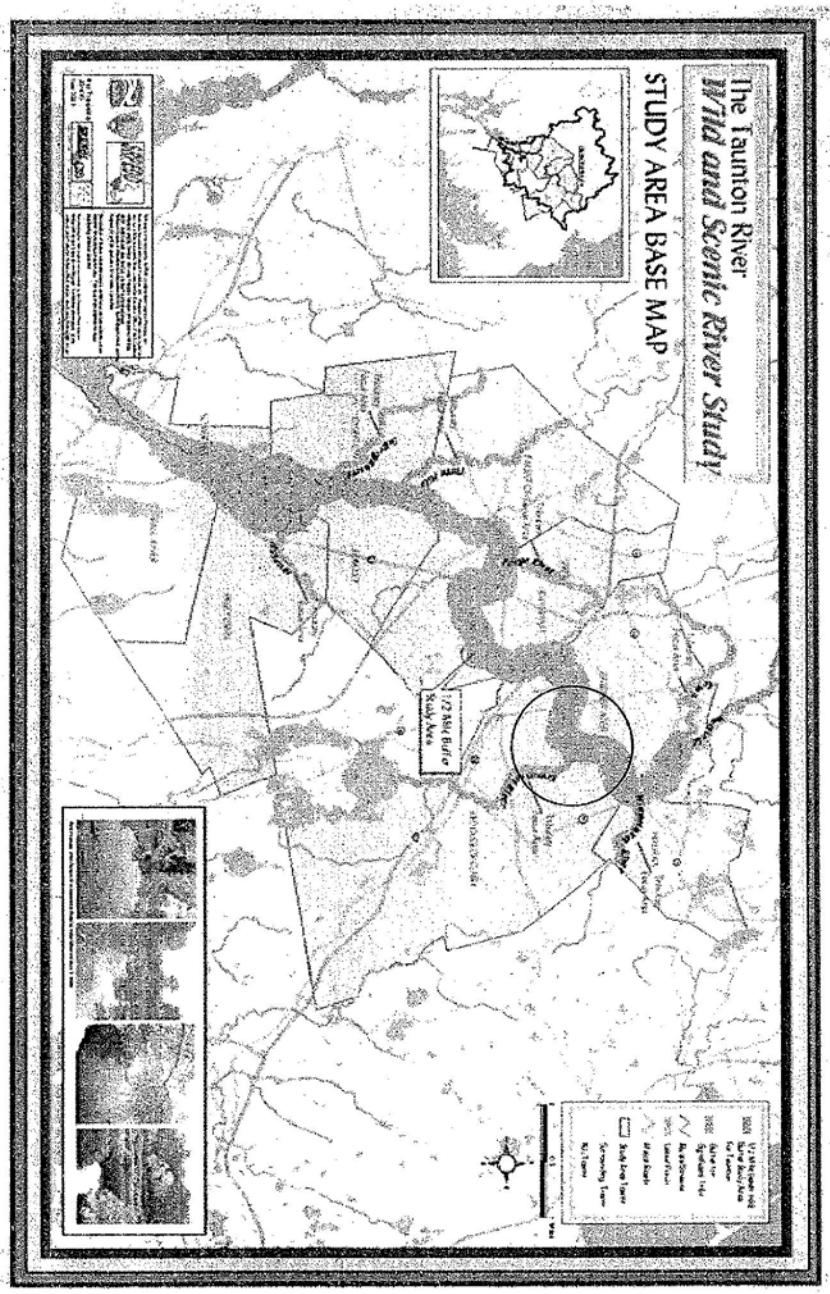
Patricia J. Cassady, Agent
Middleborough Conservation Commission

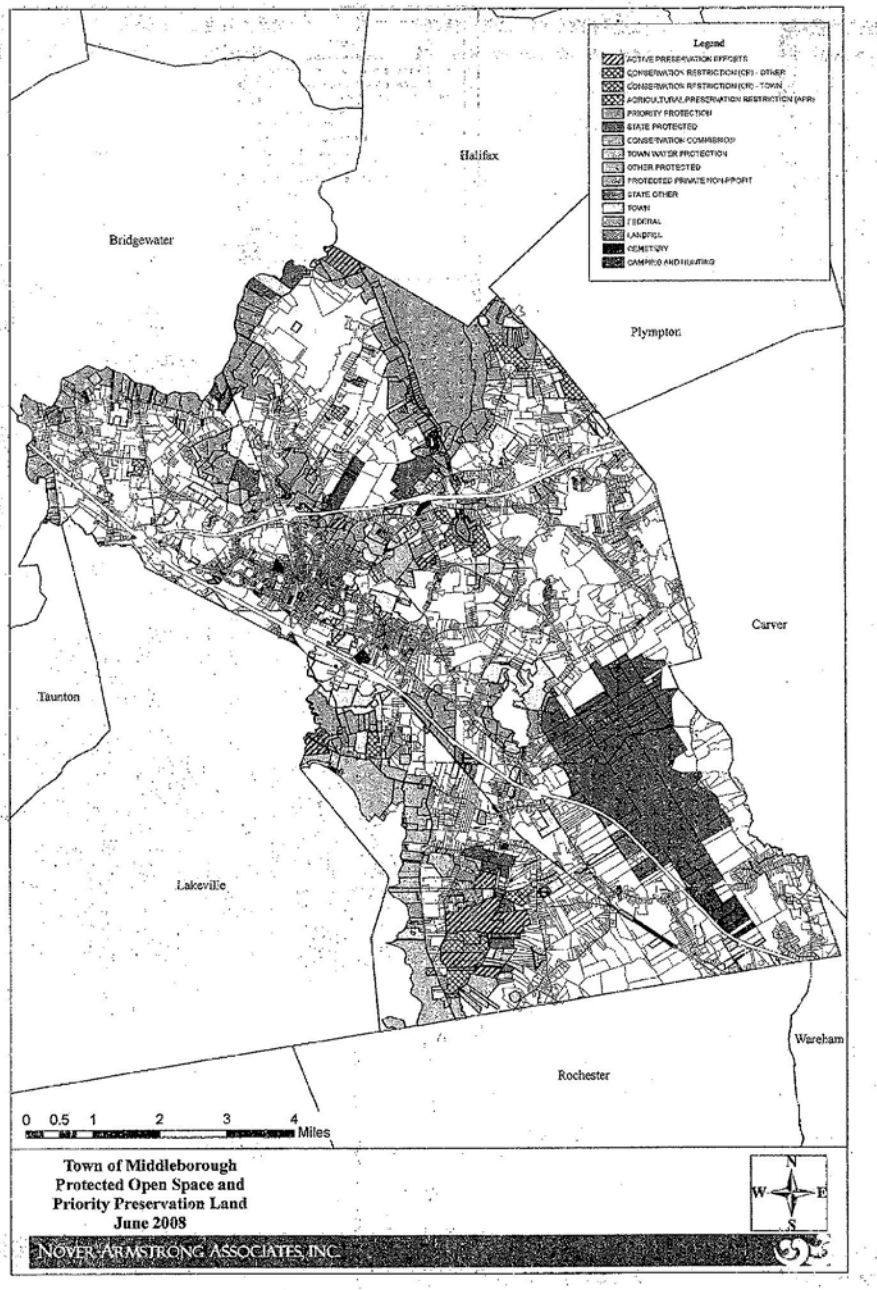
Cc: Amy Kohn of Goody Clancy
Middleborough Board of Selectmen
Middleborough Town Manager, Charles Cristello
Middleborough Planning Department
Middleborough Health Department
Middleborough Water Department
Middleborough Citizens Environmental Health Impact Committee

Attachments: Upper Taunton River Wild & Scenic Study Map (8/10/01)
Taunton River Wild & Scenic River Study Outstanding Resource Values
Ecology and Biological Diversity Map A
Taunton River Wild & Scenic River Study Area Base Map
Middleborough Open Space & Recreation Plan Protected Open Space and Priority Preservation Land June 2008 Map


Upper Taunton River
Wild and Scenic Study
WEST BRIDGEWATER
BRIDGEWATER
BRIDGEWATER
HALIFAX
PLYMPTON
KINGS
TAUNTON
RAYNHAM
MIDDLEBOROUGH
DIGHTON
BERKLEY
LAKEVILLE
Corridor of Wild and Scenic designation
0 1 2 3 4 Miles
Todd Fehlau
8/10/01


The Taunton River
Wild and Scenic River Study
Outstanding Resource Values
Ecology and Biological Diversity - Map A


The Taunton River
Wild and Scenic River Study
STUDY AREA BASE MAP
1/2 Mile Buffer
Study Area


Legend
ACTIVE PRESERVATION EFFORTS
CONSERVATION RESTRICTION (CR) - OTHER
CONSERVATION RESTRICTION (CR) - TOWN
AGRICULTURAL PRESERVATION RESTRICTION (APR)
PRIORITY PROTECTION
STATE PROTECTED
CONSERVATION COMMISSION
TOWN WATER PROTECTION
OTHER PROTECTED
PROTECTED PRIVATE NON-PROFIT
STATE OTHER
TOWN
FEDERAL
LANDFILL
CEMETERY
CAMPING AND HUNTING
Halifax
Bridgewater
Plympton
Carver
Taunton
Lakeville
Wareham
Rochester
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N
W
E
S
Town of Middleborough
Protected Open Space and
Priority Preservation Land
June 2008
NOVER ARMSTRONG ASSOCIATES, INC.

Town of Middleborough
Office of Economic & Community Development
20 Centre Street
Middleborough, MA 02346

Tel: 508-946-2402, Fax: 508-946-2413
Analevanko1@verizon.net

January 9, 2009

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
Regulatory Division
ATN: CENEA-R-PEA
696 Virginia Road
Concord, MA 01742

RE: South Coast Rail Scoping Document
Draft Environmental Impact Statement/ Environmental Report

Dear Mr. Anacheka-Nasemann,

As the Economic and Community Development Director for the Town of Middleborough, I am providing comments on the above draft documents from an economic development perspective.

Passenger rail service has already demonstrated to be a benefit to the Town with Middleborough residents representing 25 percent of the daily ridership on the Middleborough-Lakeville line. In addition, our Office understands the economic benefits that a station site in the Town can offer as part of the planned passenger rail service expansion.

Station Location

M-012-001 Early on in this study process four station sites were evaluated as potential station sites in Middleborough and the recommendation in the above reports narrowed the sites to the one downtown site. Through Middleborough staff did have input into potential station locations, we did not recommend eliminating all but one site at this time. The downtown village site as identified would hopefully encourage mixed use around the station and create an opportunity for a walkable community since the site is located in a densely populated area. This station may best suit the ***Middleborough Simple*** alternative but an Everett Street location with better regional access, location on major highway (Route 44), and readily accessible to the planned resort casino site is a better rail site location for the ***Middleborough Full*** alternative. Also, the traffic impact of the downtown location and availability of adequate parcels has not been determined so limiting further analysis to this one site is not prudent.

Ridership Model

M-012-002 In evaluating rail alternatives and determining rail station locations, consideration needs to be given to the workforce trips that are generated by our major employers, specifically those employers in our 4 major parks in the vicinity of I-495/Route 44. Two of our four commercial parks along with Ocean Spray headquarters (located outside these parks) currently employ 2,200. With the addition of over 1,500,000 square foot permitted expansion in these parks and over 1,500,000 square foot potential in two other commercial parks, the workforce numbers will be significantly higher. These projected figures

M-012-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-012-002

The travel demand model takes into account the population and employment densities of the region.

should also be included in any ridership model since they would occur within the rail alternatives study long term planning horizon. I do not see in the DEIS/DEIR that Middleborough employment figures were included in a ridership model.

Smart Growth

The Town of Middleborough has a very active economic development team that pursues quality businesses while retaining current businesses and balancing this preserving open space and considering smart growth approaches to development. The Town has the infrastructure in place to support smart growth activities to include water and sewer infrastructure in proximity to potential rail stations, bus transportation service through GATRA, and municipally owned gas and electric.

M-012-003

Passenger rail service supports smart growth and an investment of a rail station location in Middleborough can potentially have great benefits to our local businesses and residents and can spur smart growth mixed use and other quality residential and commercial development. Further analysis of how workforce trips generated in Middleborough can benefit from passenger rail and the most appropriate station location with least impacts to the community is essential as the rail alternative study process continues.

Sincerely,

Anna M. Nalevanko
Director
Office of Economic & Community Development

c: Middleborough Board of Selectmen
Charles Cristello, Town Manager
Ruth Geoffroy, Town Planner

M-012-003

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

Post-it® Fax Note 7671	Date 1/9/09	# of pages ▸ 3
To MEPA unit	From MIDDLEBOROUGH	
Co./Dept. Aisling Eglington	Co. Planning Board	
Phone #	Phone # 508-946-2425	
Fax # 617-626-1181	Fax # 508-946-1991	

Town of Middleborough

Massachusetts

TOWN PLANNER
Ruth McCawley Geoffroy

Planning Board

Telephone (508) 946-2425
Fax (508) 946-1991

January 6, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street
Suite 900
Boston MA 02114

Re: South Coast Rail ENF Project Document/Scoping Document
Draft Environmental Impact Statement/Environmental Report

Dear Sir;

M-013-001 The Town of Middleborough Planning Board is in receipt of the Environmental Notification Form/Project Document for the South Coast Rail. In general, the Planning Board supports the Middleborough Simple Alternative for providing commuter rail between New Bedford/Fall River and Boston. Of all the rail alternatives, it will cost the least and have the fewest environmental impacts. In fact, it has approximately half the cost components of the other alternatives, and requires no wetlands or historic resource impacts. Further, the Middleborough Simple offers a quick, cost-effective interim solution while the Middleborough Full or the Stoughton Alternatives are more fully explored.

The Planning Board has the following comments regarding the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR):

M-013-002 1. **The DEIS/DEIR should consider more than one station site in Middleborough.** While the Middleborough Center site has definite benefits and was the location of a rail station historically, many streets leading to it are largely residential. The location is within the Town's historic downtown consisting of commercial, mixed use and multi-tenant uses. But since nearly 25% of the rail commuters at the Lakeville Station are from Middleborough (SRPEDD Lakeville Station Study, May 14, 2008), this represents nearly 200 vehicles likely to access this site. The MBTA layover site off of Route 105 and the two Everett Street sites near Route 44 should be included as viable candidates for the Middleborough alternatives.

These sites were eliminated by the Executive Office of Transportation in its September 29, 2008 *Station Siting Report*. However, the site selection documents indicate that these sites were practical and we request that they be studied in the

M-013-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-013-002

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-013-002 DEIS/DEIR. We request that all four station sites should be fully evaluated in order to select the optimum site for the Middleborough Alternatives.

M-013-003 2. **The DEIS/DEIR should consider alternative methods of serving the existing Lakeville Station for the Middleborough Alternatives.** Using buses will add expense to the project and bus traffic to the downtown area if the Village Station site is selected. Other rail alternatives should be investigated such as the use of DMUs (self-propelled Diesel Multiple Units) to bring commuters from Lakeville to Middleborough or fully automatic coupling cars to add cars to the train consists.

M-013-004 3. **The DEIS/DEIR should reconsider the connection to Wareham at this time.** Alternative #63, as described in Chapters 5, 6, & 7 Attachment, and Appendix A to the Attachment, is now viable as proposed by MassCoastal Railroad. This extension has been the subject of prior studies since 1996 and continues to be a much-needed commuter rail component.

M-013-005 4. **The DEIS/DEIR should include the following in the CTPS ridership model as it will influence the selection of an alternative:**

- The current MassCoastal Railroad proposal to EOT to provide commuter rail to Boston from the Cape via the MBTA Lakeville Station. Included in this analysis should be a station site in South Middleborough. Commuters who now use Lakeville Station from Bourne, Wareham, and Mattapoisett would likely transfer to this line. However, the Town is not recommending the closing of Lakeville Station as it will still be needed to accommodate growth in that area. Instead it could function as a stop on the MCRR line;

- The proposed casino at Middleborough which will bring both employees and patrons to the Middleborough area from New Bedford and Fall River. The casino is only briefly mentioned but should be included in ridership modeling since Middleborough has entered into an Intergovernmental Agreement for its construction.

- The four corporate parks in the vicinity of I-495/Route 44 have approximately 2 million square feet built and 5 million square feet total approved. Existing facilities include the Christmas Tree Shops, Headquarters, NES Clothing, Champion Exposition, Serta Mattress, Butler Automatic, Sager Electronics, and Cirelli Foods, and Brookfield Engineering Headquarters. The Oceanspray Headquarters are also located in Middleborough in that vicinity.

M-013-006 5. **The DEIS/DEIR should include an analysis of the need for an additional line at the Quincy Station during the 2030 planning horizon absent a New Bedford/Fall River commuter line.** The ENF Project Document attributes the need for a tunnel at the Quincy Station to the Middleborough Full Alternative. Based on the more complete ridership figures noted above, it may become apparent that additional capacity will be required at Quincy regardless of whether the New Bedford/Fall River line is added. If so, the cost of the tunnel and its associated impacts should be

M-013-003

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-013-004

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose. As such, an extension of the Middleborough Line to Wareham and Buzzards Bay is beyond the scope of the South Coast Rail project.

M-013-005

Inputs to the CTPS ridership model, including other transportation projects and demographic data from the Regional Planning Agencies through which the South Coast Rail alternatives would pass, are described in DEIS/DEIR Chapter 3, Section 3.2.4.1.

M-013-006

Commuter rail service to Fall River and New Bedford are key components of the South Coast Rail project; the No-Build Alternative analyzed throughout the DEIS/DEIR describes the region absent this service. However, adding another line to the Quincy Station is outside of the scope of the analysis required for the DEIS/DEIR.

removed from the Middleborough Full Alternative. In particular, any capacity issues on the Old Colony Line should be eliminated as a factor in the selection process, as should any wetlands or historic impacts. EOT noted the need to retain this alternative in their Phase I Analysis Final Report (Ch. 6, p.28).

M-013-007

6. **The DEIS/DEIR should fully describe and analyze the impact of train consist lengths and bi-level coaches relative to increasing capacity for the Middleborough Alternatives.** The DEIS/DEIR should provide greater detail in its description of the analysis conducted regarding the Quincy Station capacity and determine whether there are other means to increase capacity on the Old Colony Line without constructing a third rail line. We request that the DEIS/DEIR provide the data and analysis regarding longer train consists and/or using bi-level coaches to increase capacity. Further, the discussion on operations and build alternatives cost components should provide greater detail for comparison purposes. In particular, it is unclear how the Middleborough Simple Alternative will only add eight coaches for six peak hour trains.

Thank you for the opportunity to comment on this regionally significant project. We look forward to offering additional comment.

Regards,

Michael Labonte, Chairman
For the Middleborough Planning Board

M-013-007

Alternative 2 – Through Middleborough has been eliminated from further review as it does not meet the project purpose.

Town of Middleborough
Massachusetts

Planning Board

TOWN PLANNER
Ruth McCawley Geoffroy

Telephone (508) 946-2425
Fax (508) 946-1991

January 9, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street
Suite 900
Boston MA 02114

Re: South Coast Rail ENF Project Description and Scoping Document for the Draft Environmental Impact Statement/Environmental Report

Dear Sir;

The Town of Middleborough Planning Department is in receipt of the Environmental Notification Form (ENF) Project Description and Scoping Document for the Draft Environmental Impact Statement/Environmental Report (DEIS/DEIR) South Coast Rail commuter line between New Bedford/Fall River and Boston. The Planning Department has participated in the planning of the South Coast Rail for several years, as well as the Buzzards Bay/Bourne Rail Study. Planning Department Staff represents the town of Middleborough on the south coast Commuter Rail Task Force and many of the following issues have been repeatedly raised in Task Force meetings.

M-014-001

1. **The ENF Project Description and the Scoping Document for the DEIS/DEIR recommends removing Alternative 2A Middleborough Full from further consideration (Chapter 8, Proposed Scope of the Draft EIR, p. 8-2). This alternative should remain in the South Coast Rail Project for further analysis and consideration.**

   - This alternative (identified as #17 in the Phase I Final Report dated April 30, 2008) was left in the project at the request of EOT despite the projected costs and difficulty of construction. According to that report, the recommendation to dismiss this alternative was rejected because:

     "Although Alternative 17 was recommended to be eliminated in Step 2, in Step 4 EOT recommended that this alternative be retained. Although difficult to construct, it may provide long-term transportation benefits

M-014-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-014-001 *by increasing future capacity on the Old Colony Line, and may provide rail access to the casino proposed in Middleborough."*

- The Scoping Document attributes the need for a tunnel at the Quincy Station to the Middleborough Full Alternative. However, it appears that a tunnel would be required for the Old Colony Line without the New Bedford/Fall River connection based on the actual background growth within the Old Colony Line service area and the need for commuter rail to Bourne and Cape Cod. If a tunnel would be required regardless of the addition of a New Bedford/Fall River line, it should be eliminated from the Middleborough Full Alternative cost analysis. Any capacity issues on the Old Colony Line should be eliminated as a factor in the selection process, as should any wetlands or historic impacts. M-014-002

M-014-003 **2. The existing and projected ridership may not reflect the actual current ridership, short-term anticipated ridership, and long-term ridership on the Old Colony Line. The DEIS/DEIR should include the following in the CTPS ridership model as it will influence the selection of an alternative:**

- Table 2-4 *Ridership on Providence, Stoughton, and Middleborough Lines* indicates that the Middleborough line is already close to capacity in the AM Peak.

M-014-004
- Table 2-5 *Parking Utilization* indicates that the Lakeville station has 663 occupied spaces out of 769. In actuality there are 900 spaces numbered in the Lakeville lot. Further, there are several large "TOD" projects adjacent to the lot. National Development and Kensington Court, and Cranberry Village, a 234 40B development in Middleborough within walking distance of the station. Further, a zoning proposal at Lakeville will no longer restrict the National Development units to 55+. Therefore the commuter mix will likely be much higher than projected.

M-014-005
- The proposed resort casino at Middleborough, which will bring both employees and patrons to the Middleborough area from New Bedford and Fall River, is on schedule to be built within the Project's planning horizon. The resort casino is only briefly mentioned but should be included as a key component in the ability to connect employees with employers in the region as part of the "*regional mobility*" project goal. Middleborough has entered into an Intergovernmental Agreement for the resort casino's construction, and it is anticipated to be completed prior to the project target date of 2016.

M-014-006
- The current MassCoastal Railroad proposal to EOT to provide commuter rail to Boston from the Cape via the MBTA Lakeville Station. Included in this analysis should be a station site in South Middleborough. Commuters who now use Lakeville Station from Bourne, Wareham, and Mattapoisett would likely transfer to this line. However, the Town is not recommending the closing of Lakeville Station as it will still be needed to accommodate growth in that area. Instead it could function as a stop on the MCRR line;

M-014-002

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose. Accordingly, the Old Colony Line tunnel and capacity issues, as well as wetlands and historic impacts of the Middleborough Full Alternative, are not relevant to the alternatives selection process.

M-014-003

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-014-004

The demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in their most recently adopted Regional Transportation Plan (RTP).

M-014-005

The demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in their most recently adopted Regional Transportation Plan (RTP). The land use assumptions do not include the possible casino development in Middleborough.

M-014-006

M-014-007

- Middleborough is a regional employer with 2,200 employees at the corporate parks near the Middleborough Rotary alone. The four corporate parks in the vicinity of I-495/Route 44 have approximately 2 million square feet built and 5 million square feet total approved for future expansion. Existing facilities include the Christmas Tree Shops, Headquarters, NES Clothing, Champion Exposition, Serta Mattress, Butler Automatic, Sager Electronics, and Cirelli Foods, and Brookfield Engineering Headquarters. The Oceanspray Headquarters are also located in Middleborough in that vicinity.

M-014-008

3. **The South Coast planning area does not include Middleborough. This skews the results substantially for ridership, land use analysis, and economic development.**

Chapter 5, Affected Environment, Preliminary Analysis of Environmental Impacts and Benefits, identifies the "Study Area" as "the part of the South Coast region that is adjacent to, or crossed by, one or more of the build alternatives. Middleborough, which sits closer to the South Coast than Lakeville, and is entirely south of Raynham and Easton (communities included in the South Coast study area analyses in Chapter 5) is not included in the land use or social and economic environment sections. The Middleborough alternatives include use of new rail lines within the Town of Middleborough. Specifically, no mention of Middleborough is made in:

- Land use for existing land (p. 5-61). In addition to the abovementioned corporate parks, Middleborough has two other existing business parks , a fully functioning downtown business district, and a third industrial park being developed in South Middleborough along the freight rail.

M-014-009

- Social and economic environment analyses including population trends (Table 5-20, p. 5-69), from Occupied Housing Units (Table 5-21, p. 5-70), Unemployment Rates (Table 5-22, p. 5-71).

M-014-010

- Discussion and analyses on Travel Behavior for Work Trips (p.71-74). This will skew ridership data if not corrected. From the SRPEDD May 2008 Commuter Survey of the Lakeville/Middleborough MBTA Station, 25% of the riders are Middleborough residents consistently for the past eight years (p. 5, Middleborough/Lakeville Community Origins Table, Final draft September 17, 2008, SRPEDD).

M-014-011

4. **The Public Participation process did not include "Civic Engagement" in Middleborough, a potential host community.**

- Section 1.5 identifies ten "civic engagement meetings." The Planning Department notes that none of the civic engagement meetings occurred in Middleborough, despite the fact that the most economically feasible and least environmentally damaging alternative is in Middleborough. This lack of communication by the EOT on this issue has led to a dearth of information in the community that may very likely be the future host.

Alternative 2 – Through Middleborough has been eliminated from further review as it does not meet the project purpose.

M-014-007

Alternative 2 – Through Middleborough has been eliminated from further review as it does not meet the project purpose.

M-014-008

Middleborough is included in the discussion of land use in the South Coast region in Chapter 4.2, Section 4.2.2 of the DEIS/DEIR. Anticipated Indirect and Cumulative impacts of the project, including land use impacts, are described in DEIS/DEIR Chapter 5.

M-014-009

Middleborough was not included in the set of affected municipalities for the South Coast Rail project, described in Chapter 4.3, Section 4.3.2.1.1 of the DEIS/DEIR, as it would not be directly served by any of the alternatives currently under consideration. Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose.

M-014-010

The ridership demand conducted for the alternatives analyzed in the DEIS/DEIR was based on 2000 Journey-to-Work data, as described in Chapter 3, Section 3.3.1.1. However, Alternative 2 – Through Middleborough was not included in the analysis because this alternative has been eliminated from further review as it does not meet the project purpose.

M-014-011

MassDOT's public outreach efforts since publication of the ENF are summarized in DEIS/DEIR Chapter 4.4, Section 4.4.4. MassDOT was

M-014-011

- The Town participated fully in the South Coast Rail Task Force. However, the Task Force's input in this document was relegated to a one-paragraph reference to the meetings. Similar to the Civic Engagement public meeting comments and Interagency Coordinating Group Meeting minutes, the Task Force's meeting minutes and comments made by municipal and other "official" stakeholders should be added to the Project Description and accounted for in the selection process.

- Further, at the meeting between the Town of Middleborough officials and the EOT on July 30, 2008, the EOT representative was told by Town representatives from the Planning Department, the Office of Economic Development and the Town Manager's office that there were four eligible sites, of which one was perhaps better than the others relative to some of the issues being reviewed. However, the Town representatives wanted all four sites to remain eligible as they all have both positive and negative aspects which need to be more fully evaluated. The EOT representative was then brought to all four sites. The Planning Department was told that our written comments at that time were not necessary as the verbal ones would be adequate.

M-014-012

5. **The DEIS/DEIR should consider more than one station site in Middleborough, and may need to conduct more than one station workshop.** While the Middleborough Center site has definite benefits and was the location of a rail station historically, many streets leading to it are largely residential. The location is within the Town's historic downtown consisting of commercial, mixed use and multi-tenant uses. But since nearly 25% of the rail commuters at the Lakeville Station are from Middleborough (SRPEDD Lakeville Station Study, May 14, 2008), this represents nearly 200 vehicles likely to access this site.

    - The MBTA layover site off of Route 105 and the two Everett Street sites near Route 44 in addition to the village center site should be included as viable candidates for the Middleborough alternatives.

    - These sites were eliminated by the Executive Office of Transportation in its September 29, 2008 *Station Siting Report*. However, the site selection documents indicate that these sites were practical and we request that they be studied in the DEIS/DEIR. <u>We request that all four station sites should be fully evaluated in order to select the optimum site for the Middleborough Alternatives.</u>

    - EOT has pressed for a Station Siting Workshop in Middleborough, which will be held February 18, 2009. This will be the first time that the residents have been directly contacted regarding the South Coast Rail project.

M-014-013

6. **The DEIS/DEIR should fully describe and analyze the impact of train consist lengths and double-decker coaches relative to increasing capacity for the Middleborough Alternatives.** The DEIS/DEIR should provide greater detail in its description of the analysis conducted regarding the Quincy Station capacity and

not able to hold civic engagement meetings in all 30 of the study area communities. The meetings that were held were intended to engage residents in the region, not just the town in which meetings were held. Meeting announcements were distributed throughout the region.

M-014-012

The station screening process is described in DEIS/DEIR Chapter 3, Section 3.1.4, with the Middleborough station alternatives discussed in Section 3.1.4.6. However, Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose, and a station in Middleborough is no longer proposed for the South Coast Rail project.

M-014-013

Train consist lengths would initially be based on projected ridership demand for the LEDPA, when selected, and would be adjusted if needed based on actual demand. Doubledecker cars are not anticipated for any alternative.

M-014-013 determine whether there are other means to increase capacity on the Old Colony Line without constructing a third rail line. We request that the DEIS/DEIR consider longer train consists and/or using bi-level coaches to increase capacity. Further, the discussion and the correlating table of build alternative cost components on page 4-67 of the Project Description should provide greater detail for comparison purposes. In particular, it is unclear how the Middleborough Simple Alternative will only add eight coaches for six peak hour trains. It is also unclear to what extent the Middleborough Simple Alternative could be expanded for future growth through the expansion of train consists.

M-014-014 7. **The Project Description and the DEIS/DEIR should include a more detailed description of the timeframe for construction of each of the alternatives.** Middleborough Simple, identified as Alternative #64 in the Phase I Final Report, is described as taking only four years to construct (Appendix A, p. 131). That has been modified to eight years in the Project Description (p. 4-41, 4-42, 4-64). However, that construction schedule does not jive with the time it will take to construct more cumbersome alternatives, such as the Stoughton Line. Section 3.1.2 Screening criteria, FN 3 refers to refinement of the operations and speed/travel time for those alternatives that advanced to the MEPA/NEPA process. This "refinement" and assumptions for revised operations, speeds, and travel time should be in the Project Description and DEIS/DEIR.

M-014-015 8. **The Project Description and the DEIS/DEIR should consider alternative methods of serving the existing Lakeville Station for the Middleborough Alternatives.** Using buses will add expense to the project and bus traffic to the downtown area if the Village Station site is selected. Other rail alternatives should be investigated such as the use of DMUs to shuttle commuters. The MassCoastal Railroad dual track service to Lakeville if extended to Middleborough may also be considered to perform this function.

9. **Comments specific to the Middleborough Alternatives**

M-014-016 - As described in the Phase I Report (Appendix A, p. 48-52) description of alternatives and in the Project Description, the Middleborough Full alternative will require an "undergrade bridge to be reconstructed." Is that part of the Old Colony Line improvements?

M-014-017 - Does the Middleborough Simple Alternative now have the capacity for the 8,000 riders described in the Attachment? If so, in what year would that capacity be reached?

M-014-018 - In Chapter 5, Environmental Impacts, the Project Description states that improvements are likely to be necessary to accommodate traffic at the proposed rail and lists the following intersections (ENF, p. 5-100):
  - Rte 44 at Everett Street
  - Rte 44 at Old Center Street
  - Rte 44 at Plymouth

M-014-014

The construction schedule for each alternative under consideration is provided in DEIS/DEIR Chapter 3, Section 3.3.2.2. Alternative 2--Through Middleborough-- has been eliminated from further review as it does not meet the project purpose.

M-014-015

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-014-016

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose. The noted bridge is along the Old Colony Line and thus is not longer being considered for reconstruction.

M-014-017

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-014-018

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-014-019 ▪ Additionally, the Project description states that four existing grade crossings would have to be improved, but does not identify them by location. Please provide locations of the grade crossings.

M-014-020 ▪ The grade crossings are identified as having an impact on Clark Street and Rte 105. The only grade crossing in that vicinity is grade separated. Please identify how the streets identified will be impacted by a commuter rail grade crossing improvement.

10. General comments on the Project Description:
In addition to the comments specifically relating to Middleborough, Middleborough Planning Department offers the following general comments:

M-014-021 ▪ The "Attachment" and "Appendices" and all associated files found on the CD but not printed as part of the ENF/Project Description/Scoping Document should have been printed out. It is unclear whether it is part of the ENF. We request that all of the information be presented as part of the DEIS/EIR.

M-014-022 ▪ As an example of the preceding comment, the alternative descriptions in the VHB reports describe an "in-town mid-day layover" and improvements to South Station. (Ie: Appendix A, p. 128), but are not included in the descriptions in the ENF Project Descriptions (p.4-28). Are these facilities still part of this project?

M-014-023 ▪ Chapter 1 refers to a "Smart Growth Plan". Section 1.6 states that the project's goal is to provide better regional mobility to support smart growth in communities and the region. We request that the term "Smart Growth" be defined, and that the parameters that will be used in the comprehensive Economic Development and Land Use Corridor Plan that will accompany the South Coast Rail project be quantified.

M-014-024 ▪ Section 1.6 further states that the goal is to promote "village-style and mixed-use development that is energy efficient and green." There is one table in the Attachment regarding smart growth principles (Appendix B, Table 3.6.2). We request that these terms be defined and suggest that the Massachusetts chapter of the American Planning Association Smart Growth Principles be used.

▪ Smart growth locates and enhances existing infrastructure instead of siting infrastructure in areas without appropriate land use controls or existing facilities. Middleborough has an existing public water supply system and a sewage treatment plant to support sustainable growth. In particular, the downtown area has existing zoning which permits mixed use commercial and residential development, GATRA bus service, public water and sewer, and affordable housing within walking distance of the proposed downtown site and the layover site. The two Everett sites have existing public water and sewage facilities and are also within walking distance of the downtown area.

M-014-019
Alternative 2 – Through Middleborough and other Middleborough rail alternatives have been eliminated from further review as they do not meet the project purpose. Grade crossing information can be found in the DEIS/DEIR Section 4.1.3.4.

M-014-020
Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-014-021
All figures and appendices are included in both the printed and the electronic versions of the DEIS/DEIR. The electronic version is available on the project website, mass.gov/southcoastrail.

M-014-022
The South Coast Rail Alternatives would utilize layover facilities close to the terminals in Fall River and New Bedford. The candidate layover facility sites are described in DEIS/DEIR Chapter 3, Section 3.2.5.2.1.

M-014-023
Smart growth measures are defined and described in DEIS/DEIR Section 5.2.1.5. The Corridor Plan includes a description of smart growth on page 13; the Commonwealth's Sustainable Development Principles, which further define smart growth, are listed on page 14 of the Corridor Plan.

M-014-024
Smart growth measures are defined and described in DEIS/DEIR Section 5.2.1.5. The Corridor Plan includes a description of smart growth on page 13; the Commonwealth's Sustainable Development Principles,

M-014-025 ▪ Costs are referenced by the ENF to be found in detail in Appendix A to Phase I Final Report Attachment found on the CD that accompanied the ENF, however there are no specific costs provided. Both the Project Description and the DEIS/DEIR should be provide specific information on the exact costs.

M-014-026 ▪ After full review of Attachment 1, we found no meaningful discussion of smart growth or the ability of the transportation infrastructure to augment and encourage smart growth along any of the lines. Secondary impacts, not only on natural resources, but also on public infrastructure including water and wastewater, as well as public services such as schools, public safety and municipal services are not addressed. Table 3.6.2 in Appendix B, *Detailed Screening Tables*, of the Attachment identified four categories of resources: "Serves historic population center", "Preserves land, etc." "Brownfield Redevelopment" "Preserves Historic Resources" and "Stations in a developed area" while notable goals, these criteria were not defined and seemed to have been selected arbitrarily from Smart Growth principles.

M-014-027 ▪ No mention was made of the ability of any of the areas to accommodate future growth, nor the ability or likelihood of new stations being added by other communities along the route. As with any new transportation infrastructure, secondary growth is the unanticipated "sprawl" factor. Please address this in the Project Description.

M-014-028 ▪ The economic development plan, referenced as the measure to manage anticipated secondary growth, is not described except in passing. What document or documents have been presented to EOT by SRPEDD regarding this plan for the 20 partnering communities? If it exists, it should be incorporated in this document and reviewed for economic impacts and benefits.

M-014-029 ▪ Attachment 1, Ch. 5/Table 5-1, Step 1, criteria 2 caries the assumption hat the quality of service should be that the ride is shorter than a car ride. However, the target service area includes riders who may not have cars. In fact the project purpose stresses need to connect economically disadvantaged communities with Boston for employment where this rail may be only way to get to work. The analysis does not include the impact of gas prices making a slightly longer commute preferable to driving. Finally, the emphasis on "Smart Growth" and national initiatives to reduce reliance on individual automobile use should be factored in as diesel trains reduce per person fuel consumption.

M-014-030 ▪ Underlying assumptions on ridership tendencies in Attachment 1, Ch. 5, Section 5.1.2 are based on current commuters, not new ridership. Ridership should also include the new market created in New Bedford and Fall River.

M-014-031 ▪ In Phase I Final Report, Section 6.1.4, a preliminary ridership was used (p. 6-5):

which further define smart growth, are listed on page 14 of the Corridor Plan. While the Massachusetts APA Smart Growth Principles are not referred to, the Corridor Plan received Massachusetts APA's 2009 President's Award for Outstanding Planning.

M-014-025

Detailed cost information can be found in Section 3.2 of the DEIS/DEIR.

M-014-026

Secondary growth impacts are detailed in Chapter 5. The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail are described in DEIS/DEIR Section 5.2.1.5.

M-014-027

Indirect and cumulative impacts of the South Coast Rail alternatives, including anticipated growth, are described in DEIS/DEIR Chapter 5.

M-014-028

Anticipated cumulative economic impacts of the project are described in DEIS/DEIR Section 5.4.3. The process for developing the Corridor Plan is explained in Appendix A of the Corridor Plan.

M-014-029

The South Coast Rail project is intended to address transit needs for pedestrians and drivers, as described in DEIS/DEIR Chapter 2, Section 2.2.2. Transit trip duration as compared to personal automobile trip duration was taken into consideration in order to motivate mode shift, which would result in improvements in air quality. Air quality benefits of each alternative are described in Chapter 4.9, Section 4.9.4.

M-014-031 "A measure of 2030 ridership for each alternative was evaluated using a simplified version of the CTPS regional model. Inputs to the model include 2000 Journey-to-Work data, travel time, transfer time, fare structure, and headways (the time between trains/buses). To provide a fair basis of comparison, the service plan for each alternative was designed to provide similar capacities, and the fare structure was assumed to be the same."

The data for this analysis should be provided for review and comment in the Project Description and the DEIS/DEIR.

M-014-032 In summary, Middleborough Simple Alternative will cost the least and have the least damaging environmental impacts of all the rail alternatives. In fact, it has approximately half the cost components of the other alternatives, and requires no wetlands or historic resource impacts. Further, the Middleborough Simple offers a quick, cost-effective interim solution while the Middleborough Full, rail extension to Bourne and Cape Cod, and the Stoughton Alternatives are more fully explored.

Thank you for the opportunity to comment on this regionally significant project. I look forward to offering additional comment.

Regards,

Ruth McCawley-Geoffroy, Planning Director
Town of Middleborough

M-014-030

The ridership analysis for the South Coast Rail build alternatives is described in DEIS/DEIR Chapter 3, Section 3.2.4. The model projects new riders from New Bedford and Fall River. Table 3.3-2, in Section 3.3.1.1, compares the total ridership demand of each alternative, including new station boardings and boardings for existing commuter bus services.

M-014-031

The regional travel demand model basis is described in Section 3.2.4.1. Ridership analysis summaries are provided in the appendix of the DEIS/DEIR.

M-014-032

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

FROM : NEW BEDFORDCONSERVATION COMM# PHONE NO. : 508 991 6188 Jan. 09 2009 12:44AM P2

Environmental Stewardship Department/
New Bedford Conservation Commission

City of New Bedford
Scott W. Lang, Mayor

January 6, 2009

Secretary Ian A. Bowles
EOEEA
100 Cambridge Street, Suite 900
Boston, MA 02114
Attn: Aisling Eglington
Ref: EEA # 14346

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

Gentlemen,

While the New Bedford Conservation Commission is charged primarily with the oversight and protection of open space, wildlife and wetlands within our city's boundaries, we are also necessarily interested in the condition of our region's environment as a whole. We feel the proposed extension of commuter rail into New Bedford will have a net benefit to our city and region, especially if best management practices for minimizing negative environmental impact are followed.

M-015-001 Locally, the applicable state and federal regulations would seem to provide sufficient guarantees that widening of rights of way, repair and improvements to existing culverts and other mitigation to existing conditions would, in fact, result in a positive impact on wetlands within our purview. We acknowledge that it is likely that some wetlands and floodplains may be altered immediately adjacent to the existing railway. However we feel mitigation for these impacts can be addressed locally and the overall benefit of the project to the environment outweighs the unavoidable alterations.

M-015-002 M-015-003 Regionally, the smaller carbon footprint of commuter rail versus individual motor vehicle traffic would clearly be an improvement to our air quality and to our overall dependence on fossil fuels, particularly if the electric rail option is implemented. In addition, the siting of commuter rail stations in the downtown areas of New Bedford, Fall River and Taunton would go a long way toward reducing the tendency toward suburban sprawl/crawl and encourage a "smart growth" solution to expected population growth in Southeastern Massachusetts, resulting in less degradation of already scarce wildlife habitat in undeveloped areas.

We would have objections only to Option 5, the rapid bus service. This is because 1) a bus operation would fall far short of commuter rail in terms of its environmental benefits, and 2) it would attract far less ridership than rail, reducing further any positive impact. A bus alternative would not entail repairs to existing berms and culverts along the rail routes, nor additional provision for protection of endangered and/or protected species along the

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Tel. (508) 991-6188 • Fax (508) 961-3045 • TYY (508) 979-1661

M-015-001

The potential wetland impacts from each South Coast Rail alternative are discussed in DEIS/DEIR Chapter 4.16, Section 4.16.3.3. Conceptual mitigation measures are described in Section 4.16.3.6. As noted in Chapter 7, wetland mitigation measures within each community will be developed following identification of the LEDPA.

M-015-002

The air quality analysis provided in DEIS/DEIR Chapter 4.9, Section 4.9.2 shows that the South Coast Rail build alternatives would improve air quality over the no-build condition.

M-015-003

Thank you for the City's active efforts to implement the Corridor Plan. The Rapid Bus alternative has been assessed in the DEIS/DEIR.

M-015-003 corridor. Carbon emissions per passenger mile would be higher than with rail. Previous experiments with commuter bus routes have attracted very few participants.

Thank you for your consideration of these comments.

Sincerely,

John P. Gurney,
Chairman, New Bedford Conservation Commission

JPG/jr/sp

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AE

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JAN 13 2009
MEPA

CITY OF NEW BEDFORD

SCOTT W. LANG, MAYOR

Secretary Ian Bowles
EOEEA
Attn: MEPA Office Aisling Eglington
100 Cambridge Street, Suite 900
Boston MA 02114

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

January 8, 2009

Dear Sec. Bowles & Mr. Anacheka-Nasemann,

M-016-001 As Mayor of the City of New Bedford, I enthusiastically support the South Coast Rail (SCR) project. This project ensures that all New Bedford residents will have every opportunity to access the region, and benefit from the economic stimulus that will result from this project.

New Bedford is well positioned to take advantage of the opportunities that the SCR presents. With a diverse population, an array of affordable housing options, abundant open space and recreational opportunities, historic significance, existing public infrastructure, the city will reap the economic activities that the rail provides.

Passenger rail will create economic opportunities by connecting us more closely to communities and employment to the north, it will attract to our City commuters and tourists from other cities on the route, and it will advance modern environmental and smart growth goals of reducing our dependence on petroleum based automobiles, and concentrate our focus on transportation-oriented development and the benefits it creates.

The availability of efficient, quality public transportation is a critical component of cities, like New Bedford, to be able to compete in a global marketplace. The South Coast leads the Commonwealth in population growth, and with increasing traffic congestion, and concerns about the negative impacts of automobile use; commuter rail is the viable, sustainable option for connecting the region while protecting the natural environment.

As New Bedford looks at towards its future urban development, it recognizes that rail access will positively impact land use, attract new development, create and connect to new jobs, stimulate economic growth, and bring a new energy and vitality to the region and the Commonwealth.

M-016-002 I adamantly oppose Option 5, the rapid bus service alternative. Bus service falls far short of commuter rail in terms of its environmental benefits, and attracts far less ridership than rail, reducing further any positive impacts. Previous experiments with commuter bus routes have attracted very few participants. At the present time New Bedford has bus service that provides ample opportunity to bus riders for transportation to Boston. I strongly oppose this alternative.

Sincerely,

Scott W. Lang
Mayor

133 WILLIAM STREET • NEW BEDFORD, MA 02740 • TEL. (508) 979.1410 • FAX (508) 991.6189

M-016-001

Thank you for your support of the South Coast Rail project.

M-016-002

MassDOT has noted and considered your comment. As required by the MEPA Certificate, the Rapid Bus Alternative was subjected to the environmental review described throughout the DEIS/DEIR, and is evaluated along with the rail alternatives as summarized in Chapter 3, Section 3.3.

PLANNING BOARD

CITY OF NEW BEDFORD
SCOTT W. LANG, MAYOR

Secretary Ian Bowles
EOEEA
Attn: MEPA Office Aisling Eglington
100 Cambridge Street, Suite 900
Boston MA 02114

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

January 8, 2009

Dear Sec. Bowles & Mr. Anacheka-Nasemann,

The Planning Board, and its staff are responsible for providing sound, unbiased planning practices, resulting in the implementation of short and long-term plans and policies for the City of New Bedford. Perhaps in part because the Planning Board administers the local and state regulations regarding land use and land reuse, and oversees the site plan review process for construction projects, we recognize the significance that the South Coast Rail project would have on New Bedford.

The City of New Bedford is at a critical turning point. Completion of recent planning has positioned the City to move a progressive agenda that will address the critical components for achieving sustainable growth in the city's economy, neighborhoods and families.

The South Coast Rail (SCR) project epitomizes the principles of smart growth that provide New Bedford with an opportunity for revival. By reconnecting the cities of New Bedford and Fall River, the rail project will direct development to the urban areas that are ready and able to handle growth, while preserving the natural resources in surrounding communities.

The SCR provides the urban areas with an unprecedented revitalization opportunity that will enable the cities to become the regional centers that they once were. It encourages the reuse of brownfields, and under-utilized lands, and if planned properly, may ensure the preservation greenfields.

M-017-001 The Planning Board and its staff strongly oppose Option 5, the rapid bus service alternative. Bus service falls far short of commuter rail in terms of its environmental benefits, and attracts far less ridership than rail, reducing further any positive impacts. Previous experiments with commuter bus routes have attracted very few participants. We strongly oppose this alternative.

Sincerely,

George N. Smith
Chair of New Bedford Planning Board
City of New Bedford, MA

David A. Kennedy
City Planner
City of New Bedford, MA

133 WILLIAM STREET, NEW BEDFORD, MASSACHUSETTS 02740 TEL. (508) 979-1488 FAX: (508)979-1576

M-017-001

MassDOT has noted and considered your comment. As required by the MEPA Certificate, the Rapid Bus Alternative was subjected to the environmental review described throughout the DEIS/DEIR, and is evaluated along with the rail alternatives as summarized in Chapter 3, Section 3.3.

AE

North Raynham Water District
P.O. Box I
Raynham, Ma. 02767

Water Commissioners
Robert Chase
Steven Dyer
Michael Lalli

Tel: 508-824-0520 Fax: 508-880-0085 Email: contactus@nrwd.org www.nrwd.org

Secretary Ian Bowles, EEA
Attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, Ma. 02114

RECEIVED
DEC 23 2008
MEPA

Date: Wednesday, December 17, 2008

Re: South Coast Rail Project

Dear Secretary Bowles,

M-018-001 On behalf of the North Raynham Water District, there are several major concerns regarding the proposed route for this project. Based on the limited information available at this time, the tunneling under Route 138 poses several troubling questions.

The District has historically had problems locating sources of water to keep up with the increasing demand for water. The District has spent thousands of dollars over the years in search of viable sites. This proposed route will be cutting in half the Zone 2 recharge area for the District's Wells 3A, 3B and its new bedrock well. The major concerns are the potential to redirect the ground water flow to these sites along with the potential to change the current water quality. An excavation as proposed could affect groundwater flow patterns in the Zone 2. The result could be that recharge is reduced and/or water with different quality is drawn into the Zone 2. Any changes in water quality or quantity would affect the new filtration plant and could be very costly to the District's ratepayers, if not render the new filtration plant useless.

As this project moves forward, we feel that protection of the District's water supply needs to be one of the key issues that should receive attention and due diligence.

Please feel free to call me with any questions at 508-824-0520.

Sincerely,

Arthur S. Bendinelli
Superintendent

North Raynham Water District www.nrwd.org

M-018-001

The grade-separated crossing at Route 138 is not expected to impact the North Raynham Water District's recharge area for the wells, and changes in groundwater flow or water quality would not occur. MassDOT will coordinate with the District during design of the system if this alternative is selected as the LEDPA.

A2

TOWN OF NORTON

BOARD OF SELECTMEN

70 EAST MAIN STREET

MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (508) 285-0210

RECEIVED

DEC 8 – 2008

MEPA

December 4, 2008

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
ATTN: MEPA Office (Aisling Eglington)EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: South Coast Rail Project

Dear Secretary Bowles:

The Town of Norton Board of Selectmen was represented at the December 3, 2008, Scoping Meeting and respectfully submits as its response to the Notice of Intent to Prepare an Environmental Impact Statement a copy of its letter to Mr. Alan Anacheka-Nasemann, U. S. Army Corps of Engineers, dated December 4, 2008, with the following attachments for your consideration:

1. Copy of April 12, 2007, letter from the Norton Board of Selectmen to Ian A. Bowles, Secretary, Executive Office of Environmental Affairs with attachments:

   A. November 27, 1995, letter from Norton Board of Selectmen to Ms. Trudy Coxe, Secretary, Executive Office of Environmental Affairs, MEPA Unit; and,

   B. April 10, 2007, article "Not through Our Backyard", The Sun Chronicle;

2. Copy of May 1, 2007, letter from Heather A. Graf, Coordinator, CCATS, to Rachel L. Bain, MPO Liaison, Executive Office of Transportation.

3. Copy of October 2, 2008, letter from the Norton Board of Selectmen to Executive Office of Transportation, Attn: Kristina Egan, South Coast Rail Manager.

TOWN OF NORTON BOARD OF SELECTMEN, BY:

Mary T. Steele, Chairman

Timothy R. Giblin, Vice Chairman

Robert S. Salvo, Sr., Clerk

Stephen G. Gradie

Robert W. Kimball, Jr.

mtb

TOWN OF NORTON

BOARD OF SELECTMEN

70 EAST MAIN STREET

MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (508) 285-0210

April 12, 2007

Mr. Ian A. Bowles, Secretary
Executive Office of Environmental Affairs
100 Cambridge Street
9th Floor
Boston, MA 02133

Re: South Coast Commuter Rail Alternatives

Dear Secretary Bowles:

M-019-001

The Town of Norton Board of Selectmen has read news reports regarding suggested alternate routes for the South Coast Commuter Rail that include the so-called Attleboro route that would pass through Taunton, Norton, and Attleboro, among other places. This Board is compelled to reiterate its long-standing position against said Attleboro proposal.

State and local officials have discussed and scrutinized the potential South Coast rail corridors for most of the last decade. On November 27, 1995, the Town of Norton submitted the enclosed position letter in opposition to the Attleboro proposal to then-EOEA Secretary Trudy Coxe. EOEA later rejected the Attleboro proposal in favor of the present Stoughton project plan. The Board is pleased by EOEA's determination and by the following comments made recently by Eric Abell of the Executive Office of Transportation: "We're confident that the Stoughton alternative is the best route and will result in the highest ridership."

Even when weighed against the potential benefits of a South Coast rail line for the Fall River and New Bedford Area, the Attleboro proposal remains entirely inappropriate and should be withdrawn from consideration. The Norton Board of Selectmen vehemently opposes any action that would reconsider the Attleboro proposal and strenuously recommends affirmation of the Stoughton route originally favored by state officials as the most suitable path to the Fall River/New Bedford area.

The Town of Norton expended considerable resources and energy defending its concerns, and the passionate debates surrounding this issue divided many communities and their leaders. In these fiscally trying times, our constituents and financial needs dictate that our energy and resources be spent prudently. Be that as it may, the Town of Norton will do whatever it takes to fight the ill-conceived Attleboro proposal.

M-019-001

MassDOT has noted and considered your comment.

We appreciate your consideration of the facts and urge you to stay the course with the Stoughton alternative.

Sincerely,

NORTON BOARD OF SELECTMEN:

Robert W. Kimball Jr.

Robert W. Kimball, Jr., Chairman

mtb

Enclosures: 2

pc: His Excellency Deval Patrick, Governor of the Commonwealth of Massachusetts
State Representative Elizabeth A. Poirier
State Representative Steven J. D'Amico
State Representative Fred Jay Barrows
State Senator James E. Timilty
State Representative John A. Lepper
Heather Graf

TOWN OF NORTON

BOARD OF SELECTMEN

70 East Main Street
MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (617) 285-6301 EXT. 600/601

November 27, 1995

Ms. Trudy Coxe, Secretary
Executive Office of Environmental Affairs
MEPA Unit
100 Cambridge Street
Boston, MA 02202

RE: EOEA #10509 -- MBTA Proposal to Construct Fall River/New Bedford Commuter Rail Extension

Dear Secretary Coxe:

The Town of Norton Board of Selectmen has reviewed the Environmental Notification form prepared by the MBTA and its consultants for the proposed project, and offers the following comments:

- The proponent has not studied, nor proposed mitigation of, the community development, social, economic, pedestrian safety, public safety, vehicular traffic and other impacts this project would have on the Town of Norton. Extensive examination and conclusory findings should be required for each of the above concerns prior to advancing the project.
- Preliminary project design information is insufficient to determine the environmental impact on surface water bodies and wetlands (note especially ENF Volume 1, Figure 1, M.P. 2.43 and immediate area)
- Selection of the proposed three-mile bypass to be newly constructed along a high tension power line corridor was based on mistaken assumption that an easement could be granted by New England Power as owner (Vol.I, p.1-2); actually, the land is privately owned and will be extremely difficult to acquire; further, there is no evidence that the high volume commuter rail and the existing power line are compatible uses.
- The proponent uses a flawed approach to determining local traffic impacts (ENF Vol. III, p. 16); it is essential that the proponent study at-grade crossings in a peak traffic condition rather than on an average, or mean, volume basis. For example, the John Scott Boulevard crossing (III, p.74,75) would experience peak traffic delays of two to three times the proponent's estimate, which, in turn, would impact on at least three adjacent intersections. Contrary to the indicated "Long Term Impact" on traffic that is indicated on page 2, part E.1. of the proponents ENF application, the long-term traffic impacts of this project will be devastating to several communities along the proposed route. Specific standards should be developed to determine whether or not existing and proposed at-grade crossings could be improved by constructing grade separations.

Such standards should involve much more than the proponent's "cost-effectiveness" approach, taking into consideration neighborhood impact, pedestrian and vehicular safety, and traffic pattern improvements.

- Two of the four existing at-grade crossings in Norton would require reconstruction that would have significant impact on abutting wetlands (III, p.74, 76). The proponent should be required to clarify the extent of these impacts.
- The proponent's application is silent on aesthetic impacts on our community. WE believe there would be irreversible negative aesthetic impact; detailed study should be required to determine what mitigations could be implemented.
- Growth impacts of commuter rail with no station would be negative in three ways for our community: 1) residential values would decrease; 2) there would be no stimulus to commercial/industrial development; 3) newly constructed stations in nearby communities would make those areas more attractive to commercial developers than our own community.
- There will be an immediate and long-term impact on the housing stock in Norton, not only along the existing track route, but especially along the proposed new three mile bypass trackage. It would be appropriate for the proponent to conduct a study of property values in both areas and provide economic assistance to both property owners and the Town. The proponents do suggest that, without a station, there is little likelihood that any positive impact would occur (Vol.I, p.A-17).
- Although the MBTA report highlights only one wetlands area along the right-of-way in Norton, there are at least two additional areas in Norton that will be impacted by grade crossing improvements. These require additional study to determine the need for replication.
- The ENF application does not give a breakdown of the total area of the project, nor does it segregate the total area into sub-categories as required in part II.B. of the application. This is particularly troubling when a review of Figure 1, Sheet 1 shows the new extension going through the Chartley Pond for a distance of 300 yards.
- The proposed traffic plan is limited to construction impacts and station locations. There is little evidence that grade-crossing traffic impacts have been properly studied.
- The proponents have not examined the project's impact on locally-owned open space and recreational facilities, limiting their review to only those sites which were illustrated on the USCGS maps. In Norton there are several existing and potential recreational sites which will be impacted by the project.
- Identification of hazardous materials sites was limited to station areas only. There is at least one Superfund site adjacent to the Union Street grade crossing. As this at-grade crossing location will require substantial improvements, the impact on the nearby Schpack contamination site needs to be studied.
- The proponents reveiw of air and noise pollution issues was focused on construction activities rather than the long-term air and noise pollution impacts that actual operation of the project will bring. Permanent mitigation measures need to be proposed. To state that a "building's windows must remain closed" is not an acceptable noise mitigation strategy (Vol.I, p5-11). The MBTA's self-imposed limit of spending two percent of the project budget on noise mitigation appears to be woefully insufficient.
- Norton currently operates its police and fire departments from one central facility. Approximately 50% of our Town will experience response delays of two to five minutes due to train crossings being impassable. We would like the proponent to suggest a mitigation which would include construction of a public safety station on the "other" side of the tracks to insure adequate critical response times for police, fire and rescue vehicles.

- Using the MBTA's own figures (May 1995 Feasibility Study), the proposed project and routing combine the highest construction cost with the lowest ridership revenue, making this project a significant contributor to the operating subsidy required by the MBTA.

We believe more study needs to be done to justify why this recognized burden should be added to the T's budget at a time when legislative concern about the deficit has resulted in a soon to be released report on overhauling the entire MBTA financing system and local assessment formula.

Two points are abundantly clear from the above comments:

1) The proponents have not done their homework, and are rushing to judgment--we ask that you not allow this to continue.

2) There must be a better way to stimulate economic development in the Fall River and New Bedford areas. To suggest that the Commonwealth make a $200 million investment in a commuter line that would have the lowest ridership and the highest per-passenger subsidies of any line in the system makes no sense.

We look forward to your decision on the required scope of the Environmental Impact Report for the Fall River/New Bedford Commuter Rail Project. Given the nature of this project, we respectfully suggest you establish a Citizen Advisory Committee, as provided in the CMR's, to give us further opportunity to work with you on the many matters that would impact our community.

Sincerely,

TOWN OF NORTON
BOARD OF SELECTMEN

submitted by:

Walter F. Lindberg
Town Manager

'Not through our backyar

Local lawmakers balk at possibility of sending South Coast rail link through Attleboro, Norton

BY JIM HAND
SUN CHRONICLE STAFF

ATTLEBORO — At Attleboro route for a proposed South Coast commuter rail line will have to be re-examined for an environmental permit, but state officials said Monday they still favor another route.

The officials said the preferred route for the new commuter rail line, which, if built, would bring MBTA trains to New Bedford and Fall River, is still through Raynham, Easton and Stoughton.

Town fathers in those communities are fighting the rail line, saying it will disrupt their neighborhoods and damage the environmentally sensitive Hockomock Swamp.

They are asking that alternative routes through Attleboro or Middleboro be used.

SEE MBTA, PAGE A6

EITHANDREW FOX

▶ MBTA: Local officials object to route through city

FROM PAGE A1

boro be used, instead.

But, Eric Abell, spokesman for the state Executive Office of Transportation, said Stoughton is the way to go.

"We've considered that the Stoughton alternative is the best route and will result in the highest ridership," he said.

There are problems with all three possible routes.

Going through Attleboro would involve having the trains cross several roads in Taunton, Norton and Attleboro, tying up traffic and creating public safety hazards, critics charge.

State Rep. John Lepper, R-Attleboro, said the grade crossings would make for an unmanageable situation.

"You've got to be nuts to go that way," he said.

State Sen. James Timilty, D-Walpole, said the Attleboro route is too long and would not attract enough riders to make the rail line feasible.

Too many trains on line

He and Lepper also said the route would join with the crowded Attleboro-to-Boston line that is already heavily used by the MBTA and Amtrak and cannot handle more trains.

Lepper expressed doubts about the state's ability to pay for the $1.4 billion South Coast line to New Bedford and Fall River, regardless of its costs.

He said Gov. Deval Patrick has not adequately explained how the state is going to pay for the construction and operation of the new line.

Timilty went even further, saying bluntly that he is opposed to all three alternate routes because of the cost.

Timilty said he had just come from a hearing on transportation issues during which he said he learned that the MBTA is suffering a crushing debt.

> 'You've got to be nuts to go that way.'
>
> Rep. John Lepper

The Legislature voted a few years ago to dedicate one cent of the state's 6 percent sales tax to the MBTA, but the move has proven inadequate, he said.

Where's the money?

The state can barely afford the transportation system it has without taking on another $1 billion in costs for the South Coast line, he said.

"We just can't afford it," he said. "We have too many other priorities."

Fall River and New Bedford officials have been demanding commuter rail service for 20 years, saying it holds the key to economic development in their struggling cities, two of the state's larger municipalities.

Train service from Fall River to Boston ended in the 1950s.

Four previous governors promised officials in these cities commuter rail service to the two cities, but never delivered.

Patrick has pledged he would keep his promise.

Abell said an environmental impact permit for the rail project is scheduled to expire soon, so all three routes will have to be examined once again.

However, he said the state is confident the Stoughton route will emerge as the best alternative again, and a solution to the Hockomock Swamp issue will be found.

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MAY 0 2 2007

Norton Selectman's Office

May 1, 2007

Heather A. Graf
Coordinator, CCATS
Citizens Concerned About Tracks
229 N. Worcester St.
Norton, MA 02766
Ph. (508) 226 – 0898
FAX (508) 226 – 2835

Rachel L. Bain
MPO Liaison
Commonwealth of Massachusetts
Executive Office of Transportation
Office of Transportation Planning
10 Park Plaza, Suite 4150
Boston, MA 02116
Five Page Letter
Plus Attachment (April 12, 2007 Letter from Norton Board of Selectmen)

Re: South Coast Commuter Rail Project

Dear Ms. Bain,

I appreciated your presentation at the SRPEDD Commission meeting on April 25, 2007 and enjoyed speaking with you afterward.

I am looking forward to meeting Wendy Stern, Undersecretary of Transportation Planning and Development, EOT at the Southeastern Massachusetts Commuter Rail Task Force meeting on May 9, 2007. I was reappointed as Norton's representative to the Task Force in the summer of 2006.

While we understand the Environmental Impact Report for this project is expiring, the prospect of going back to the drawing board yet again, to revisit all of the alternatives, seems like an unnecessary delay which will result in acceleration of the already hefty price tag (currently estimated at 1.4 billion dollars).

As founder and coordinator of CCATS, I spent five years (1995 – 1999) battling to get the MBTA to change its course for the New Bedford/Fall River Rail Project, and abandon the so called Attleboro Alternative. While not advocating the Stoughton route initially, residents, local officials, as well as our state legislative delegation made a compelling case that the Attleboro route was ill advised. SRPEDD staff and commissioners came on board, as did the MBTA and Secretary of Environmental Affairs directing that the Stoughton Alternative was the way to go.

In December of 1999 when it appeared the trains were no longer an issue for us, I turned my focus to the Shpack Superfund Site in Norton, which caught my attention because of its close proximity to the old freight track crossing Union Rd. (part of the proposed right of way for N.B./F.R. trains via the Attleboro route). I have devoted seven years to the effort to ensure adequate remediation of this toxic waste site.

It has not been an easy campaign: with the Army Corps walking out on the project in 2001, and the US EPA proposing a less than acceptable cleanup in 2004.
But thanks to the enormous efforts of Congressman Barney Frank, the steadfast support of our state representatives, the perseverance and great team effort of our local officials, working with members of CAST (Citizens Advisory Shpack Team, which I founded), both the Corps of Engineers and the Environmental Protection Agency are moving forward with the cleanup effort according to the high standards our community expected and demanded.

While my involvement with the Shpack Superfund Site will continue as before, with the completion date still many years out, the intensity of this effort has lessened to the extent that I am once again available to resume activities on other fronts, namely the South Coast Commuter Rail Project.

When I first began serving as a SRPEDD Commissioner, there were those who resented my position on the rail project. I was called a selfish NIMBY with no concern for the greater good of "The Region". Over the years, many changed their attitude towards me, some never will. Evidence of this was at a Task Force Meeting when comment was made about some opposition from the Town of Easton to trains going through their town.
A Commissioner from the South Coast who I had served with, looking directly at me, responded that the people in Easton were "more enlightened" than some others on the train front. "Enlightened" - an interesting choice of words. I doubt many individuals have had a much better understanding of the alternatives for New Bedford/ Fall River Commuter Rail than myself. I took the gentleman's meaning to be that some (as in Heather Graf) were not as "reasonable" as the folks in Easton. I expect Easton residents may appear to be more civil and less radical than those of us "over here in Norton". But it was our knowledge of the project that convinced others that the proposed Attleboro Alternative defied all "reason".
When I was appointed SRPEDD Commissioner, it was to represent the Town of Norton. As Coordinator of CCATS, my responsibility and loyalty was to the communities of Norton, Mansfield, Attleboro and Taunton. That too is a "Region", just on a smaller scale than the South Coast. The towns of Norton & Mansfield, as well as the cities of Attleboro and Taunton shared then (and still do) the same issues and concerns with the proposed South Coast Commuter Rail Project.

During our previous campaign to convince the MBTA to Go The Other Way, our regional coalition stood united. That will continue. And with Charles Crowley elected Mayor of Taunton, and Kevin Dumas now the Mayor of Attleboro, I'm certain that the coalition will be even stronger and more vocal. We also expect continued support from the Town of Mansfield. And the reaction from Norton will be no less fierce than last time. Our town may be the smallest member of the group in population, but what we lack in numbers we more than make up for in determination and fortitude.

And when it comes to the proposed Attleboro Alternative for the South Coast Commuter Rail, Norton will continue to be at the forefront of the battle.

When you and I spoke at the SRPEDD meeting on April 25, 2007, I mentioned just a few of the issues which need to be considered. First is the operational analysis of the Attleboro Route, which I am confident will indicate there is not enough capacity left on the existing line from Attleboro to Boston, with its combined: already busy schedule of MBTA trains and the addition of Amtrak High Speed Rail. Once the capacity issue is settled, discussion of the Attleboro Alternative should be put to rest, once and for all. Some other changes that have occurred since investigative studies were last performed - Re: The Attleboro By-Pass, the 2.75 mile proposed double track where no track currently exists. First point – please correct the map I've been looking at recently where this critical piece of the Attleboro Alternative seems to have disappeared, while I am assured it is still very much a part of the plans. At least two changes have occurred in this area: For one there is the addition of at least 50 homes along Richardson Avenue, Attleboro in close proximity to the proposed new double track. Residents who purchased these (not inexpensive properties fairly recently) had no idea a train might some day be coming their way. Secondly, the entire By-Pass is proposed along the right of way of the High Tension Power Lines which cross Rte. 123 and Richardson Avenue in Attleboro. These lines, formerly owned by New England Power, now belong to National Grid. I wonder what discussions, if any, there have been between the rail project planners and National Grid. The same power lines also transect the Shpack Site, so I have some familiarity with issues surrounding them. Contractors for the Army Corps of Engineers could not complete investigative field work at Shpack because they were getting 'Zapped'. The Corps had to first negotiate with National Grid to get the lines raised. Not as simple as it sounds when dealing with a huge high tension electric network. One does not simply climb the pole and extend the top by a few feet. All of the large stanchions had to be collared in the middle to achieve the necessary height for anyone to work safely below. This was quite an undertaking. And even after that feat was accomplished, it took National Grid another year before they reached an agreement for ACOE people to resume any activities in the Grid's right of way. All that fuss for a temporary project with no long term impact on the power company's property. I cannot even imagine the possibility of this same company agreeing to the laying of double track for the permanent running of MBTA trains in that same right of way.

I am also curious about what grade separation is planned for the crossing of Rte.123 in Attleboro (bridge or tunnel?), particularly given the complication of National Grid's High Tension Power Lines there.

An issue of tantamount importance that remains unchanged for the Attleboro Alternative is the 15 at grade crossings that would occur in the City of Taunton. An individual from Raynham, suggested to me recently that if the MBTA could "trestle" over the Hockomock Swamp, why not trestle over the grade crossings in Taunton. I was dumbfounded, cannot picture what manner of trestle would loom over the city: its buildings, existing bridges, power lines, light poles etc. (perhaps a smaller version of the 'Big Dig'?)

TOWN OF NORTON

BOARD OF SELECTMEN

70 EAST MAIN STREET

MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (508) 285-0210

October 2, 2008

Executive Office of Transportation
ATTN: Kristina Egan, South Coast Rail Manager
Ten Park Plaza, Room 4150
Boston, MA 02116-3973

Re: Proposed Barrowsville Station
Site, Norton, MA

Dear Sir or Madam:

In its Station Siting Report dated September 29, 2008, the Executive Office of Transportation and Public Works designated the Barrowsville Station located on South Worcester Street in Norton as a village-style depot with limited parking to serve primarily as a drop-off/pick-up site. The Town of Norton rejects the conclusion that a station at this location supports Smart Growth Principles and takes exception to its inclusion as a recommended site.

The Town of Norton and its citizens have submitted comments in opposition to this site, and the Board refers you to same in support of its position that the Barrowsville Station site has little, if anything, to offer. This site is over a mile from Route 123 (the Town's major access road), is approximately four miles from the center of Norton, and is located at a dangerous intersection in a residential neighborhood. The narrow and winding road lacks sidewalks and cannot be widened to support any additional flow of traffic. The proposed station would further burden citizens of the Barrowsville and Chartley sections of our town with noise, traffic, and safety issues and provide little, if any, benefit to the community.

Based on EOT's own stated "Guiding Principles for Station Selection", the Board did not expect the Barrowsville Site to advance for further consideration, and this Board will not work in support of it.

TOWN OF NORTON BOARD OF SELECTMEN, BY:

Mary T. Steele, Chairman

Timothy R. Giblin, Vice Chairman

Robert S. Salvo, Sr., Clerk

Stephen G. Gradie

Robert W. Kimball, Jr.

.mtb

TOWN OF NORTON

BOARD OF SELECTMEN

70 EAST MAIN STREET

MUNICIPAL CENTER, NORTON, MASS. 02766

TELEPHONE (508) 285-0210

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MAR 16 2009

MEPA

March 12, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
ATTN: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, NE District
ATTN: South Coast Rail Manager, Regulatory Division
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project -
CTPS Ridership Report
February 13, 2009

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

The Norton Board of Selectmen appreciates the opportunity for further comment on the South Coast Rail Project.

M-020-001 The Board has reviewed the report by the Central Transportation Planning Staff and believes the ridership forecasts for the Attleboro Alternative are unrealistic and grossly inflated. It is, however, difficult to analyze the findings without information on where the riders are predicted to board the train or what assumptions were used to tabulate the final numbers. It is the Board's expectation that Norton's appointee to the Southeastern Massachusetts Commuter Rail Task Force will submit a more detailed comment piece on the town's behalf.

M-020-002 The Norton Board of Selectmen reiterates its support for the reestablishment of commuter rail service to the cities of Taunton, New Bedford, and Fall River, the

M-020-001

The regional travel demand model basis is described in Section 3.2.4.1. Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3.

M-020-002

Comment noted.

M-020-002 Town's adamant opposition to the Attleboro Alternatives, and its agreement with the position of the project proponent (EOT) that the Attleboro Route should be eliminated from further consideration.

Sincerely,

NORTON BOARD OF SELECTMEN:

Mary T. Steele, Chairman

Timothy R. Giblin, Vice Chairman

Robert S. Salvo, Sr., Clerk

Stephen G. Gradie

Robert W. Kimball, Jr.

mtb

AE

Norton Conservation Commission
70 East Main Street
Norton MA 02766
508-285-0275
508-285-0277 fax
conservation@nortonmaus.com

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DEC 31 2008
MEPA

December 22, 2008

Ian Bowles, Secretary
Executive Office of Environmental Affairs
ATTN: MEPA Office/ Aisling Eglington
100 Cambridge St, Suite 900
Boston MA 02114

RE: South Coast Rail Project, Boston to Fall River and New Bedford (EOEA #14346)

Dear Secretary Bowles,

The Norton Conservation Commission has received the Environmental Notification Form (ENF) for the South Coast Rail Project from Boston to Fall River and New Bedford (EOEA #14346). I offer the following comments:

In section 5

M-021-001 1. Under Major Wetland Systems (page 5-8), the unique natural community types "Small River Floodplain Forest" and the "Alluvial Red Maple Swamp" of the recently designated Three-Mile River ACEC should be included, described in the text and illustrated in the Figure 5-1. Please require that these unique habitats be included in the DEIR.

M-021-002 2. Also under Major Wetland Systems: Chartley Pond (page 5-10), please be more specific regarding the ownership of the pond itself. Chartley Pond is owned by the Conservation Commission, subject to Article 97 and protected as public open space under Chapter 40 Section 8C. Please require that this distinction be made in the DEIR.

M-021-003 3. Under Types of Impacts (page 5-11), last paragraph, second to last sentence, please add "relative humidity" to the list of effects. Reductions in canopy cover adjacent to wetlands and streams also alter the relative humidity, impacting migration and movement of amphibians and reptiles. Please require this addition and require that impacts on relative humidity be included in evaluations of the DEIR.

M-021-001

Alluvial red maple swamp and small river floodplain forest habitats are present along the Three Mile River, as described in DEIS/DEIR Chapter 4.14, Section 4.14.2.1.5. Red maple swamp is specifically described in Section 4.14.2.1.7.

M-021-002

Chartley Pond is an Article 97-protected open space owned by the Norton Conservation Commission, as described in DEIS/DEIR Chapter 4.10, Section 4.10.2.2.2.

M-021-003

The effects of decreased humidity are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.

M-021-004

4. On page 5-13, under Alternative 1-Through Attleboro, first bullet point, wetland alteration is estimated rather than field delineated. During the April 23, 2008 site walk, the proponent was informed of the extensive wetland resources that would be impacted along the proposed Attleboro Bypass and that the estimated amount of impacted wetland (from the aerial photographs, MassGIS etc) was significantly underestimated. At this inspection, potential vernal pools were also identified that did not appear in the proponent's estimation of impacted potential/certified vernal pools. Please require that the wetlands and potential vernal pools be field delineated and verified by the local Conservation Commissions with the submittal of ANRADs by the proponent.

M-021-005

5. On page 5-13, under Alternative 1-Through Attleboro, the ENF proposes a different route for the Attleboro Bypass than previously presented. The current route (illustrated in Figure 5-5c) avoids constructing new tracks through Chartley Pond and relocates the proposed bypass route into Attleboro. However, the text on page 5-13, last paragraph, still states that part of Chartley Pond may be impacted "depending on the location selected for" the proposed bypass route. Please require that the proponent determine the actual proposed route for the Bypass so that we may comment on the potential impacts.

M-021-006

M-021-007

M-021-008

6. If the final location of the Bypass is proposed through Chartley Pond, please require that the proponent revise the amounts of wetland resource area alteration in the DEIR text and require that all wetland resource areas be field delineated and verified by the Conservation Commission. Please require that the proponent avoid a new crossing through Chartley Pond and utilize existing tracks or minimize alteration of wetland resource areas by locating the new tracks adjacent to the existing tracks. Any alteration of Chartley Pond should allow continued public access and use for recreation (i.e. boats, kayaks, canoes, and fishing) and adhere to Chapter 91 requirements. As permanently protected public land, a conversion of part of Chartley Pond will require approval of the Conservation Commission and Town Meeting in addition to the Legislature. The Conservation Commission is likely to require to replacement or suitable compensation for the conversion. Please require that the proponent investigate compensation for converted conservation property, including but not limited to purchasing new conservation areas (including parking and habitat that supports the pond ecosystem), restoration of the pond from infestation of invasive aquatic plants (or perform the feasibility study, obtain permits and provide funding for first 5 years of treatment) or purchase an easement of the conservation property to allow the construction/maintenance of the new tracks offering an annual stipend (as percentage of the ridership income) to the Conservation Commission.

M-021-009

7. The proposed Barrowsville Station (page 5-14) will also have wetland/intermittent stream impacts that do not appear to be included in the estimation of altered wetlands. In the letter dated July 31, 2008 to EOT from the Conservation Commission, the wetland resource areas were identified for the potential station site. Bordering vegetated wetland and an intermittent stream would have to be crossed to gain access to the upland portion of the proposed Barrowsville Station site. Please require that this anticipated wetland alteration be included in the total estimated alteration for Alternatives 1 and 3.

2

M-021-004

Potential wetland impacts along the Attleboro Alternatives are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric and diesel options, respectively. Figures 4.16-31a through 4.16-48 depict the wetlands and potential impacts from each of the alternatives based on existing information, GIS mapping and the current level of project design. Field verification was used in areas where aerial photographs and topographic maps provided inconclusive results. Field delineations will be conducted for the LEDPA, when selected.

M-021-005

Conceptual designs of the Attleboro Alternatives are provided in Section 3.2.5.2. Potential impacts to Chartley Pond are described in Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric- and diesel-powered Attleboro Alternatives, respectively.

M-021-006

The design of the Attleboro Alternatives has been refined from that presented in the ENF, and no crossing of Chartley Pond is planned. As described in response to Comment No. M-020-004, potential impacts to wetland resources associated with Chartley Pond are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the Attleboro Electric Alternative and the Attleboro Diesel Alternative, respectively. If either of the Attleboro Alternatives is selected as the LEDPA, field delineations will be conducted and submitted to the appropriate conservation commissions for verification.

M-021-007

Chartley Pond is not likely subject to Chapter 91 jurisdiction but, as described in DEIS/DEIR Chapter 4.18, Section 4.18.3.2.3, bridge replacement at Chartley Pond for the Attleboro Alternatives would not affect public access and use of this waterway.

M-021-010 8. On page 5-17, Table 5-2, the Barrowsville Station should have wetland alteration associated with it. Please require this revision to the Table and to the wetland alteration calculations.

M-021-011 9. The Summary 5.1.3 describes the need for a Variance for wetland alterations and an estimated amount of wetland alteration. Please require that the proponent evaluate the potential wetland replication and floodplain compensation sites in the DEIR. Replication should address microhabitat issues, especially for floodplain and not rely solely on a wetland banking proposal. Banking may be considered where appropriate but not as an attempt to avoid compensation at or near the impact sites, potentially causing negative local impacts. "Improvements" to existing wetlands and banking options should only be appropriate after the applicant has met the burden of proof under the "avoid, minimize and mitigate" clause.

M-021-012 10. On page 5-20, Three Mile River Watershed, please require that the proponent include a description of the unique natural community types "Small River Floodplain Forest" and the "Alluvial Red Maple Swamp" of the recently designated Three-Mile River ACEC and include the locations in Figure 5-1.

M-021-013 11. On page 5-22, Public Open Space, the list of major public open space omits Chartley Pond, owned by the Conservation Commission and protected under Article 97 and the Conservation Commission Act. Please require that the proponent include a description of Chartley Pond.

M-021-014 12. On page 5-24, Private Open Space, property owned by the Land Preservation Society of Norton (in addition to the two parcels listed) and privately owned Conservation Restrictions are found along the route and in the proposed Bypass route through Chartley Pond. Please require that the proponent identify all permanently protected open space along the Bypass and any land along the existing tracks with a Conservation Restriction that could be impacted and add them to the "Potential Effects by Alternatives" sections.

M-021-015 13. On page 5-26, Alternative 1, the proponent claims that there wouldn't be any impacts to Article 97 land. However, if the route through Chartley Pond is chosen, the Pond would be land protected by Article 97. Please require that the proponent revise this section to acknowledge the conversion of land protected by Article 97 and evaluate the impacts as previously requested in this letter.

M-021-016 14. The proponent claims that biodiversity is not regulated (page 5-29). The proponent could be using the best scientific evidence available for such evaluations and can readily utilize research published in trade journals. The stated definition of biodiversity by the proponent includes "habitats, communities, ecosystems and landscapes". The Massachusetts Wetland Protection Act and Regulations protect the wetland resource's ability to provide such wildlife habitat and is therefore, within the Conservation Commission's jurisdiction to review a project for impacts to (common) wildlife, as one of the Statutory Interests of the Act. The Regulations further describe above-threshold activities in wetland resource area that require wildlife habitat evaluations. Please require that the proponent accurately identify all wetland resource area impacts, determine the activities that are above allowable thresholds, and require the wildlife habitat evaluations

3

M-021-008

Table 4.10-8, in Chapter 4.10, Section 4.10.3.2.3, lists the public open space acquisition requirements for the Attleboro Alternatives; no portion of Chartley Pond would be acquired and compensation under Article 97 would not be required.

M-021-009

Potential impacts to wetlands or intermittent streams that would result from constructing the Barrowsville Station are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.10.

M-021-010

Please see response to Comment No. M-020-009.

M-021-011

A description of wetlands impact avoidance, minimization, and proposed mitigation measures is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.6. Mitigation sites have not been selected or finalized; the wetlands mitigation plan developed for the LEDPA, when selected, will provide details on wetlands replication and floodplain compensation. Site selection for mitigation areas would be done in conjunction with regulatory agencies to prioritize restoring wetland habitat.

M-021-012

DEIS/DEIR Chapter 4.14, Section 4.14.2.2 describes the biological communities along the corridors of each South Coast Rail alternative.

M-021-013

As described in DEIS/DEIR Chapter 4.10, Section 4.10.2.2.2, Chartley Pond is owned by the Norton Conservation Commission and, as such, is an Article 97-protected open space.

M-021-016
M-021-017

for each resource area as provided in the 310CMR10.60. At a minimum the proponent should conduct the wildlife evaluation in the impacted areas (i.e. Chartley Pond) with field inspections at a minimum of a two times in each season over the course of one full year. All species should be identified to species level, particularly the plants. As part of

M-021-018

the wildlife habitat evaluation, the proponent should identify and investigate at the appropriate time of year all potential vernal pools along the proposed route (identified in a field survey and not just through the potential vernal pools illustrated on the PVP map).

M-021-019

They should identify all potential turtle nesting sites within 1 mile of route. The evaluation should include birds (using point counts), amphibian/reptiles (trapping and spring calling surveys), mammals (tracking, wildlife cameras and traps), insect/odonate/lepidoptera (along powerlines, rail, in and within 200 feet of ponds [Chartley, Barrowsville, Meadowbrook] and rivers [Wading and 3-Mile], freshwater mussel/fish (SCBA if necessary and trapping/electroshocking [Chartley, Wading River, 3-Mile River], and flora (along proposed route, powerlines, rail and wetland resource areas (done to species level [including grasses, sedges, rushes and aquatics]). Should the Bypass impact Chartley Pond, please require a monitoring component for a minimum of four years post-construction.

M-021-020

15. Under Plant Communities, page 5-30, please require that the proponent include and fully describe the Small River Floodplain Forest, Alluvial Red Maple Swamp as well as the Silver Maple Floodplain Forest in Taunton if that is an impacted area.

M-021-021

16. It does not appear that the proponent has evaluated all of the potential vernal pools along the Attleboro Bypass route. For example, there are two other known potential vernal pools north of Richardson Ave that have not been field verified by the proponent. There are six known potential vernal pools on either side of the existing track near Chartley Pond and Union Rd. On page 5-33, under Vernal Pools, please require that the proponent conduct a field investigation of vernal pools along the proposed Bypass routes in Attleboro and through Norton.

M-021-022

17. On page 5-35, under Types of Impacts, please require that the proponent evaluate the impacts to reptile or amphibian communities due to temperature and relative humidity changes adjacent to and within wetlands. Also please require an evaluation of lighting impacts at the proposed rail stations. Types of lighting should be fully shielded with light that does not go higher than 70-75 degrees above horizontal and not greater than 1500 lumens in order to direct the light to the desired area, and avoid light pollution of the night sky that may impact the wetlands' ability to provide wildlife habitats. Please refer the proponent to http://www.darksky.org/mc/page.do for more information.

M-021-023

18. There are two named streams in Norton that are crossed by the existing railroad that do not appear in Table 5-5, page 5-44. Please require that the proponent add Goose Brook and Meadow Brook to the ENF and evaluate impacts to these named streams. The note under Table 5-5 states "water bodies" within 100 feet but does not include Chartley Pond or Meadowbrook Pond. Please require these additions.

M-021-024

19. On page 5-46, under Operations and Maintenance, please require that the proponent include a written track maintenance plan that addresses previously dumped railroad ties currently located within wetland resources. Several large piles of railroad ties have been

4

M-021-014

DEIS/DEIR Chapter 4.10, Section 4.10.2.2 identifies the protected public open spaces within 0.25-mile of each alternative, and Section 4.10.3.2 discusses the potential impacts based on the current level of project design. For this evaluation, "protected open space" means significant publicly owned parks, recreation areas, wildlife or waterfowl refuges, open space conservation or recreation lands owned or interests in land held by the Commonwealth or political subdivisions, some public school playgrounds and sports fields, and privately owned open spaces or conservation lands.

M-021-015

Chartley Pond was included in the DEIS/DEIR Chapter 4.10, Section 4.10.2.2.2 evaluation of potential project impacts to protected public open spaces from the Attleboro Alternatives. Based on the current level of project design, Chartley Pond would not be impacted by the project if the Attleboro Alternative were to be selected as the LEDPA.

M-021-016

The South Coast Rail project alternatives' potential impacts to biodiversity, including habitat fragmentation within wetland areas, are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.5 for each alternative. Although biodiversity per se is not a regulated resource, the Massachusetts Wetlands Protection Act protects the ability of wetlands to provide wildlife habitat.

M-021-017

The potential environmental impacts of the South Coast alternatives on wildlife, including within and around Chartley Pond and other areas of important biodiversity value, are described in Section 4.14 of the DEIS/DEIR. The methodology for assessing these impacts is detailed in

M-021-024 dumped along the edge of the tracks into the wetland at the rear of Richardson Ave at the Norton/Mansfield town lines. These railroad ties should be removed prior to other track improvements. Also the culvert in this location is undersized and causing erosion/sedimentation of the wetland. Please require that it replaced with one that allows wildlife migration and meets the Stream Crossing Standards.

M-021-025

M-021-026 20. Under Stations and Layover Facilities (page 5-47) please require that the proponent provide LID design, green building construction, including solar options, recycled materials, lighting mitigations and innovative storm water management systems for the proposed stations. Storm water management at each station should provide a minimum of 90% TSS removal rates, the highest amounts of infiltration, contain and treat the rate and volume of storm water for all storm events, and provide Operation and Maintenance Plans including snow maintenance issues.

M-021-027

M-021-028 21. On page 5-49, please require that the applicant add Chartley Pond, Meadowbrook Pond, Goose Brook and Meadow Brook to Table 5-8 and include these waterbodies and waterways in the evaluation.

M-021-029 22. On page 5-53, 2nd paragraph, please note that the FEMA F.I.R.M.s of Bristol and Plymouth Counties are currently being revised and new maps are expected to be effective in July of 2009. Please require that the proponent use the updated maps in the evaluations and determination of resource area impacts.

M-021-030 23. Do Lands with Prime and Unique Farmland Soils fall under Executive Order 193 within the proposed routes of any of the Alternatives?

M-021-031 24. On page 5-61, Table 5-19, is the title of the table accurate? It appears to be illustrating land that is already developed, rather than land that is available for development as the title suggests. Please require a clarification.

M-021-032 25. As another benefit toward Environmental Justice, the proponent may consider donating Charlie Cards in pre-determined amounts for all libraries in towns/cities located along the selected Alternative. Libraries can distribute them with their Museum passes.

M-021-033 26. Section 5.11 addresses the Historic Resources (page 5-77). Please require that the proponent address and evaluate the impacts of the proposed project on the State's Heritage Landscape Inventory Project. Several areas in the Chartley section of Norton were listed in the pilot project and should be included in the review. The proposed Barrowsville Station is adjacent to the former railroad station. This is an opportunity to enhance the historical significance of this portion of town by requiring that the proposed station be constructed in a similar style as the former railroad station.

M-021-034 27. Under Traffic and Transportation Systems, please require that the proponent evaluate the adequacy of culverts. This topic could also be included in the wetlands, water resources, or biodiversity sections since it not only addresses the adequacy of a system to transport water and maintain stream flow it also includes wildlife migration. Please require that the proponent field verify locations of culverts, evaluate performance of the culverts and identify locations that require new culverts. All culverts should meet Stream Crossing

5

Section 4.14.3.1 as was conducted in accordance with applicable state and federal regulations and guidance.

M-021-018

Vernal pools that are certified or potential, and field-verified vernal pools located in wetlands within 100 feet of the right-of-way, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3. Vernal pool investigations of the right-of-way were conducted in 2000 and 2001 for the Stoughton Alternative and were documented in the 2002 Final EIR. Additional surveys were conducted in the spring of 2008 and 2009 along the Attleboro Bypass, Stoughton Line, and Whittenton Branch, as described in Chapter 4.14, Section 4.14.2.1.9. Additional investigation of potential vernal pools will be done for the LEDPA, when selected.

M-021-019

Existing wildlife habitats and impacts to wildlife habitat (including birds, amphibians/reptiles, mammals, insects, fish, and plants) that would result from the South Coast Rail alternatives are described in Section 4.14 of the DEIS/DEIR.

M-021-020

Plant communities within the South Coast Rail study area are described in Section 4.14.2.1.5, *Biomap Core Habitat,* of the DEIS/DEIR. As discussed in this section, habitat adjacent to the Three Mile River and its tributaries is located within the Three Mile River ACEC in Taunton and Norton. This area contains large riparian and wetlands habitats, such as high-quality Small River Floodplain Forest and Alluvial Red Maple Swamp.

M-021-021

Vernal pools along the Attleboro Alternatives are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.3. Additional investigation of

M-021-034 Standards if they are part of the selected route. Several locations (15 +/-) along the Attleboro Bypass can be identified to improve wildlife migration. The Conservation Commission can assist the proponent in identification of those areas in Norton.

M-021-035 28. In addition, the GRRIP program includes the Walker Street crossing of Wading River. This culverted crossing is grossly undersized and in need of replacement. Please require that the proponent include an evaluation and upgrade to a box culvert or bridge if State funds are used or if the proponent needs to evaluate off-site mitigation.

M-021-036 29. Please require the installation of a minimum of three wildlife passage/crossings on Union Rd for turtles/mammals (one box culvert between Chartley Swamp and the smaller pond, one box culvert between the Chartley Swamp and Chartley Pond at the existing tracks and one box culvert between the Chartley Swamp and the "Clover lot" (map 26, parcel 249). This intersection of Union Rd and the tracks has been identified and documented as an area of significant roadkill due to inadequate culverts and unsafe wildlife migration passage. All culverts should be required to receive regular maintenance identified in an Operation and Maintenance Plan including monitoring for at least 4 years post-construction including wildlife cameras and tracking pads. Please add these improvements to Union Rd to the section on Grade Crossing on page 5-100.

M-021-037 30. It appears that the proponent is not proposing to reduce pollutant amounts (including the precursors to ozone) because there isn't a set guideline or requirement. Please require that the pollutants be reduced so that the "moderate" condition does not progress into an adverse condition (page 5-107). The proponent should provide a mitigation/offset of the Carbon Footprint of the selected alternative and stations and to extent practicable for the existing track.

M-021-038

M-021-039 31. Please require that the proponent include a geology map of southeastern Massachusetts to illustrate the bedrock and sands, used as examples of how soils can amplify or muffle vibrations (page 5-113). Please require the proponent illustrate the proposed alternative routes on the geology map and describe the impacts by alternative.

M-021-040 32. Please require that the proponent mitigate impacts of noise and vibration in Norton. Table 5-36, on page 5-115 illustrates that Norton experiences the highest measured vibration level at the lowest train speed of all locations evaluated.

M-021-041 33. Please require that the proponent prepare structural engineering evaluations of the proposed impacts of vibrations on the newly repaired Chartley Pond Dam (Conservation Commission) and the Meadowbrook Pond Dam (private). Impacts to the Shpack Superfund site and the Attleboro Landfill should also be evaluated including any potential impact of the vibrations to cause pollutants in the Superfund site or landfill to migrate in groundwater. Please require these additions to page 5-117 under Potential Effects in Alternatives 1 and 3.

M-021-042 34. Impacts to wildlife due to vibration and noise can be significant including impaired water quality to vernal pools due to alteration of hydrology through vibration. In two locations in Norton, I have observed vernal pools fill with silty water despite working erosion control and the lack of surface erosion/sedimentation into the pools. The vernal pools

6

potential vernal pools along the alignment will be done if either alternative is selected as the LEDPA.

M-021-022

The potential effects to reptiles and amphibians from changes in temperature and decreased humidity are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2. Station lighting has not been designed at this time. Stations will incorporate specific lighting requirements detailed in the MBTA's Railroad Operations Commuter Rail Design Standards Manual. MassDOT has committed to designing stations per Executive Order 484, stipulating that State buildings and facilities be designed to LEED Plus requirements. Final lighting design will focus on public safety while limiting off-site impacts to the maximum extent practicable.

M-021-023

Chartley Pond is depicted in Figure 4.16-7a, and Goose Branch Brook and Meadow Brook Pond are shown in Figure 4.16-7b, of DEIS/DEIR Chapter 4.16. Potential impacts to these waterbodies are described in Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric- and diesel-powered Attleboro Alternatives, respectively.

M-021-024

A track maintenance plan that addresses previously dumped railroad ties in wetland areas will be initiated as part of the mitigation measures outlined in the Final EIS/EIR, once a LEDPA is selected. These measures will be further refined during the Preliminary Engineering phase of the project.

M-021-025

Culvert design, which may include the replacement of existing culverts, will be developed for the LEDPA during final design and will comply with applicable Stream Crossing Standards. If the Attleboro

M-021-042 appeared to have become silty due to ground disturbance and migration through groundwater. Please require that the proponent include impacts to vernal pools and water quality of local wetland resource areas from vibration (page 5-117).

M-021-043 35. Please require the appropriate revisions to the Summary of Potential Effects to Natural Resources (Table 5-40) and discussion summary as proposed in the previous comments.

In section 6

M-021-044 36. On page 6-5, section 6.3.4, please require that the proponent revise the estimated amount of wetland alteration in the fifth line. Please require revisions to the third to last sentence.

M-021-045 As previously stated, if the alternative route through Chartley Pond is selected, Article 97 would apply.

M-021-046 37. The Norton Conservation Commission fully supports the proponent's recommendations to remove Alternatives 1 and 3 from further review in the Draft Environmental Impact Report (pages 6-6, 6-11 and 6-16). Both alternatives 1 and 3 propose extensive work through the Town of Norton and negative impacts to Norton's natural resources without meeting the stated goals, budget or timeframe of the proposed project.

In section 7

M-021-047 38. On page 7-2, section 7.1.4 please require that the proponent includes Chartley Pond to the evaluation of Article 97 land.

M-021-048 39. On page 7-3, section 7.1.7 please require that the proponent includes Chartley Pond to the evaluation of Chapter 91 regulations.

M-021-049 40. Under the Federal permitting section 7.2 that the proponent includes Chartley Pond to the evaluation of Clean Water Act, ACOE Section 10 and NPDES sections.

In section 8

M-021-050 41. The proponent is commended for proposing to conduct a review of the functions and values of wetlands rather than just the boundary and amount of alteration (page 8-5). Too often wetlands are permitted for alteration without a firm understanding of the functions and values it provides to the local ecosystem. This evaluation will greatly assist in the evaluation of the most appropriate replication plan. As previously discussed, wetland banking should only be contemplated after a thorough evaluation to avoid and minimize impacts and genuine attempts to mitigate locally for wetland impacts.

M-021-051 42. Under section 8.7, page 8-9, the proponent states that the track materials do not contain or release pollutants. Treated timber ties have been dumped along the edge of the existing tracks at the rear of Richardson Ave, Norton/Mansfield and into wetland resource areas. Please require that the proponent identify other areas where track has been dumped into wetland resource areas and require that a removal plan be prepared as part of the DEIR.

M-021-052 43. Please require that the update F.I.R.M.s be used for the floodplain data rather than USGS topographic maps as described in section 8.8, page 8-9.

7

Alternative is selected as the LEDPA, MassDOT will evaluate potential modifications to existing culverts to better accommodate wildlife passage.

M-021-026

Station site and building designs shall follow Governor Patrick's Executive Order 484, requiring Commonwealth buildings to achieve a Leadership in Energy and Environmental Design (LEED) "Plus" design. Additionally, recommendations from the Massachusetts Zero Net Energy Task Force will be considered in the station designs. The preliminary designs minimize impacts to each site through the use of low-impact design techniques and stormwater detention facilities. Conceptual station designs are included in DEIS/DEIR Section 3.2.

M-021-027

Stormwater management at each of the stations associated with the LEDPA, when selected, would be designed and conducted in accordance with the requirements of the Massachusetts Stormwater Management regulations.

M-021-028

Please see response to Comment No. M-020-023.

M-021-029

The floodplains analysis was based on the most current, readily available, data at the time of evaluation. If available, updated FEMA F.I.R.M. maps will be used in the evaluation of impacts and development of final mitigation measures during final design.

M-021-030

The parcels that would be impacted by the South Coast Rail project would not qualify as agricultural land for purposes of EO 193 because

M-021-053 44. Please include Representative Jay Barrows in the distribution list. He represents Norton and appears to have been accidentally omitted from the list.

Thank you. Please contact the Norton Conservation Commission at 508-285-0275 if you have any comments, questions or to meet regarding this letter.

Sincerely,

Jennifer Carlino
Conservation Agent

CC: Charlie Patton, Regina Villa Associates
Kristina Egan, EOT
Alan Anacheka-Nasemann, ACOE
Lisa Standley, VHB
Liz Sorenson, ACEC Program Director
James Purcell, Norton Town Manager
Heather Graf, CCATS
Greg Guimond, Nancy Durfee, SRPEDD

8

they are not in current or recent agricultural use and are adjacent to non-farm development.

M-021-031

The title of the table in the ENF is accurate. "Developable" means "available for development," which includes open space and agricultural lands.

M-021-032

MassDOT has noted and considered your comment.

M-021-033

The Taunton Copper Works and Wading River Area are included in the Heritage Landscape Inventory pilot project and are described in DEIS/DEIR Chapter 4.8, Section 4.8.2.1.2 in the "Norton" discussion. The proposed Barrowsville Station is described in Section 4.8.3.10.1.

M-021-034

Culverts are addressed in DEIS/DEIR Chapter 4.16, Section 4.16.3.3 in reference to wetland impacts and in Chapter 4.14, Section 4.14.3.2 in reference to the wildlife habitat implications (specifically, as barriers or passageways for wildlife and fish movement). Many of the existing culverts along the alternatives' alignments are compromised and, depending upon which alternative is selected, would be replaced or upgraded to meet hydrologic and wildlife habitat needs, as described in Section 4.16.3.6.3. The culvert locations and specifications will be determined in final design of the LEDPA, when selected, and will meet Massachusetts Stream Crossing Standards.

M-021-035

If the Attleboro Alternative is selected as the LEDPA, MassDOT will

consider the Walker Street crossing of Wading River as an option for off-site wetland mitigation.

M-021-036

MassDOT has noted and considered your comment. Specific mitigation measures and culvert design will be developed for the LEDPA, during final design. If the Attleboro Alternative is selected as the LEDPA, MassDOT will consider implementing features into the final design to facilitate wildlife passage/crossings in the vicinity of Chartley Swamp and Chartley Pond.

M-021-037

The mesoscale analysis provided in DEIS/DEIR Chapter 4.9, Section 4.9.4.1, evaluated ozone precursors (volatile organic compounds [VOCs], oxides of nitrogen [NOX]), the greenhouse gas carbon dioxide (CO2), carbon monoxide (CO), and particulate matter (PM). The ozone mesoscale analysis demonstrated that the Build Alternatives would result in a decrease of VOCs and NOX emissions, as compared to the No-Build Alternative.

M-021-038

As described in DEIS/DEIR Chapter 4.9, Section 4.9.4.2.1, all of the South Coast Rail Build Alternatives would result in a decrease in greenhouse gas emissions, as compared to the No-Build Alternative. The South Coast Rail project is itself a mitigation measure for greenhouse gas emissions by existing sources such as personal automobiles. Further mitigation is not required.

M-021-039

As discussed in Section 4.7.1. of the DEIS/DEIR, actual vibration

measurements were used to evaluate existing conditions because they provide a more accurate assessment of vibration along the South Coast Rail alternatives than would modeling based on generalized soils or geologic information. Some geologic conditions are associated with efficient propagation characteristics that result in higher than normal vibration levels. Geological maps or subsurface borings may be used at a later stage in the project if more detailed analysis of ground propagation is needed for specific sensitive receptors.

A description of geologic conditions within the South Coast Rail study area is provided in Section 4.13 of the DEIS/DEIR.

M-021-040

Proposed mitigation measures for noise impacts are described in DEIS/DEIR Chapter 4.6, Section 4.6.3.6, and proposed mitigation measures for vibration impacts are described in DEIS/DEIR Chapter 4.7, Section 4.7.3.7.

M-021-041

Potential impacts associated with the South Coast Rail alternatives, related to vibration, are described in Section 4.7.3 of the DEIS/DEIR. As discussed in this section, for receptors located close to the tracks, the predicted vibration levels were in the range of 85 to 89 VdB. These vibration levels are well below the onset of minor structural damage (such as cracks in plaster walls) threshold of 100 VdB for fragile buildings.

If either of the Attleboro Alternatives are selected as the LEDPA, the potential for vibration impacts to affect or cause migration of pollutants from the Shpack Superfund site or Attleboro Landfill may be evaluated.

Additionally, the railroad does not cross the Chartley Pond Dam. The Dam is crossed by John Scott Boulevard, located approximately 0.2 miles north of the tracks.

M-021-042

Potential impacts associated with the South Coast Rail alternatives, related to vibration, are described in Section 4.7.3 of the DEIS/DEIR.

Vibration from train operations has not been demonstrated to cause silt to migrate into surface water at any location along existing tracks, particularly the Greenbush Line where there has been extensive study of vernal pools adjacent to the new rail line.

M-021-043

The summary of potential effects to natural resources provided in Chapter 3, Section 3.3.3 of the DEIS/DEIR has been updated to reflect the current level of project design and further analysis conducted to support the DEIS/DEIR.

M-021-044

Potential impacts to Chartley Pond are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric- and diesel-powered Attleboro Alternatives, respectively. Chartley Pond outside of the railroad property limits is protected by Article 97, as described in DEIS/DEIR Chapter 4.10, Section 4.10.2.2.2.

M-021-045

As noted in the response to Comment No. M-020-015, Chartley Pond would not be impacted by the project bythe Attleboro Alternatives.

M-021-046

The Secretary's Certificate required that the DEIR evaluate Attleboro rail alternatives, with both diesel and electric commuter rail modes.

M-021-047

As described in DEIS/DEIR Chapter 4.10, Section 4.10.2.2.2, Chartley Pond is owned by the Norton Conservation Commission and, as such, is an Article 97-protected open space.

M-021-048

DEIS/DEIR Chapter 4.18, Section 4.18.3.2.3 includes Chartley Pond in the evaluation of the South Coast Rail project's compliance with Chapter 91 regulations. As noted in the response to Comment No. M-020-007, Chartley Pond is not likely subject to Chapter 91 jurisdiction.

M-021-049

Permitting requirements for the Attleboro Alternative (which passes by Chartley Pond) are described in Chapter 4.16, Section 4.16.4 of the DEIS/DEIR.

M-021-050

Please see response to Comment No. M-020-011.

M-021-051

DEIS/DEIR Chapter 4.12, Section 4.12.2 discusses hazardous materials present within the study area. An appropriate contaminated material removal program will be developed for the LEDPA, when selected, as described in Section 4.12.4.

M-021-052

The floodplains analysis is based on the most current, readily available, data at the time of evaluation. If available, updated FEMA F.I.R.M. maps

will be used in the evaluation of impacts and development of final mitigation measures during final design.

M-021-053

Representative Jay Barrows has been added to the distribution list.

#14346 AE

TOWN OF NORTON, MASSACHUSETTS
Fire-Rescue Department
70 East Main Street 02766

RECEIVED
DEC 11 2008
MEPA

Richard J. Gomes
Chief

December 10, 2008

Secretary Ian Bowles, EEA
Attn: MEPA (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: South Coast Rail Project, Attleboro Alternative

Dear Sir,

This letter serves as a summary of concerns to date regarding public safety of the Attleboro alternative proposed to include rail traffic through Norton. As chief of the Norton Fire-Rescue Department, which also includes emergency medical services, and as Director of Emergency Management, I believe the following items must be included as public record of my serious concern to plan for and respond to emergencies as it relates to the rail project's proposed location, number of grade crossings, and general safety impacts.

Grade Crossings

M-022-001 Rail crossings at grade create several concerns for public safety. The first is that Norton is very large geographically, nearly 30 square miles. With only two operating fire stations there would be times when an emergency vehicle would be prevented timely response on one side or the other, either to an emergency, or the ability to return from the outside of the area to respond to other emergencies. A grade crossing on Route 123 would disrupt ambulance traffic to Sturdy Memorial Hospital by all ambulance services to the east, especially during construction, which could be several years. There are hundreds per week.

M-022-002 Additionally, I am very concerned with the "attraction" factor of multiple grade crossings for youths. As you are aware, many personal injuries and deaths have been attributed to train contacts with children. The community's experience with train traffic is that of few, slow moving commercial rail cars. The drastic increase in the numbers and speed of commuter rail cars will be a new experience that may cause a greater attraction.

M-022-003 Obviously, at-grade crossings will increase the odds of vehicle/train collisions, which would be a tremendous burden on the limited emergency response forces of Norton.

(Tel) 508-285-0240 www.nortonfire.com (Fax) 508-286-2649

M-022-001

DEIS/DEIR Chapter 4.1, Section 4.1.4 provides an evaluation of the potential impacts at grade crossings that would result from the South Coast Rail project. MassDOT is committed to working with local emergency response services to proactively address safety concerns at grade crossings.

M-022-002

MassDOT has noted and considered your comment. MBTA has a safety educational program for schools, Operation Lifesaver, that would be implemented in the affected communities.

M-022-003

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

MEPA
South Coast Rail
Page 2 of 2

Power Transmission Lines

M-022-004 The high power transmission lines of National Grid were required to be raised in Norton before operations could begin at the Shpack Landfill superfund site. This was done due to the great amount of ambient energy that was transmitted to the non-conductive poles, ground and adjacent areas. The proposed rail line is very close to, and may even cross under, these lines. The impact of a derailment that comes in contact with or damages these supporting poles is obvious. What may not be as apparent to the lay person is that even if a rail accident or related emergency is in close proximity to the power lines, it may conduct enough energy to the ground that an approach by first responders may be delayed or prevented by the electrical danger. This has happened frequently in auto accidents, and is made worse by rain, snow, or high humidity.

Wetlands

M-022-005 It is my understanding that some of the rail bed footprint would be in close proximity to wetlands. In case of a derailment or related emergency, approach to the area could be unavailable or severely limited by emergency equipment.

In summary, the issues of response time, vehicle and pedestrian hazards, attraction to children, increased demand for emergency services, and electrical hazard are issues that concern the emergency responders of the town and the area, and should receive serious weight and consideration in review of the viability of the proposed project.

If I can be of further information, please contact me at your convenience.

Sincerely,

Richard J. Gomes, Fire Chief
Director of Emergency Management

Copy: Town manager
Heather Graf
File

M-022-004

The Federal Railroad Administration (FRA), the federal agency overseeing railroad safety, and the MBTA continually strive to improve safety on the railroad. The MBTA regularly inspects all infrastructure systems (track, signal systems, grade crossing warning systems) and equipment to ensure it is functioning properly. The MBTA maintains both its tracks and equipment to high standards reducing to the greatest extent possible the potential for derailments.

M-022-005

MassDOT is committed to working with local emergency response services to ensure appropriate access to the rail bed in the event of an accident.

TOWN OF NORTON
70 East Main Street
MUNICIPAL CENTER, NORTON, MA 02766

Telephone: (508) 285-0212 Fax: (508) 285-0297
E-mail: jpurcell@nortonmaus.com

James P. Purcell
Town Manager

January 5, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington) EOEA # 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, NE District
Attn: South Coast Rail Manager, Regulatory Division
696 Virginia Road
Concord, MA 01742-2751

Re: South Coast Rail Project (EOEA # 14346)

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

M-023-001 As Norton's Town Manager, it has been my pleasure to work with the mayors of Taunton and Attleboro on the South Coast Rail Project. Since 1995, elected and appointed officials and residents of Taunton, Attleboro, and Norton have been steadfast in opposing the Attleboro Route (any of the proposed permutations) for commuter rail to New Bedford and Fall River, and united in endorsing the Original Stoughton Alternative.

M-023-002 Since the Norton Board of Selectmen's December 4, 2008, letter, we have become aware of the recently proposed alternative known as the Whittenton Variation of the Stoughton Route. The Town of Norton hereby goes on record as opposing this option.

The Whittenton Variation of the Stoughton Route, a three and one-half mile jog through the North Taunton Village of Whittenton, would bring thirty MBTA trains over fourteen at-grade crossings in the heart of the city's center. This extension of the Stoughton Route would also substitute a Whittenton stop for the long-favored Dean Street Station Site, which is a prime example of brownfields restoration.

M-023-001

Comment noted.

M-023-002

Comment noted.

Secretary Ian A. Bowles and Mr. Alan Anacheka-Nasemann
Page 2
January 5, 2009

M-023-003 While the Whittenton Variation would not affect the Town of Norton, we are aware of the negative impacts this option would inflict on our neighbors in Taunton, and express here our solidarity in protecting their interests. The original purpose of the South Coast Rail was to serve not just the communities of New Bedford and Fall River, but also the City of Taunton. The Whittenton Variation of the Stoughton Alternative provides no benefit to Taunton and would in fact cripple the city with fourteen at-grade crossings.

Equal or greater value should be placed on the survival of a city, its businesses, and residents as is granted to wildlife habitat. The measure of 'Environmental Impacts' must not exclude the human factor.

M-023-004 We hope you will concur with the recommendation of the project proponent that the Attleboro Route be eliminated from further consideration, and also dismiss the Whittenton Option before proceeding with the EIR/EIS.

The Original Stoughton Alternative is the only one that benefits the City of Taunton, and therefore the only option which meets the project purpose for commuter rail to the South Coast.

Sincerely,

James P. Purcell
Town Manager

pc: Garth Patterson, Congressman Barney Frank's Office
Senator James Timilty
Senator Marc Pacheco
Representative Elizabeth Poirier
Representative John Lepper
Representative James Fagan
Representative Fred Jay Barrows
Representative Steven D'Amico
Mayor Charles Crowley
Mayor Kevin Dumas
Kristina Egan, South Coast Rail Manager, Executive Office of Transportation
Norton Board of Selectmen
Jennifer Carlino, Norton Conservation Agent
Heather Graf

M-023-003

The Secretary's Certificate in the ENF required that these alternatives be advanced into the EIR/EIS analysis.

M-023-004

Comment noted.

AE

PCD Department of Planning and Community Development

1305 Hancock Street, Quincy, Massachusetts 02169
Tel. (617) 376-1362 FAX (617) 376-1097

DENNIS E. HARRINGTON
Planning Director

Thomas P. Koch
Mayor

RECEIVED
JAN 8 2009

January 7, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Attn: Aisling Englington

Dear Secretary Bowles:

The City of Quincy has reviewed the Environmental Notification Form (ENF) for the South Coast Rail project (EOEA #14346). The South Coast Rail—a priority transportation initiative of the Executive Office of Transportation and Public Works (EOTPW)—entails the restoration of passenger rail service to the South Coast region. The South Coast Rail project has been studied for many years. In 2002, a Final Environmental Impact Report (FEIR) submitted by the Massachusetts Bay Transportation Authority (MBTA) identified the "Stoughton Alternative" as the preferred alternative, and received approval from the Secretary of Environmental Affairs to moved forward with design and construction. At that time, however, the MBTA did not initiate the federal review process necessary to obtain a Clean Water Act permit from the U.S. Army Corps of Engineers (the Corps). The Corps and the Massachusetts Environmental Policy Act Office have agreed to coordinate the environmental review of this project. The Corps, as the lead federal agency, will coordinate the preparation of a federal Environmental Impact Statement (EIR) with the MEPA-required Environmental Impact Report. The Corps has published a Notice of Intent (NOI) to prepare an EIS in the Federal Register on October 31, 2008. In addition to the federal permits required under the Clean Water Act ("Section 404") the South Coast Rail project will require the following permits and approvals: **State** (MA Wetlands Protection Act; Section 401 Water Quality Certification; MA Endangered Species Act, Chapter 91; Article 97, Massachusetts Historic Commission review, Coastal Zone Management Consistency Determination) and **Federal** (National Environmental Policy Act; NPDES Construction Permit; Section 106; and Air Quality Determination). This project will also require local permits as necessary pending the selection of the preferred route alternative.

In April 2007, EOTPW released ***South Coast Rail: A Plan for Action***, which articulated the Commonwealth's vision and commitment for bringing public transportation to the South Coast region. Since that time, EOTPW has completed its analysis of 65 transportation alternatives for this project and is now recommending five alternatives move forward for further analysis. This ENF provides a thorough description of each of the recommended alternatives and their environmental implications, and complies generally with Section 11.07 for EIR filing and preparation. The City of Quincy believes that the Draft Environmental Impact Report (DEIR) should adequately address our concerns regarding **Alternative 2,**

M-024-001

M-024-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-024-002 **Option A.** The DEIR should also discuss how Alternative 2, Option A will impact the overall vision for the revitalization and redevelopment of Downtown Quincy.

Alternative 2—Through Middleborough, would provide commuter rail service to South Station via the Middelborough and Old Colony rail corridors. Variations to this alternative include: A) providing major infrastructure improvements (Middleborough Full), and B) providing the service without major infrastructure improvement to the Old Colony Main Line between South Station and Braintree (Middleborough Simple). Option A would require the construction of a second new track on the Old Colony Main line along the two single-track sections between Braintree Junction and South Station. To provide the needed space for the proposed new commuter rail track, approximately 4.5 miles of Red Line track will need to be relocated. A portion of this proposed Red Line track relocation would include the construction of a new 1.3-mile tunnel under the Quincy Center Station, which would allow for the space for the additional track. Option A would also require a major reconstruction of the existing Quincy Center station facility.

M-024-003 Quincy is deeply concerned about the anticipated environmental and economic impacts—as documented in the ENF— within Quincy Center and its surrounding neighborhoods if the Commonwealth were to select Alternative 2, Option A as the preferred alternative. Over the next few years, the City will be carrying out its revitalization plan for its historic downtown, which entails the redevelopment of several properties within a defined Quincy Center District and the implementation of major streetscape and public space improvements. The cornerstone of this revitalization entails the construction of a new urban boulevard, known as the Quincy Center Concourse Phase II project, to provide a link between Southern Artery (Route 3) and Burgin Parkway and enhance access to the Hancock Street commercial area. Property acquisitions to accommodate this project are almost complete, and we anticipate commencing construction of the Quincy Center Concourse Phase II project summer of 2009.

The City understands the need for the Commonwealth to provide a viable alternative in order to ensure the long-term success of this project. We strongly support this effort to restore commuter rail service to the cities of New Bedford and Fall River, and to provide enhanced commuter rail service to Quincy; however, moving forward with Option A would cause a significant impacts to an area of Quincy that will be undergoing major redevelopment and construction over the next few years. We believe that the Commonwealth should engage Mayor Thomas Koch prior to the preparation of the EIS/EIR to more fully discuss the implications of moving forward with Option A. M-024-004

Thank you for the opportunity to comment on this very important transportation project. The Commonwealth should be commended for spearheading this much-needed transportation project for the Boston and South Coast region. Please feel free to contact me at (617) 376-1363, or Kristina Johnson, Principal Planner at (617) 376-1373 should you have any questions.

Sincerely,

Dennis E. Harrington

Dennis E. Harrington
Planning Director

M-024-002

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

M-024-003

Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose.

M-024-004

Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose.

Cc: Jim Fatseas, Executive Secretary
Nick Verenis, Economic Development Planner
Kristina Johnson, Principal Planner

TOWN OF RAYNHAM
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AE

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JAN 9 2009
MEPA

January 6, 2009

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

Secretary Ian Bowles, EEA
Attention: MEPA Office
Aisling Eglington
100 Cambridge Street
Suite 900
Boston, MA 02114

Re: ENF South Coast Rail and Scoping for the Draft EIR/EIS Town of Raynham

Dear Secretary Bowles and Mr. Alan Anacheka-Nasemann,

The Board of Selectmen from the Town of Raynham Massachusetts is writing to comment on the Environmental Notification form (ENF) to share ideas and comments for the Draft Environmental Impact report/Statement as it relates to the Town of Raynham.

A. The South Coast Rail Alternative presented as the "Stoughton Line" is described in the ENF as follows:

> "The Stoughton Line is a rail line running from the Northeast Corridor at Canton Junction to the Attleboro Secondary and New Bedford Secondary at Weir Junction in Taunton (Figure 3-1). The line is active between Canton Junction and Stoughton Station serving commuter rail on the MBTA Stoughton Line and freight rail to customers in Canton and Stoughton. A short piece of the line north of Weir Junction is active, serving freight only. The remainder of the line, from Stoughton Station to Taunton, is abandoned, and tracks were removed. The active sections of the corridor are single-track, except at the approach to Canton Junction, where there are two tracks. The corridor is owned by the MBTA, north of Britton Street in Raynham. Parts of the right-of-way south of Longmeadow Road in Taunton were sold and in various public/private ownership. The active rail segment north of Weir Junction is operated by the MassCoastal Railroad. The corridor runs through some environmentally sensitive areas, including the Pine Swamp in Raynham and the Hockomock Swamp ACEC Easton. The Hockomock

Swamp is one of the most important wetlands in the state for rare species habitat and protects regional water quality."

The Town of Raynham is concerned with this alternative moving forward for the following reasons:

M-025-001 1. This corridor passes through the Hockamock Swamp and Pine Swamp in Raynham. It is within the Hockamock ACEC, and within Raynham conservation land in Pine Swamp. There are rare species, open space, and conservation land takings and/or restorations and replications involved in this option. The Town of Raynham feels that a land taking would result in a deleterious impact to the area resulting in habitat fragmentation and loss. The tracks have been removed and abandoned through most of the property and this would be a major reconstruction. Any remaining habitat that is fragment could result in species loss, habitat loss, change in hydrology, and change in species number and variety. The Town is also concerned that any restoration and replication work would not serve to replace what was lost if build out occurs. The science behind vernal pools leads us to believe that there really is no way to replicate this naturally occurring phenomenon. Likewise, any restoration and replication could result in flooding and loss of property value if not done correctly. Additionally, we are concerned that if the restoration/replication work was done on an upland property, that the land could then be considered a protected habitat under the Massachusetts Wetlands Protection Act and present an encumbrance to any adjacent property owners. The trestles work that is proposed would have to be evaluated as well in order to determine if there are impacts to any migratory bird species as part of any migration patterns or fly overs. With regard to the Pine Swamp specifically, it is sited between two land fills. The impact of the landfills is taxing to the fragile ecosystem already and any further impact could result in the loss of this valuable natural resource. The Town would recommend that any proposed wetland restoration, mitigation, replication must be within the town of Raynham and further analysis is needed with regard to locations. Also, the Town of Raynham would recommend that any proposed work within the wetland or the 25 foot buffer zone must be minimized to the extent practicable. The Town of Raynham recommends that critter tunnels and crossings as well as conditions of construction sequencing should be evaluated through Natural Heritage Endangered Species Program.

M-025-002

M-025-003

M-025-004

M-025-005

M-025-006

M-025-007

M-025-008 2. Creating an electric train line would only serve to exacerbate the issues as presented in item number 1 and further analysis is needed with regards to siting the lines for the power. The Town of Raynham recommends further analysis as to the efficiency of the electric trains and a means of connecting them into the existing diesel train line.

M-025-009 3. Creating a light rail line would also share the same issues as presented in item number 1. The Town of Raynham recommends further analysis with regard to the additional infrastructure that may be required as well as a needs analysis.

M-025-010 4. Zoning at the station site has not been fully developed within the Town of Raynham. At present this area has not had any Transit Oriented Development or Smart Growth zoning initiatives that would make this area a suitable site for commuters.

M-025-011 5. Grade crossings are a concern as there currently are traffic problems along the Route 138 corridor.

M-025-001

Impacts to rare species within the Hockomock Swamp and Pine Swamp are described in Section 4.15.3 of the DEIS/DEIR. Impacts to public open space and conservation lands are described in Section 4.10.3 of the DEIS/DEIR.

M-025-002

A description of proposed mitigation measures for wetlands (including vernal pool) impacts is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.6. The wetlands mitigation plan developed for the LEDPA, when selected, will provide details on wetlands replication and floodplain compensation in accordance with regulatory requirements, and will include a monitoring and evaluation section.

M-025-003

Habitat fragmentation, including the effects of the railroad corridor through the Hockomock Swamp on migratory birds, are discussed in DEIS/DEIR Chapter 4.14, Section 4.14.2.2.3.

M-025-004

As discussed in Sections 4.16.3, *Wetlands*, and 4.14.3, *Biodiversity*, construction of the South Coast Rail alternatives would minimally impact the Pine Swamp ecosystem.

M-025-005

Specific wetlands mitigation measures will be developed during final design and permitting to address impacts associated with the LEDPA. Wetland mitigation would likely include on-site (within the Town of Raynham) and off-site mitigation with significant regional benefits.

M-025-012 6. The traffic analysis needs to be studied and coupled with existing traffic analyses including the one for the proposed Wal-Mart. The existing infrastructure within the Town of Raynham is not equipped to handle more traffic. The Town of Raynham would be looking for significant roadway improvements as part of any analysis and mitigation package for the whole 138 corridor. In addition, the Town of Raynham would be looking for significant roadway improvements as part of any analysis and mitigation for the ramps on and off 24, 495, as well as additional potential issues on 44 and 104 due to projected increased in traffic. Also, it is recommended that the State constructs any proposed roadway improvements and undertake the efforts necessary for engineering, and permitting.

M-025-013 7. Noise mitigation measures are encouraged by the Town of Raynham should the Stoughton line be recommended including but not limited to no whistles at grade crossings, silent grade crossings, concrete walls with plantings and noise barriers. Further analysis on noise mitigation measures as well as details for timelines for permitting is recommended.

M-025-014 8. The Town of Raynham recommends a further analysis of emergency services should this route be chosen. Specific concerns is that there should be a Northern Raynham fire/police/emergency services building designed, permitted, and constructed as part of any mitigation package. Included in the analysis should be a projection for funding for personnel, building maintenance, additional apparatus, and vehicles especially with regard to the current economic situation.

M-025-015 9. The Town of Raynham recommends a further analysis to address public safety concerns for pedestrians with cross walks, lighting, and side walks on existing roadways. Currently there are no pedestrian friendly areas around the station site.

M-025-016 10. The Town of Raynham recommends further analysis with regard analysis with regard to public services for the school systems and regional services.

M-025-017 11. The Town of Raynham recommends further analysis with regard to property valuation within the Town of Raynham.

M-025-018 12. The Town of Raynham recommends further analysis with regard to a $4.3 million water treatment facility proposed within the Town of Raynham along this route. The facility is to be constructed by the North Raynham Water District as part of the approval for a much-needed new well.

B. The South Coast Rail Alternative presented as the "Whittenton Branch" is described in the ENF as follows:

> "The Whittenton Branch is an abandoned rail line in Raynham and Taunton, running around the northwest edge of the core of the City of Taunton and connecting the Stoughton Line with the Attleboro Secondary. The line is not in service, and is not explicitly included in any of the 38 alternatives, but is considered as a possible variant to any option using the Stoughton Line."

M-025-006

Wetland impact avoidance and minimization, and mitigation measures for unavoidable wetlands impacts, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6. Because the existing rail ROW was constructed in wetlands, it is unlikely that work within 25 feet of resource areas could be avoided.

M-025-007

A preliminary list of proposed mitigation measures, including critter tunnels and crossings, is provided in DEIS/DEIR Chapter 4.15, Section 4.15.3.6.4. MassDOT is engaged in ongoing consultation with NHESP and will work with NHESP to refine the mitigation measures as the project design advances. Mitigation measures will be taken into consideration for construction sequencing as well.

M-025-008

The Stoughton and Whittenton Alternatives have been advanced to the EIS/EIR analysis, with both diesel and electric options. These alternatives are described in DEIS/DEIR Section 3.2 and evaluated in Section 3.3. Impacts of the electric options are evaluated in Section 3.2.5.2.7

M-025-009

Infrastructure requirements for each alternative considered are described in Chapter 3, Sections 3.2.5.2 and 3.2.5.3 of the DEIS/DEIR. The potential environmental impacts of each alternative, including the associated infrastructure, are described in Chapter 4 of the DEIS/DEIR. The needs analysis is inherent in the Purpose and Need statement, provided in Chapter 2 of the DEIS/DEIR.

M-025-010

As part of the technical assistance program, MassDOT has provided

M-025-019 1. The Town of Raynham has not received enough information regarding this alternative to comment. At this time, the Town of Raynham feels that this alternative presents significantly less impact than the Stoughton Route and encourages further analysis.

C The South Coast Rail Alternative presented as the "Bus Rapid Transit to Stoughton Station" is described in the ENF as follows:

> "Bus Rapid Transit adjacent to New Bedford Main Line track and Fall River Secondary track north to Cotley Junction, then north along existing right-of-way through Raynham, Easton, and Stoughton; transfer to Stoughton Line at Stoughton Commuter Rail Station."

M-025-020 1. The Town of Raynham has not received enough information regarding this alternative to comment. At this time, the Town of Raynham feels that this alternative presents significantly less impact than the Stoughton Route and the Whittenton Branch Route and encourages further analysis specifically as it relates to takings or easements already proposed as part of the proposed expansion of Route 24 that has remained unfunded.

Very truly yours,

Joseph R. Pacheco

Donald L. McKinnon

Marie A. Smith

Marie A. Smith
Board of Selectmen

assistance to the Town of Raynham to help identify redevelopment options for this site.

M-025-011

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

M-025-012

Reasonably foreseeable traffic impacts of the South Coast Rail alternatives are presented in DEIS/DEIR Chapter 4, Section 4.1.4. Proposed traffic mitigation measures, associated with the various alternatives, are presented in Section 4.1.5.

M-025-013

Proposed mitigation measures for noise impacts are described in DEIS/DEIR Chapter 4.6, Section 4.6.3.6.1. Train horns issues and considerations are discussed in Section 4.6.3.2.3. Once the LEDPA is determined, severe noise impact locations will be evaluated for the specific proposed noise mitigation measures and will form the basis for a Noise Mitigation Plan (NMP). The NMP will be prepared in compliance with Federal Transit Administration standards for noise mitigation and safety requirements, as well as Federal Railroad Administration safety requirements.

M-025-014

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project and are included in Section 4.1.4, analysis of Impacts by Alternative. Potential impacts to emergency response vehicles would be evaluated after selection of the LEDPA.

M-025-015

Safety measures are outlined in DEIS/DEIR Section 4.1. Further safety measures will be evaluated as part of preliminary engineering, after a LEDPA has been selected.

M-025-016

To the extent feasible, the South Coast Rail project's potential impacts to community infrastructure are described in Chapter 4.2, Section 4.2.3 of the DEIS/DEIR.

M-025-017

Changes in property values that could result from development of the South Coast Rail alternatives are evaluated and discussed in Section 4.3.3 of the DEIS/DEIR.

M-025-018

As described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.5, the Stoughton Alternative would require construction within the ground water protection zones for three of the North Raynham Water District's existing and proposed wells. MassDOT will consult with MassDEP, the North Raynham Water District, and Easton Water Division during design during the design process if one of the Stoughton Alternatives is selected as the LEDPA. With mitigation and best management practices (such as drainage features) in place, the Stoughton Alternatives are not expected to impair any surface or ground water resources.

M-025-019

The Whittenton Alternatives are described in Section 3.2.1.4, Chapter 3 of the DEIS/DEIR. Potential impacts to the environment that would result from either of the Whittenton Alternatives are described in Chapter 4 of the DEIS/DEIR.

M-025-020

The Rapid Bus Alternative is described in Section 3.2.1.5, Chapter 3 of the DEIS/DEIR. Potential impacts to the environment that would result from the Rapid Bus Alternative are described in Chapter 4 of the DEIS/DEIR.

AE

Town of Stoughton

10 Pearl Street • Stoughton, MA 02072 • (781) 341-1300 ext 212 • FAX (781) 344-5048
e-mail • selectmen@stoughton-ma.gov

Selectmen

John J. Kowalczyk
Chairman
Scott D. Carrara
Stephen G. Anastos
John M. Anzivino
Joseph M. Mokrisky

Town Manager
Mark S. Stankiewicz

RECEIVED
DEC 23 2008
MEPA

December 18, 2008

Secretary Ian Bowles, EEA
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02110

Re: South Coast Rail Project

Dear Mr. Bowles:

The Stoughton Board of Selectmen has received the Environmental Notification Form for the South Coast Rail Project. We understand the Executive Office of Transportation will be considering several options including Rapid Bus, a Middleboro alternative, an Attleboro alternative and a Stoughton alternative.

M-026-001

The Board of Selectmen has concerns with the proposed Stoughton alternative and the dramatic impact on the Town's environment and its residents should this project be approved. These concerns include, but are not limited to, the impact on areas of critical environmental concern such as wetlands and waterways, vehicular traffic impacts with at-grade crossing safety, pedestrian safety, noise & frequency of trains as well as the impact on private property owners.

The Town is currently reviewing the proposed plans. Given the relatively short comment period for such a large project, the Board of Selectmen would respectfully request a 60 day extension be granted to allow us sufficient time for a thorough review.

Sincerely,

John J. Kowalczyk, Chairman
Stoughton Board of Selectmen

M-026-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

Town of Stoughton

10 Pearl Street • Stoughton, MA 02072 • (781) 341-1300 ext 212 • FAX (781) 344-5048
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Selectmen

John J. Kowalczyk
Chairman
Scott D. Carrara
Stephen G. Anastos
John M. Anzivino
Joseph M. Mekrisky

Town Manager
Mark S. Stankiewicz

January 8 2009

Secretary Ian Bowles
Massachusetts Executive Office of Transportation
Attn: MEPA Office - Aisling Eglington
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles:

On Behalf of the Board of Selectmen, Town of Stoughton, I wish to convey some of the concerns that we have regarding the possibility that the Stoughton Rail Line may be chosen as the gateway for trains to get to Fall River from Boston. We have had rail service from Boston to Stoughton and back for many years and as a result we have a deep understanding of, and an appreciation for, the possible impacts that such a project will bring to our community.

Our concerns are as follows:

M-027-001

- Is the option of bus service still under consideration? During an earlier phase of this railroad analysis, strong arguments were presented demonstrating how bus service would be more cost-effective than passenger service. New bus service can be established much quicker and for much less money than the rail-line. Bus service can also be directed to areas of need whereas trains are limited to stops along the existing rail bed.

  Bus service can be more easily subsidized, thus, making it more affordable to the average working man. This coupled with the ability of the bus to make more stops in town will increase bus ridership while at the same time making the entire project more cost-effective.

  The bus service could be coupled wit the use of zipper lanes along certain sections of the main highway to reduce travel time and make the use of the bus more attractive to commuters.

  We trust that you will give this option the attention it deserves.

M-027-002

- The current rail line to and from Stoughton has short-term impacts on the local traffic patterns, which people have been dealing with for many years. The

M-027-001

The Rapid Bus Alternative was advanced for evaluation in the DEIS/DEIR. This alternative is described in DEIS/DEIR Section 3.2, and is compared to the other alternatives with respect to meeting the project purpose, overall practicability, and beneficial and adverse impacts to the environment. As shown in Table 3.3-9, the Rapid Bus Alternative scores the worst among the alternatives considered in the DEIS/DEIR.

M-027-002

The DEIS/DEIR calculated the impacts at Stoughton grade crossings resulting from South Coast Rail alternatives, as described in Chapter 4, Section 4.1.4. An analysis of related impacts by alternative is presented in Table 4.1-57, Stoughton Grade Crossings--Traffic Volumes and Average Delay.

M-027-002 increased rail traffic that would be generated by this project will significantly increase this problem.

We request a specific, targeted, in-depth traffic study on the impacts to the Town of Stoughton resulting from the increased number of train trips as well as the real probability of longer trains.

M-027-003 The study should include an analysis of the pros and cons of constructing a tunnel through the center of Stoughton, which would move the current train service to below ground.

M-027-004
- What are the short term and long term impacts of the construction. What expansion of the existing railroad right-of-way will be necessary? What land takings will be necessary? Surely the construction will require the shut down of the existing train service to Stoughton. Will shuttle buses be utilized? How will they be routed?

M-027-005
- What is proposed for the section of new tracks from Morton Street to the Easton Town Line? We now have many parcels of private property where the only access is across the rail-bed. What provision will be made to maintain this access?

M-027-006
- We are aware of the fact that construction of the expressway overpass at East Milton Square and the railroad tunnel in Hingham Square had severe impacts on local businesses. Our downtown area is already severely impacted by the crossing of three major highways. What provisions will be made to ensure that the construction will not add to these burdens?

Very truly yours,

John Kowalczyk, Chairman
Board of Selectmen
Town of Stoughton

Attachments: Ltr. of October 19, 2000

cc: Members of the Board of Selectmen; Planning Board Members; Town Manager
Town Engineer; U.S. Army Corps of Engineers

M-027-003

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

M-027-004

As described in each environmental resource section of Chapter 4 of the DEIS/DEIR, construction impacts would be temporary (i.e., short term). Expanding the railroad right-of-way would be necessary in some locations, as described in Section 4.2, Chapter 4.2.3 of the DEIS/DEIR; permanent or temporary takings are also described. Land acquisition requirements in Stoughton are shown on Figures 4.2.5a through 4.2.5e. It is not currently anticipated that service to the existing Stoughton Station would be interrupted during construction if one of the Stoughton Alternatives (including the Whittenton Variations) is selected. The preliminary and final design of the project will determine the impact to service to the existing station in greater detail.

M-027-005

A frontage road has been conceptually planned along the proposed tracks to accommodate private parcel owners in this vicinity. The frontage road would connect to Morton Street and is described in Section 3.2.5.2.2 of the DEIS/DEIR.

M-027-006

Construction impacts to land use and the socioeconomic environment from the Stoughton Alternatives are described in Chapter 4.2, Section 4.2.3 and Chapter 4.3, Section 4.3.3 of the DEIS/DEIR. MassDOT is committed to minimizing the burden placed on the communities during construction, and will work with the communities that would be affected by construction of the LEDPA, when selected, to minimize adverse effects.

M-32

DF

Town of Stoughton

10 Pearl Street • Stoughton, MA 02072 • (781) 341-1300 • FAX (781) 344-5048

Secretary Robert Durand
Executive Office of Environmental Affairs
251 Causeway St., 9th Floor
Boston, MA 02144
RE: EOEA # 10509

RECEIVED
OCT 23 2000
MEPA

October 19, 2000

Dear Secretary Durand:

The Stoughton Board of Selectmen, representing the residents of Stoughton, Massachusetts, offer the following comments regarding EOEA Project # 10509, the Supplemental Draft Environmental Impact Report on the New Bedford/Fall River Commuter Rail Expansion.

1. Volume I, Section 2 has left the South Shore out of the study area. This seems unreasonable, because this area does not have any impacts from train service now, but the environmentally relatively pristine and undisturbed conservation area will be heavily impacted if this line is constructed. To leave an environmentally impacted area out of an Environmental Impact Report appears highly incorrect. The Bird St. Conservation Area should be included in the study area, as well as the section of Stoughton that has been without train service since 1970. 32.1

2. Volume I, Section 2.4.1 – Highways are congested, but new bus runs could be established fairly rapidly compared to the rail line, with more immediate effect. 32.2

3. Volume I, Section 2.4.2 – Subsidized buses could achieve the same results faster and with less legal wrangling, so would be cheaper to build and run. 32.3

4. Volume I, Section 2.4.3 – Air Quality – Subsidized buses could achieve the same results faster. Shifting to rail would vastly increase direct emissions to both the ACEC's in other towns, and to the largely ignored Bird St. Conservation Area, both relatively pristine at present. These effects should be measured and mitigated for. 32.4

5. Volume I, Section 2.4.4 – Regional Transit System capacity – Subsidized buses will achieve the same results faster. 32.5

6. Volume I, Section 2.4.5 – Access to Opportunity is NOT an entitlement. Everyone has some kind of transit difficulty to deal with sooner or later, and that's why people move around, either to new jobs or to new homes. 32.6

7. Volume I, Section 2.4.6 – Mode Choice and Connectivity – Again, no one is entitled to equal choice of transportation method. 32.7

8. Volume I, Section 2.4.7 – Economic Development – (A) This rail line is not going to foster economic development by providing passenger service. The train's presence will not persuade businesses to locate here because the train is available. The availability of FREIGHT, on the other hand, which is not mentioned in depth throughout this review, will foster economic development, and will bring a whole different range of environmental concerns into play, like dropping a car full of hazardous cargo in a neighborhood or a nature sanctuary. Could this issue please be more thoroughly discussed in the review process? The public discussions here in Stoughton indicate that many residents are deeply suspicious about the possibility of freight trains and possible hazardous cargo using the proposed new rail line. (B) The economic stability of the residents near the tracks will be impacted by the new train line. The residents are concerned about what "living on the wrong side of the tracks" will do to their property values. They do not want to be victimized by a neighborhood economic downturn caused by loss of resale value of their homes. As with most of us, their lifetime earnings are largely tied up in the value of their homes. If economic development has a place in the SDEIR, so should economic devaluation. 32.8 32.9 32.10

In addition, if the MBTA is going to state that freight will not be transported over this rail line, we would like to see a written agreement not to lease or otherwise allow the use of the line for freight lines.

9. Volume I, Section 2.5 – Please include Stoughton demographics in this review, also. 32.11

10. Volume I, Section 2.5 – Please consider that many working parents are simply not able to consider jobs in Boston or Cambridge because any commute is too long. The bus alternatives and train alternatives are all over an hour. This is simply too long a trip if you have a family to take care of. 32.12

11. Volume I, Section 2.5 – The only people who can really afford this kind of commute are the people at the upper end of the skill and pay scales. The average unskilled unemployed person on the south shore is not only not eligible for this pay scale, but can't find a well-paying job so they can afford the train ride and still pay their bills. The upper-end employees tend not to stay unemployed for long, so rarely feature in the unemployment statistics. So exactly how will the rail system act to decrease the unemployment in Fall River and New Bedford? 32.13

12. Volume I, Section 2.6 - Please put more thought into other methods of improving bus service into Boston from these communities. Other large cities have effective HOV lanes, we don't. They subsidize buses, we don't. They publicize Park and Ride and alternative transportation, we don't. Buses can be up and running much faster than this rail line. Van pools can also be established very rapidly for groups of neighborhood commuters, or by companies looking for direct transport for their employees, especially with state-supported incentives. 32.14

13. The bus alternatives have projected 2010 transit times of 1 ½ to just short of two hours, while the rail line is about 80 minutes. Considering the end-time transit, getting to and from the train, there is not that much difference. It's still an awful commute! 32.15

14. Volume I, Section 4 – The report is not consistent among its sections on how much wetlands replication will be done, and also can't seem to say whether it will be replication or restoration. If restoration of degraded wetland is proposed, that's wonderful. Unless wetland destroyed by the project is replaced, by replication, then the Commonwealth's "No-Net-Loss of Wetlands" policy has not been complied with. This report does not exactly state what is being proposed to meet the policy requirement for No Net Loss of Wetlands. 32.16

15. Volume I, Section 4 – The impacts to wetlands and open space presented by running a train line through an area with no hydrocarbon impacts, noise impacts, erosion, or particulate emissions have been almost completely ignored. If this project is to go forward, it is imperative that the actual impacts be comparable to baseline studies of the flora and fauna. What animals and plants are actually here? How many? How healthy are they? What's presently in the soil here and there? Have any similar studies been done of the Stoughton Conservation Commission owned property off Toscca Drive, to compare existing vegetation and wildlife on an already impacted property? Once these questions are answered, we can go back after construction operations begin and resample to see what impacts there are. Nothing like this is presented in this report. As with Air Quality, we have a perfect opportunity to compare existing conditions on open space impacted by the train and open space not impacted by the train. This kind of study appears to have an extremely appropriate place in an Environmental Impact Report. 32.17

16. Rare Species have not been documented in the rail corridor because no one spent enough time looking. There are areas in Stoughton with Blanding's Turtles documented, but if the field studies are done at a time when the species are not active, they will not be identified. The proponents should pay for enough field time from qualified field 32.18

personnel to truly document the presence or absence of the rare wildlife that has been reported to the Conservation Commission and to the other towns.

17. If an independent construction observer was used on the Old Colony Rail Line Reconstruction, wetland violations were not prevented from occurring, because such violations were noted and reported to the newspapers at that time. Any independent observer must truly have the time, ability, and authority to stop incorrect work that is damaging the environment. It didn't happen on the Old Colony. We must be sure that work will be stopped when environmental damage is done, and that the damage will be fixed right away instead of being ignored until the damage has become far more serious than the original small problem. This is one of the most serious problems with large government projects near wetlands. 32.19

18. Our Wetlands Bylaw may define some wetlands that have not been covered in the approved wetland line, but were missed because we did not review them in March-April at high water table. Otherwise, the flagged wetland line is accepted by the Stoughton Conservation Commission , except at the Mead's Meadow outlet, where the flags had been vandalized. 32.20

19. It is worth noting that Figure 4.1-1 (Volume II) does not have Whitman Brook correctly labeled where it goes under Rte 138 next to Victory Ford, at ST-7. This is one of the areas we intensively studied, with flow meters and electroshocking fish, for the Cedar Swamp Wellfield study. If it was important enough to the Commonwealth for us to spend taxpayer's money to study, it is important enough for the MBTA to correctly label. Our observations also determined that the portion of the Brook east of Rte 138 was perennial, as it never stopped flowing. 32.21 32.22

20. The wetlands on the other alternatives were not flagged and approved by those Conservation Commissions. We cannot make a valid comparison of wetland impacts without comparable data between all the alternatives. The Stoughton, Easton, and Raynham Conservation Commissions have agreed on the extent of Stoughton Alternative wetlands. This agreed upon wetland delineation cannot be compared to photointerpreted wetland lines on the other alternatives. 32.23

21. The proposed North Easton Station may have work within the 100 foot buffer zone, and possibly within the 50 foot no touch zones established in our Wetlands Bylaw, Ch. 178. The buffer zone is not shown on the conceptual plan. The wetland involved is a vernal pool in the Bird St. Conservation Area. What effect will the train emissions and dropped garbage from the patrons have on this vernal pool? Will the MBTA help us clean up trash? 32.24 32.25

22. Page 4.1-51 states that there is no ILSF in the project corridor in Stoughton, but there actually is, as defined in our Bylaw, near the North Easton station platform. 32.26

23. Page 4.1-53 – The Town of Stoughton was told during the Cedar Swamp wellfield approval that many of the streams southwest of Cedar Swamp were perennial, and this was part of the reason for the well denial. The Commonwealth cannot now turn around and say these streams aren't perennial streams where the rail line is concerned. 32.27

24. Locomotive soot and contaminants are consistently ignored as a direct impact to wetlands and conservation land. Ask anyone who lives next to a rail line what the soot, particulates, and other emissions do to their property. Better, let's ask the MBTA to do some soot collection tests adjacent to the existing line , and in the Bird St. Conservation Area adjacent to the inactive rail line. Here in Stoughton, the Conservation Commission has an undeveloped parcel adjacent to the existing rail line, at the end of Tosca Drive. Summa Air Quality Canisters and particulate emission samplers could be set up at this location to measure the effects of train passage at current levels, and at the same time, the same equipment could be set up in the Bird St. Conservation Area at the same distance from the old tracks, to get a direct comparison of the existing conditions at both sites. If the train will truly have no effect on either the houses or the natural environment in Stoughton, why not prove it? 32.28

25. There are nowhere near enough details provided about the proposed wetland mitigation areas. Are they intended to be in-kind replication, other wetland type replication, restoration, or something else? Are they in the same reach of wetland where the destruction will occur, as required? What construction methods can be expected to be used? What plants will be planted? Will it be really replication/replacement? If replication will be done, will it be in-kind replication, so that large trees are planted to replace large trees, and bank replaces bank? What is proposed so far does not meet the requirement of replication within the same reach of wetlands, either. Simply saying the wetlands damage will be mitigated is inadequate. Replication is a failed technique, as shown in recent studies (Brown and Veneman, September 1998). There really should be more effort put into the mitigation section to increase our confidence level. 32.29

26. There doesn't seem to be any mention of bank restoration or flood storage restoration, which is particularly important for local residents. People must be assured that the existing flood flows and routes will be maintained or replaced, so that they and their property are not underwater in major storms. 32.30

27. In section 4.2.2.2, please provide some documentation that pollutants dropped on the railbed are trapped in the ballast and do not migrate. 32.31

28. Proposed erosion control is not to our detail. It is our (Stoughton Conservation Commission) experience that barriers less substantial than our preferred detail (silt fence and two rows of haybales behind) inevitably lead to barrier failure one way or another, especially where very heavy equipment is in use. 32.32

29. Baseline vegetation studies adjacent to the new tracks would be advisable so the unspecified vegetation management techniques to be used can be documented as harmless to the sanctuary. The MBTA has stated they won't spray here, and we must be sure this remains in the documentation. 32.33

30. Volume 1 of this report contains only Potential Wildlife Species lists. Lists like this can be rapidly prepared with any good field guide, but may bear no relationship to the actual wildlife on a site. Denise Cabral spent at least 50 volunteer field hours in the Bird St. Sanctuary this spring, during the Massachusetts Biodiversity Days effort. As an example, the observed community of woodland bird species was unexpected. Massachusetts Biodiversity Days information could probably be made available to the MBTA and could be included in this report instead of hypothetical lists of expected species. Let's see some real field surveys by the MBTA, during the real observation seasons, by really qualified people, during the times when the animals and rare plants are really there. Observers must be there when the bog turtles, fritillaries, Neotropical migrant birds, rose pogonias, and copperheads are present, or some poor environmental decisions could be made, based on incomplete information. 32.34

31. The originally proposed chain link fence adjacent to the line in Stoughton appears to have been removed from this proposal. This fence would have been the most significant barrier to wildlife crossings and population maintenance since Rte 24 went in. If a fence is still proposed on both sides of the grade, we would like to know what kind of wildlife crossings will be provided in Stoughton. If no fence is proposed, some effective way of keeping wildlife and people off the tracks but allowing them to move from one side to the other should be indicated in the report. In addition, it must be considered that our rarest turtles are also our smallest, and even a four-inch steel rail can be too much for a small turtle to cross, further fragmenting already endangered populations. 32.35

32. Figure 4.4-1 incorrectly shows the Bird St. Conservation Area. The north section extending to Plain St. is missing.

The new section just purchased from the McNamara Farm should also be added. The report lists the Conservation Area's size incorrectly. It is now approximately 600 acres. 32.36

33. There are also 600 to 700 acres of undeveloped land adjacent to the Bird St. Conservation Area, with much of this land in conservation restrictions or other protected ownership, such as C.W. Welch Preserve and Ames Rifle and Pistol Club. With this information available, it becomes obvious that the section of Stoughton is not only the last large area of significant wildlife habitat left in this town, but that it is also an important wildlife corridor leading through Ames Pond and other conservation-owned land and wetland to Borderland State Park. The Bird St. Conservation Area is regionally important wildlife habitat. 32.37

34. Denise Cabral has studied the assessor's map and determined that there are 395 houses within 500 feet of the existing and proposed train tracks in Stoughton, where they would be impacted by the proposed new double tracks. 32.38

First, it was assumed that there are 2.5 people in every house, giving an estimate that 987 people live within 500 feet of the tracks.

Then the street listing was reviewed, to add up how many adults and older students there really are, as of the last town census in 1999 (1,060). Because schoolchildren are not recorded, we are estimating that there are about 30% more people in this 500 foot corridor than the census counted. Therefore, the estimate of the actual human population within 500 feet of the proposed track is 1,378 people.

There are at least 143 businesses within 500 feet of the tracks, as well as 7 institutions and 54 private wells. 32.39

There are an estimated 1,378 Stoughton residents who would be most severely impacted by the noise, fumes, dust, and property devaluation caused by the railroad, in comparison to the 4,300 or so riders expected to benefit. If there are 1,378 people impacted here in Stoughton, there's got to be at least that many in each of the other towns the new lines will pass through. The number of people impacted probably adds up to more than 4,300. This figure could be calculated the same way for each of the other towns involved.

35. Preliminary wildlife and habitat study of Bird St. Conservation Area adjacent to MBTA commuter rail expansion

Diane Borstos of Call of the Wild, Inc. visited the section of Bird St. Conservation Area next to the proposed new track, on Sunday October 1, 2000. I met her there and gave her maps of the study area.

She called me October 12, 2000, with a verbal report. The final written report was received October 16, 2000. (Copy enclosed)

From the rail bed west, the study area consists of: a strip of second-growth mixed hardwood trees next to the existing rail bed; a strip of old field and wet meadow about 250 feet wide, including one intermittent stream and one possibly perennial stream, labeled as Whitman Brook on our maps; and mixed hardwood forest continuing up into the rest of the Conservation Area

This area includes a lot of habitat edges, and so was expected to provide a lot of wildlife sign and many different types of plants. Ms. Borstos has found tracks of mink and otter in the wetland area near Totman's Pond. The otter is a recovering species once hunted nearly to extinction in Massachusetts. The presence of both these predatory species indicates that the property has a high concentration of small fish, amphibians, and rodents, because the predators feed on the smaller animals, life. Borstos also found recent evidence of Great Horned Owls, coyotes and foxes in the old field. Her report contains further observations of the wildlife utilizing the property.

Ms. Borstos' recommendations are to try to have a full botanic study made of the plant life in the wet meadow near Whitman Brook, for one full growing season, and to continue wildlife observations during the spring-summer migration and breeding seasons. She believes there is very high biological diversity in this area. She also recommends that we ask the MBTA to plant a row of conifer trees on the west side of the new tracks to screen the important habitat area, if the track is constructed. 32.40 32.41

36. PLANTS AND ANIMALS OBSERVED BY DENISE CABRAL ON OR NEAR THE BIRD ST. CONSERVATION AREA, 2000

TREES *(ITALICS INDICATE NON-NATIVE PLANT)*
Common Juniper – Juniperus communis
Eastern Red Cedar – Juniperus virginiana
White Pine – Pinus strobus
Red Pine – Pinus resinosa
Pitch Pine – Pinus rigida
Red Spruce – Picea sp.
Eastern Hemlock – Tsuga canadensis
Norway Maple – Acer platanoides
Red Maple – Acer rubrum
Climbing Poison Ivy – Toxicodendron radicans
Winterberry – Ilex verticillata
Black Birch – Betula lenta
Yellow Birch – Betula alleghaniensis
Gray Birch – Betula populifolia
Ironwood – Carpinus caroliniana
Beaked Hazelnut – Corylus cornuta
Maple-leaf Viburnum – Viburnum acerifolium
Northern Arrowwood – Viburnum dentatum
Sweet Pepperbush – Clethra alnifolia
Black Huckleberry – Gaylussacia baccata
Blue Huckleberry – Gaylussacia frondosa
Sheep Laurel – Kalmia angustifolia
Late Lowbush Blueberry – Vaccinium angustifolium
Highbush Blueberry – Vaccinium corymbosum
Swamp Azalea – Rhododendron viscosum
American Chestnut – Castanea dentata (some nut-bearing)
American Beech – Fagus grandifolia
White Oak – Quercus alba
Swamp White Oak – Quercus bicolor
Scarlet Oak – Quercus coccinea
Red Oak – Quercus rubra rubra
Scrub Oak – Quercus ilicifolia
Black Oak – Quercus velutina
Witch Hazel – Hamamelis virginiana
Hickory Sp. – Carya sp.
Sassafras – Sassafras albidum
Spicebush – Lindera benzoin
Bayberry – Myrica pensylvanica
Black Gum Tupelo – Nyssa sylvatica
White Ash – Fraxinus americana
Common Buckthorn – Rhamnus cathartica
Black Cherry – Prunus serotina
Chokecherry – Prunus virginiana
Pasture Rose – Rosa carolina
Multiflora Rose – Rosa multiflora
American Elm – Ulmus americana

HERBACEOUS PLANTS
Moss - Sphagnum spp.
Running Clubmoss
Princess Pine Clubmoss
Clubmoss sp. (flat, smooth sp)
Royal Fern
Bracken Fern
Christmas Fern
Common Polypody Fern
Cinnamon Fern
Hay-scented Fern
Curly Dock
Cow Vetch
White Daisy
Pink Ladyslipper
Wild Sarsaparilla - Aralia nudicaulis
Many different pasture grasses, sedges, and rushes
Teaberry
Red Clover
White Clover
Sweet Fern
Sessile Bellwort, Wild Oats
Indian Cucumber
Striped Pipsissewa
Indian Pipes
Yellow-Eyed Grass
Starflower
Gill over the Ground
Cinquefoil sp.
Virginia Creeper
Buttercups – Ranunculus sp.
Canada Mayflower
Grapes – Vitis sp.
Hawkweed sp.
Tuckerman lungwort
Whorled Loosestrife
Common Greenbrier
Skunk Cabbage
Common Cattail

MAMMALS (alphabetical order)
Coyote
Deer Mouse
Eastern Chipmunk
Eastern Cottontail
Gray Squirrel
Meadow Vole
Raccoon
Striped Skunk
Virginia Opossum
White-footed Mouse
White-tailed Deer
Woodchuck

BIRDS
Blackbird, Red-winged
Bluebird, Eastern
Bobolink
Cardinal, Northern
Catbird, Gray
Chickadee, Black-capped
Cowbird, Brown-headed
Creeper, Brown
Crow, Common
Cuckoo, Yellow-billed
Dove, Rock
Dove, Mourning
Duck, Mallard
Duck, Wood
Finch, House
Flicker, Northern
Flycatcher, Great Crested
Goldfinch, American
Goose, Canada
Grackle, Common
Grouse, Ruffed
Hawk, Cooper's
Hawk, Red-tailed
Hawk, Red-shouldered
Hawk, Broad-winged
Jay, Blue
Junco, Dark-eyed
Kingbird, Eastern
Mockingbird, Northern
Nuthatch, White-breasted
Oriole, Baltimore
Ovenbird
Phoebe, Eastern
Robin, American
Sparrow, Chipping
Sparrow, White-footed
Sparrow, Song
Starling, European
Swallow, Tree
Swallow, Barn
Swift, Chimney
Tanager, Scarlet
Thrush, Wood
Titmouse, Tufted
Towhee, Rufous-eited
Turkey, Wild
Veery
Vireo, Red-eyed
Philadelphia
Vulture, Turkey
Warbler, Blue-winged
Warbler, Black and White
Warbler, Blackpoll
Warbler, Northern Parula
Warbler, Palm
Warbler, Prairie
Warbler, Pine
Warbler, Yellow-rumped
Warbler, Yellow
Warbler, Magnolia
Warbler, Black-throated Blue
Waxwing, Cedar
Wood-pewee, Eastern
Woodpecker, Downy
Woodpecker, Hairy
Wren, Carolina
Wren, House
Yellowthroat, Common

REPTILES
Eastern Garter Snake
Northern Black Racer

AMPHIBIANS
Gray Treefrog
Northern Spring Peeper
Four-toed Salamander(habitat present)
Redback Salamander
Wood Frog
Spotted Salamander
Spotted Turtle

FISHES
Brown Bullhead
Shiner sp.
Redfin Pickerel
Pumpkinseed Sunfish

INSECTS
Large Crasefly
Many dragonflies
Little Wood Satyr Butterfly
Large Black Hornet with yellow leg and antenna tips
Harvestman
Ants
Pillbugs
Crickets
Mosquitoes
Yellowjacket Hornet
Pearl Crescent Butterfly
Baltimore Checkerspot Butterfly
Bumblebee sp.
Hairstreak Butterfly sp.
Black Flies
Deerfly

Thank you for your attention to our concerns. The Board of Selectmen has expressed its opposition to this proposed commuter rail expansion many times, and would like to state again that this proposal would not be good for the environment or the citizens of Stoughton.

Sincerely,

Richard Levine, Chairman

cao/RL

cc: Philip Farrington, Town Manager
James Miller, Town Engineer
Stoughton Conservation Commission

AE

TOWN OF STOUGHTON

Massachusetts
MA 02072

PLANNING BOARD

JOSEPH LAYDON
TOWN PLANNER
STOUGHTON TOWN HALL
10 PEARL STREET
(781) 341-1300 x201

PLANNING BOARD
WILLIAM ANGELOS, CHAIR
LYNNE JARDIN
MICHAEL SAMMARCO
JOHN STAGNONE
JOSEPH SCARDINO

Via email and postal mail

RECEIVED
MAR 16 2009
MEPA

March 13, 2009

Secretary Ian Bowles
EOEA, Attn: MEPA Office
Aisling Eglington, EOEA no. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Environmental Notification Form, South Coast Rail Project

Dear Secretary Bowles:

Thank you for the opportunity to comment on the Environmental Notification Form (ENF) for the proposed South Coast Rail Project, connect Fall River/ New Bedford to Boston. The purpose of this letter is to comment on the ENF Supplemental dated February 17, 2009, submitted by South Coast Rail Manager Kristina Egan to Secretary Bowles regarding estimated ridership for the four alternatives provided in the ENF as well as the original filing of the ENF for the South Coast Rail Project.

The current ENF identifies four alternatives, one of which is the extension of the current commuter rail line, which ends in Stoughton. The planned expansion includes plans for an additional track through the town and the relocated rail platform and other accommodations. The commuter rail station is located within Downtown Stoughton, and serves as the terminus to the line.

As the project has moved forward, its potential impacts must be identified, examined and addressed. The Stoughton Planning Board respectfully requests that the following impacts from the proposed development be included in the scope of the Environmental Impact Report.

M-028-001

Ridership

1. The Ridership supplemental report showed that Alternatives 1 and 4 (Attleborough and Stoughton respectively) were similar in their projections for the 2030 study year. As such, the Proponent should evaluate the environmental, social, and land use impacts associated with both projects rather than only rely on financial cost estimates in selecting the preferred route since the anticipated ridership is similar.

M-028-001

The Attleboro and Stoughton Alternatives, along with the Whittenton Alternatives and Rapid Bus Alternative, have been subjected to the full environmental evaluation required by the Certificate on the ENF.

Traffic

M-028-002 1. The train currently blocks two separate intersections for each stop in Stoughton. Because Stoughton is the terminus for the line, the inbound and outbound stops have short turnarounds and twice within the morning and evening rush hours, the inbound and outbound trains block streets within 15 to 20 minutes of each other. The ENF should thoroughly analyze the existing and anticipated traffic impacts for current and expanded service during rush hours.

M-028-003 2. There are nine at-grade crossings that are throughout the rail corridor in as it passes through Stoughton. The EIR should examine the impacts of the rail to the at-grade crossings and propose appropriate safety measures for the crossings.

M-028-004 3. The EIR should include information regarding the feasibility of rails-with-trails as a means of connecting neighborhoods adjacent to the corridor to the town center and train station as a means of reducing vehicle trips.

M-028-005 4. The Proponent should include a scenario that depresses the rail line through the center of Stoughton.

M-028-006 5. The Proponent should identify anticipated construction related impacts. Given the proximity of the tracks to existing streets, utilities, and services, impacts from construction may place a significant burden on the town.

Infrastructure

M-028-007 1. The Project Proponent should include in the EIR, information detailing the potential impacts to existing water and sewer infrastructure during any anticipated construction.

2. As part of the construction project, all water lines and sewer lines should be replaced.

Environmentally Sensitive Areas

M-028-008 1. The Project Proponent should include in the EIR, information detailing the potential impacts to existing wetlands and other natural areas.

M-028-009 2. The Project Proponent should identify whether there is any potential impacts to the aquifer in the southern section of Town as the rail corridor runs parallel to and my enter into a Zone 2 protection area.

M-028-010 The Town of Stoughton, as echoed by other comments submitted by the Town, encourages all of the five alternatives to be scrutinized. However, should the Stoughton Line be the preferred alternative, there are significant concerns that need to be addressed. Mitigation such as the depression of the rail line and development of non-motorized modes of transportation such as pedestrian paths and "Rails-with-Trails" is essential in order to minimize potential impacts and to foster investment in Stoughton's downtown. Furthermore, mitigation will allow the Town to expanded the use of the rail station, while reducing parking demand, and integrating the station into the surrounding neighborhood.

M-028-011 The extension of the rail line to Fall River/ New Bedford represents an opportunity for the State to heavily invest in smart growth and transit oriented design. The downtown area is identified as one of the Stoughton's Priority Development Areas. With the MBTA as one of the larger landowners in the center of Stoughton, there is a unique opportunity to encourage the development of a true transit oriented town center through direct cooperation between the State, the Town, and adjacent property owners. To that end the Town of Stoughton requests that the Proponent and their engineering firm provide draft plans showing the proposed relocation of the station platform so the Town can begin planning activities for its downtown. It is requested that this be done in advance of the filing of the Environmental Impact Report.

M-028-002

A conceptual Stoughton Station redesign, as part of the Stoughton rail alternatives, is included in DEIS/DEIR Section 3.2.5.2.8. This design includes relocated platforms. Trains stationed at these platforms would not block Route 27 or Wyman Street. The DEIS/DEIR calculated the impacts at Stoughton grade crossings resulting from South Coast Rail alternatives, as described in Chapter 4, Section 4.1.4. An analysis of related impacts by alternative is presented in Table 4.1-57, Stoughton Grade Crossings--Traffic Volumes and Average Delay.

M-028-003

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

M-028-004

Pedestrian and bike paths within active railroad rights-of-way were not included in the project for numerous reasons. One main reason is that proposed track footprints have been reduced to minimize environmental impacts. Adding additional pathways would widen the right-of-way footprint, thus incurring additional environmental impacts.

M-028-005

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

M-028-006

Construction impacts to land use and the socioeconomic environment from the Stoughton Alternatives are described in Chapter 4.2, Section 4.2.3 and Chapter 4.3, Section 4.3.3 of the DEIS/DEIR. MassDOT is committed to minimizing the burden placed on the communities during construction, and will work with the communities that would be affected

M-028-012 The Planning Board concludes that without proper mitigation, the proposed South Coast Rail Project will have a significant impact on the immediate area surrounding the train station, the downtown, and on the Town as a whole. The Town of Stoughton's Planning Board will be following this project as it moves forward in the MEPA process and will provide additional information and comment as needed. Thank you for taking our concerns into account when preparing the scope for the Environmental Impact Report.

Sincerely

Joseph Laydon
Stoughton Town Planner

CC: Stoughton Board of Selectmen
Stoughton Planning Board
Stoughton Redevelopment Authority
Pasquale Ciaramella, Old Colony Planning Council Executive Director
Louis Gitto, South Coast Rail Task Force - Stoughton Representative

by construction of the LEDPA, when selected, to minimize adverse effects.

M-028-007

DEIS/DEIR Chapter 4.17, Section 4.17.3, describes the project's potential impacts to water resources, including drinking water supplies. Impacts to water and sewer infrastructure will be evaluated for the LEDPA, when selected.

M-028-008

Potential wetlands impacts from each of the South Coast Rail alternatives are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.5. Potential impacts to other sensitive areas, as characterized by biodiversity, are described in Chapter 4.14, Section 4.14.3.2. Potential impacts to ACECs and protected public open spaces are described in Chapter 4.10, Section 4.10.3.2.

M-028-009

As described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.5, the Zone II areas crossed by the Stoughton Line already contain developed areas and residential neighborhoods that are likely to have much larger impacts on water quality than a rail corridor. No Zone I areas would be affected by the construction on this line.

M-028-010

If one of the Stoughton Alternatives is selected as the LEDPA, MassDOT will engage in discussion with the Town on how to minimize adverse impacts of the project. MassDOT would also continue to provide Corridor Plan implementation technical assistance to support the revitalization of the downtown.

M-028-011

MassDOT has held several public meetings with the Town of Stoughton discussing the proposed station design. Proposed station plans have been provided to the Town and the Commonwealth has provided two technical assistance awards to the town to assist with this downtown planning.

M-028-012

MassDOT has noted and considered your comment. Specific mitigation measures will be developed during final design and permitting to address impacts. MassDOT has been working with Stoughton officials over the past three years and is providing ongoing technical assistance to help Stoughton plan for the redevelopment of its downtown.

14346

AE

City of Taunton
Office of the Mayor

Charles Crowley
Mayor

Todd J. Castro
Assistant to the Mayor

Gill E. Enos
Budget Director

15 Summer Street
Taunton, MA 02780
Tel. (508) 821-1000
Fax. (508) 821-1005

RECEIVED
DEC 5 - 2008
MEPA

December 3, 2008

Secretary Ian Bowles, EOEEA
MEPA Office (Aisling Eglington),
100 Cambridge Street, Suite 900,
Boston MA

Dear Sir,

The community of Taunton is excited to once again be poised to play an important role in the introduction of rail service to southeastern Massachusetts. Recently, Governor Deval Patrick unveiled his plan to bring rail service to the South Coast region of Massachusetts as area leaders heralded his decision as one of the first steps to revitalize the fastest growing section of the state. As the new Mayor of Taunton and as a person who has a keen interest in our community's history, I am pleased ~~that our community can once again be the gateway for prosperity~~ that signals the rebirth of southeastern Massachusetts.

Rail service was first introduced to Taunton over 170 years ago and hundreds of antiquated coal-burning trains passed through the Hockomock Swamp in Raynham along the same railroad bed that is proposed today along what is called the 'Stoughton Route'

The 19th century coal-burning locomotives would have had a far more detrimental effect on the environment than any of the more energy efficient engines utilized today and yet the Hockomock Swamp has suffered no ill effects from the past century and a half of rail traffic. The introduction of rail service to the South Coast region will take hundreds and maybe thousands of cars off the road and will prove to be a positive more environmentally friendly step by state and regional leaders.

The return of rail service to the South Coast region will not only be good for communities like Taunton, Fall River and New Bedford but it is also good for Boston and the communities within the Route 128 beltway as regional industries will now have the ability to tap the talent rich, skilled labor force that exists here in southeastern Massachusetts. So, too, will the low cost, diversified housing stock found in southeastern Massachusetts prove attractive to working families from all corners of Massachusetts.

M-029-001 I applaud the efforts of Governor Deval Patrick to return rail service to the South Coast region of Massachusetts and I urge all state and local officials to embrace the economically sound and environmentally sound 'Stoughton Route' as the right choice for balanced economic growth that our region and our state so richly deserves.

Respectfully,

Charles Crowley,
Mayor of Taunton

A City of Firsts
First Woman Town Proprietor- First Female Entrepreneur
First to Fly Liberty & Union Flag- First Major Silver Manufacturing Center

M-029-001

Thank you for your support of the South Coast Rail project.

AE

City of Taunton
Office of the Mayor

Charles Crowley
Mayor

Todd J. Castro
Assistant to the Mayor

Gill E. Enos
Budget Director

15 Summer Street
Taunton, MA 02780
Tel. (508) 821-1000
Fax. (508) 821-1005

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OCT 2 - 2008
MEPA

September 30, 2008

Alicia McDevitt
Director, MEPA Office
Executive Office of Energy and Environmental Affairs
100 Cambridge St., Suite 900
Boston, MA 02114

Dear Director,

I am in receipt of the recent Station Siting Report released by Bernard Cohan the Secretary of Transportation for the Commonwealth of Massachusetts on Monday, September 30, 2008 I understand that the Commonwealth has an obligation to examine all alternative routes before coming to their conclusion of their preferred route. I feel compelled to re-emphasize the position of the citizens of Taunton as the project continues to unfold.

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 crossing 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.

A City of Firsts
First Woman Town Proprietor- First Female Entrepreneur
First to Fly Liberty & Union Flag- First Major Silver Manufacturing Center

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 that option would provide fifteen (15) at-grade crossings within our community, and effectively cut off public safety operations within our community. The Attleboro Route would also cause the trips between Boston and the South Coast communities to be longer and less cost effective. The officials in Attleboro have contested that route for environmental reason and my administration with the unanimous support of the Taunton Municipal Council here 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.

A variation of the Stoughton Route known as the so-called Whittenton Alternative Route was recently unveiled, and it is equally devastating to our community in much the same way that the Attleboro Route would do. If the Whittenton Alternative Route would be adopted the southbound passenger trains from Boston would enter Taunton and cross under Bay Street and then the train would cross at-grade level the following streets: Whittenton Street, Warren Street, West Britainnia Street, Danforth Street, Tremont Street, Oak Street, Porter Street, Cohannet Street, Winthrop Street, Harrison Street, Somerset Avenue, Weir Street, Ingell Street and Hart Street .

The Whittenton Alternative Route creates fourteen (14) at-grade crossings in our community and the Attleboro Route creates fifteen (15) at-grade crossings whereas the preferred direct Stoughton Route that crosses Dean Street (Route 44) in Taunton only has five (5) at-grade crossing.

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

A 8

Board of Selectmen

65 North Main Street
West Bridgewater, MA 02379
Telephone (508) 894-1267
Fax (508) 894-1269

March 3, 2009

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 Ian A. Bowles
Executive Office of Energy and
Environmental Affairs
ATTN: MEPA Office [Aisling Eglington],
EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA #14346: South Coast Rail Project
Environmental Notification Form (ENF)

Dear Mr. Nasemann and Secretary Bowles,

The proposed transportation project is a state Executive Office of Transportation and Public Works initiative to bring public transportation to the South Coast region of the Commonwealth.

M-030-001 We, the Board of Selectmen, support this initiative coming along The Old Colony-to-Middleboro line. Not only do we support it, but we would like to see a railroad station established along the West Bridgewater/East Bridgewater line.

To that end, we have been exploring possible sites in that area along Route 106 with East Bridgewater. One area in this vicinity is the old Shaw's Warehouse that is already commercially zoned. This would be very "transit" oriented, lending itself to a mixed use type of business/residential development.

If you need additional information or further support from us, do not hesitate to call. We will welcome the opportunity to work with you and East Bridgewater officials to make this happen.

Sincerely,

Jerry D. Lawrence
Chairman

Matthew P. Albanese
Clerk

Eldon F. Moreira
Member

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MAR 9 2009
MEPA

CC: East Bridgewater Board of Selectmen
Board of Assessors
Planning Board

www.town.west-bridgewater.ma.us

M-030-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

BISHOP STANG HIGH SCHOOL
500 Slocum Road • North Dartmouth, MA 02747-2999 • 508-996-5602 • FAX 508-994-6756

NEASC
Accredited by New England Association of Schools and Colleges

AE

January 6, 2009

RECEIVED
JAN 7 2009
MEPA

Mr. Alan Anacheka-Nasemann
US Army Corps of Entineers, New Engalnd District
Attn: CENAE-R-PEA
696 Virginia Road
Concord, MA 01742

RE: SouthCoast Rail Project
Permit Number NAE-2007-00698

Dear Mr. Anacheka-Nasemann:

N-001-001 Please accept this letter as evidence of my support for the establishment of passenger rail service between the SouthCoast region and Boston.

As a member of the New Bedford Area Chamber of Commerce, Bishop Stang High School remains a strong advocate for the extension of the commuter rail service to New Bedford and other communities in the SouthCoast region. We believe that this extension would benefit our school and the region in general and is a crucial factor in the success and growth of our region.

Thank you for your consideration on this important economic development issue.

Sincerely,

Suzanne H. Burke
Director of Advancement & Alumni

cc: Ian Bowles, Massachusetts Secretary of Energy & Environmental Affairs

A Nationally Recognized School of Excellence

N-001-001

Thank you for your support of the South Coast Rail project.

Bristol Community College

777 ELSBREE STREET, FALL RIVER, MA 02720 • www.bristol.mass.edu
508.678.2811 ext. 2184 • FAX 508.676.0334

John J. Sbrega, Ph.D., President

AE

January 7, 2009

RECEIVED
JAN 9 2009
MEPA

Secretary Ian Bowles, EEA
ATTN: MEPA Office (Aisling Eglington)
100 Cambridge Street
Suite 900
Boston, MA 02114

RE: SouthCoast Rail Project
Permit Number NAE-2007-00698

Dear Secretary Bowles:

N-002-001 The purpose of this letter is to urge your support for the extension of commuter rail service between Boston and the South Coast, particularly Fall River and New Bedford.

Top priorities for the state as well as the South Coast region emphasize the importance of economic development and workforce development. Within that context, this project has earned my full support. I view this rail linkage as a means of supporting those twin priorities. By providing ready access to current and future employment opportunities, the rail would enhance the economic growth of the entire corridor southeast of Boston.

Whenever this subject arises, I point out that the rail would "run both ways." By that, I mean not only South Coasters commuting northwards but also workforce commuters—and, perhaps, relocating corporations—coming to the South Coast.

Thus, the projected rail extension would contribute to economic growth and strengthen workforce development by enhancing access to opportunities throughout the service area (including the Greater Boston Metropolitan area). Captains of business and industry, once assured of the existence of a qualified workforce—or the ease of transportation for specially-trained employees—might well relocate and/or expand to the South Coast. We enjoy an enviable quality of life and affordable housing in this region.

N-002-002 Please consider the economic benefits that would accrue from the expanded rail line. There are, of course, other obvious benefits: improved highway safety on the now-overloaded and beleaguered Route 24, better air quality, reinvigorated property values,

N-002-001

Thank you for your support of the South Coast Rail project.

N-002-002

DEIS/DEIR Chapter 4.3, Section 4.3.4.8 describes the socioeconomic impacts, including benefits, which would result from development of each of the South Coast Rail alternatives. A comparison of each South Coast Rail alternative's potential impacts, both beneficial and adverse, to key environmental and societal resources is provided in Chapter 3, Section 3.3.3. The indirect and cumulative effects to socioeconomic resources are described in Chapter 5, Sections 5.3.2.9 and 5.4.3, respectively.

N-002-002 attendance at cultural/tourist attractions across the area from Greater Boston to New Bedford, new business opportunities directly associated with each new rail station, and increased technological capacity through new T-1 lines directly linked (embedded in the railroad tracks) to the existing Prudential Center hub. Here is a win/win situation if ever there was one!

Please note, too, that this proposal is a matter of equity. Fall River and New Bedford are the largest cities within the Greater Boston hub that do not have rail transit service connections with the capital city. That absence of service continues to penalize our South Coast region.

Thank you for your consideration of this vitally important project.

Very truly yours,

John J. Sbrega, Ph.D.
President

kg

Eglington, Aisling (EEA)

From: Citizens Against The Rail Extension [carecommittee@hotmail.com]
Sent: Friday, January 09, 2009 11:47 AM
To: screis@usace.army.mil; Eglington, Aisling (ENV)
Subject: Comments - MBTA Rail Line Ext Project to Fall River NB

N-003-001 C.A.R.E. is a group of citizens with members from the communities of Stoughton, Easton, Raynham, Canton, and Berkley Massachusetts. Our membership is made up of people who disagree with the MBTA's plan to extend commuter rail service to Fall River and New Bedford via the Stoughton Alternative.

Our membership feels that the MBTA's process to date has been flawed and politically influenced. In particular our concerns are

Environmentally

- The Hockomock Swamp, an Area of Critical Environmental Concern (ACEC), is the largest vegetated freshwater wetland in Massachusetts. It is one of the few places remaining in eastern Massachusetts with relatively large and contiguous habitats.
- The proposed commuter rail line would fragment the Hockomock Swamp; fragmentation of habitat is a significant cause of species decline and endangerment.
- The Hockomock is home to twelve species protected under the Massachusetts Endangered Species Act, including the blue-spotted salamander, spotted turtle, Blanding's turtle, four-toed salamander, Hessel's Hairstreak Butterfly, and eastern box turtle.
- The Natural Heritage and Endangered Species Program (NHESP) recommends a large buffer surrounding the breeding pools of blue-spotted salamanders. The MBTA's proposal calls for 40 commuter rail trains per day operating just feet from the vernal pools where the blue-spotted salamanders breed.
- Diesel fumes emitted by 40 trains per day will degrade water quality and negatively impact amphibians breeding in proximity to the rail line. Moreover, the noise, lights, and vibrations from the trains will adversely impact the state-listed amphibian populations.
- The Hockomock Swamp was designated as a "core habitat" in the NHESP's BioMap, a "blueprint to guide land conservation efforts." The purpose of the BioMap is to help conservationists set land protection priorities to ensure the protection of the biological diversity of Massachusetts.
- Although the MBTA has claimed that there are no alternatives to the so-called Stoughton route, in fact there are alternatives.

Cost

- We believe that the overall cost project is too expensive.
- We believe that the time simulations should be reviewed and challenged as other independent consultants have shown that modeling assumptions used were inappropriate and adversely affected the ridership times and numbers. We believe this inaccurately constructed simulation favors the selection of one alternative over another as the ridership times go down with those assumptions and as such the ridership numbers go up to improve the viability of the Stoughton Alternative.

N-003-002 As such we ask that Army Corp conduct an independent review of both the environment impact and the ridership simulations.

N-003-001

The impacts of the Stoughton Alternative on the Hockomock Swamp wetlands are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.5.4 and 4.16.3.5.5 , rare species in Chapter 4.15, Sections 4.15.3.3.5 and 4.15.3.3.6; air quality in Chapter 4.9, Sections 4.9.2.5 and 4.9.2.6; and water quality in Chapter 4.17, Sections 4.17.3.3.5 and 4.17.3.3.6.

N-003-002

The DEIS constitutes the Corps' review of the project's potential environmental impacts (throughout Chapter 4) and the ridership analysis (Chapter 3, Section 3.2.4).

Eglington, Aisling (EEA)

From: heathergraf1@comcast.net
Sent: Friday, January 09, 2009 12:31 PM
To: SCREIS@usace.army.mil; Eglington, Aisling (ENV)
Subject: Comments on ENF & EIS
Attachments: January 5. 2009 Comments on EIS and ENF.doc; January 6. 2009 Comments on EIS and ENF.doc; Comments from Frances Shirley.doc; Jeannie Shea. Fairy Shrimp.doc

Dear Mr. Anacheka-Nasemann and Ms. Eglington,

Since the 'system failure' we experienced prior to (and including)
the deadline date for comments to EOT on Station Sites, I have been somewhat
leery of depending on electronic communication.
In July of 2008, four days prior to the deadline for comments, Kristina Egan's
e-mail box rejected all communication sent from Comcast Servers.

After the most recent 21 months of working on the South Coast Rail Project, I could
ill afford to have my responses to the November 2008 ENF, and input on the Draft
EIR - rejected.

So, you should have received by noon today - Friday January 9, 2009 (as promised
by the Chartley Postmaster) my comments, sent yesterday by Certified Overnight Mail.

Included in mailed packet:
Comments Part A (6 Pages)
Comments Part B (11 Pages)
Comments from Frances Shirley, President of Norton LPS (1 Page)
E-mail Communication to me from Jeannie Shea - 'Fairy Shrimp' (2 Pages)

I am also including them here, as attachments from my Microsoft Word File:
'January 5, 2009 Comments on EIS and ENF. doc, 53.0 KB'
'January 6, 2009 Comments on EIS and ENF. doc, 84.5 KB'
'Comments from Frances Shirley. doc, 26.0 KB'
'Jeannie Shea, Fairy Shrimp. doc, 31.5 KB'

If time allows, there may be one additional submission from me today
(Part C) sent via e-mail this afternoon.

Should there any problem with this communication, or if it is not received
in its entirety, please advise.

Thank you,
Heather Graf

See:

1/9/2009

'January 5, 2008 Comments on the

1/9/2009

AE

January 5, 2009
RE: SOUTH COAST RAIL PROJECT
Comments on the EIS and ENF (EOEA #14346) PART A (Six Pages)

From – Heather Graf, Coordinator/'Citizens Concerned About Tracks' (CCATS)
E-mail: heathergraf1@comcast.net

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, N.E. District
Regulatory Division (Attn: CENAE-R-PEA)
696 Virginia Road
Concord, MA 01742-2751

RECEIVED
JAN 9 2009
MEPA

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington) EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

I attended both of the Public Scoping Meetings: in Dartmouth December 2, 2008 and Taunton on December 3, 2008. I have reviewed the two documents released November 2008: the Army Corps of Engineers Notice of Intent to Prepare an Environmental Impact Statement, as well as the Environmental Notification Form submitted by the Executive Office of Transportation.

For the record, please accept these comments (Part A) of my official response to: the EIS/ENF/and Scope of the DEIR, submitted as coordinator of 'Citizens Concerned About Tracks'.

Introduction
In 1995, when the New Bedford/Fall River Commuter Rail Project was first introduced here, I founded a grass roots organization named 'Citizens Concerned About Tracks' (CCATS), a regional coalition representing Norton, Attleboro, Mansfield and Taunton.

N-004-001 Position: CCATS supports the reestablishment of commuter rail service to the City of Taunton and the South Coast Communities of New Bedford and Fall River, but remains steadfast in our adamant opposition to all of the proposed alternatives which would use the 'Attleboro Route' for SCR.

N-004-002 Additionally, our regional coalition (along with many of the project's supporters) endorses the Original Stoughton Alternative which we believe is the only reasonable option to accomplish the goal of the South Coast Rail Project.

N-004-001

Per the MEPA Certificate, the Attleboro Alternative has been advanced into the EIR/EIS analysis.

N-004-002

The Stoughton Alternative is analyzed in the DEIS/DEIR.

Alternatives Analysis
We are pleased with the recommendation of EOT (based on findings in the November 2008 ENF) that Alternative 1 – Through Attleboro, and Alternative 3 – Through Attleboro/Middleboro (The Hybrid Option) both be removed from further consideration. (See ENF/ Sections 6.3 and 6.5)

We also concur with EOT's recommendation not to advance Alternative 2A – Middleboro Full (With Infrastructure Improvements).

Setting aside the proponent's deadlines for project completion and budgetary limits, these three alternatives simply are not feasible. They are fatally flawed with insurmountable construction obstacles.

N-004-003 We believe EOT (in the ENF Report) has made a compelling case that none of the Attleboro Alternatives or the Middleboro Full could meet the LEDPA standard of being 'Practicable' and we hope the Army Corps will agree with this conclusion.

As for reasonable capitol costs and time frame to construct, these are subjective variables which must be considered by the project proponent in determining its feasibility. But reason dictates that no matter how much time or money could be thrown their way, None of these three alternatives could be assumed practicable to construct or operate.

Attleboro Alternatives:
Based on the criteria used to evaluate an alternative's ability to meet the project purpose, that it: be operationally compatible with existing transportation infrastructure/not adversely affect current or future capacity, reliability or quality of the regional transportation system/ and provide sufficient capacity to meet demand – the Attleboro Alternatives fail miserably.

Along the Attleboro Route (the only alternative not extending existing MBTA commuter rail service) disruption of service would not be a temporary inconvenience during the construction phase, but would in fact jeopardize operations along the entire Northeast Corridor, including Amtrak's high speed and Acela Lines.

Middleboro Alternatives:
N-004-004 We respectively disagree with EOT's recommendation to advance Alternative 2B – Middleboro Simple (Without Infrastructure Improvements) for further evaluation as part of the Draft EIR. This option does not meet the criteria of providing an acceptable level of service to justify the project.

Neither of the Middleboro Alternatives (with one small end touching on Taunton) would provide benefits to Taunton, which has long supported reestablishment of commuter rail, in hopes of becoming a 'Gateway to the South Coast'.

N-004-003

Per the MEPA Certificate, the Attleboro Alternative has been advanced into the EIR/EIS analysis.

N-004-004

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

For New Bedford/Fall River trains to access the existing Old Colony Line Station in Lakeville, would require a 10-15 minute time delay for the necessary reverse move, which is not operationally practical. Use of the Middleboro Route would reduce the current Lakeville Station (a catalyst for Smart Growth Development) to a shuttle-bus depot.

The Town of Lakeville has partnered with the State in expansion of commuter rail along the Old Colony Line, and set an example of planning for transit oriented development, with a mixed residential/commercial 40 R Project at the Lakeville Station location (which will inspire job creation and provide economic stimuli for the area). These efforts should be rewarded, not dismissed by proponents of a new project with similar goals for the region.

N-004-005

Whittenton Variation of the Stoughton Alternative:
CCATS also takes exception to inclusion for further review in the DEIR of the relatively new 'Whittenton Variation of the Stoughton Alternative' (Option 4C), which we adamantly oppose.

This 3.5 mile jog - partially on the old abandoned Whittenton Branch ROW, which would need to be reconstructed (through the North Taunton Village of that name), and also along the Attleboro Secondary freight track, would substitute a Whittenton stop for the long favored Dean Street Station. The Whittenton extension would add to trip time.

The Dean Street Site – a prime example of brownfields restoration, is expected to provide economic stimulus to the downtown area with a planned National Historic Park, and also anticipated to be the most beneficial of stations proposed for Taunton.

The Whittenton Option would bring 30 commuter trains per day over 14 at-grade crossings in Taunton's City Center, an environmental impact issue which certainly qualifies as most relevant to the public.

We expect the Army Corps and MEPA to recognize that pursuing this action would 'significantly impact the human environment', and make the determination that the Whittenton Option should be eliminated from further consideration.

People and the City in which they reside and work, are in fact essential living elements of the 'Environment' and deserve equal or greater protection of their habitat as the four-legged creatures who share our space.

Fourteen at-grade crossings in Taunton Center is an unacceptable trade-off to avoid crossing the Pine Swamp in Raynham.
The Whittenton Variation would put the City of Taunton on the Endangered Species List.

N-004-005

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated.

N-004-006 Express Bus:
While we recognize the 'Express Bus' Alternative will likely remain for consideration/and comparison purposes in the Draft EIR, this option does not reach the threshold set forth in the Project Purpose, and should ultimately be dismissed.

N-004-007 Original Stoughton Alternative:
The one alternative which stands out as meeting both the state and federal criteria to provide; feasible, cost-effective, reliable transit, capable of delivering an adequate level of service, meet the project's basic purpose and need and also deemed to be practicable is Alternative 4A - through Stoughton/The Original Stoughton Alternative with diesel locomotive.

The Stoughton extension of the existing Old Colony Line is the most direct route linking the South Coast to Boston. This option would use primarily existing train sets (extending current MBTA commuter rail service already running from Stoughton to South Station and Back Bay in Boston) without adverse impacts on the existing transportation system. The trains' access to the Westwood Area at Canton Junction, as well as Back Bay Station provide for greater job opportunities. And use of the Stoughton Route for South Coast Rail leaves open the possibility of extending the existing Old Colony Middleboro Line to Wareham and Buzzards Bay, a plan which has great merit. The Original Stoughton Option can meet the LEDPA standard and also support the state's Smart Growth's Initiative for the region.

N-004-008 We trust the Army Corps of Engineers and MEPA will take all feasible measures to 'avoid, minimize and mitigate damage to the environment', and using modern technology may actually correct some long-standing problems, and improve the quality of wetlands along the existing rail bed in the Hockomock Swamp. Embankments that are currently barriers to passage of wildlife could be made more permeable.

Quoting an excerpt of a letter published in the Final EIR for the New Bedford/Fall River Commuter Rail Extension - Comments Section, Letter Dated October 23, 2000 from the Massachusetts Sierra Club:
Under – 'WETLANDS/WILDLIFE IMPACTS ACEC/Hockomock Swamp Opportunities For Mitigation/Improvement To ACEC Area:'
"This project could mitigate many existing environmental problems in the Hockomock Swamp, as well as fix numerous old mistakes. Specifically, the present right-of-way blocks water flow and inhibits movement of many animals through the natural areas of the swamp. Wetlands science has advanced considerably since the completion of the original rail bed. The serious environmental degradation of the Hockomock Swamp caused by the construction of the original rail right-of-way could be at long last, partially mitigated by the installation of multiple culverts of a large size to allow free passage of both water and animals."

N-004-006

Per the MEPA Certificate, the Rapid Bus Alternative was advanced for DEIS/DEIR analysis.

N-004-007

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated.

N-004-008

Proposed mitigation measures for wetlands impacts are described in Chapter 4.16, Section 4.16.3.6, and proposed mitigation measures for biodiversity impacts (including wildlife habitat) are provided in Chapter 4.14, Section 4.14.3.6.3. The proposed 8,500-foot long trestle in the Hockomock Swamp for the Stoughton and Whittenton Alternatives would avoid permanent impacts to wetlands and allow for wildlife movement; the existing railroad bed would not be removed, so as to avoid altering the current hydrologic regime. Other mitigation measures, such as wildlife crossings at selected locations, may address historical barriers to wildlife habitat. A detailed mitigation plan for each adversely affected resource will be developed for the LEDPA, when selected, in accordance with regulatory requirements.

N-004-008

"Opportunities exist for edge restoration of the rail bed and wetlands to minimize erosion and runoff now creating problems."

"Frequent (presumably illegal off-road-vehicle (ORV) and "dirt bike" use of the rail bed has caused severe erosion of the embankment, which has completely collapsed in some areas. Illegal dumping in the ACEC is also evident.
Dumping of this nature should be controlled, and becomes more viable to manage if the rail line is in regular and active use. Without regular train use dumping and ORV abuse has increased in the ACEC."

Under – 'OPERATIONAL/CONSTRUCTION STANDARDS
"If done properly, and demonstrated in advance which methods will be used to achieve these standards, the project should be able to avoid most impacts on the swamp during construction and operation."

Submitted by: James Bryan McCaffrey, Director
Massachusetts Sierra Club 100 Boylston St. Boston, MA 02116
('Received Oct. 27, 2000 MEPA')

Secretary of Environmental Affairs Robert Durand, in his August 30, 2002 Certificate on the New Bedford/Fall River Commuter Rail Extension Via the existing Stoughton Branch of the Old Colony Line/Final Environmental Impact Report - determined that the "FEIR submitted on this project does adequately and properly comply with the Mass. Environmental Policy Act and with its implementing regulations."

To avoid creating "a barrier to safe wildlife passage" and potential fragmentation of the swamp, Sec. Durand conditioned the Certificate "on the construction of a two-mile-long raised trestle through the heart of the Hockomock Swamp. This innovative Trestle Alternative will avoid environmental impacts by allowing animals as large as deer to move freely below the tracks. Design and mitigation measures will be finalized by a permitting task force, comprised of the Department of Environmental Protection, the Division of Fisheries and Wildlife and the Department of Environmental Management."

Conclusion
'Citizens Concerned About Tracks' supports the reestablishment of commuter rail to the City of Taunton and the South Coast Communities of New Bedford and Fall River and endorses the Original Stoughton Alternative (4A) to accomplish this goal.

Recognizing that the purpose of 'Scoping Meetings' was to invite comments on the appropriate range of alternatives and relevant issues to be reviewed and evaluated, CCATS also offers: that in addition to eliminating all of the Attleboro Options from further consideration, both of the Middleboro Alternatives as well as the Whittenton Variation of the Stoughton Route - not advance to the EIS/EIR Review Process.

If delivery of South Coast Rail is ever to become a reality, the focus now needs to be on one practicable rail route option that can be constructed and operational, taking into consideration cost, existing technology and logistics in the light of overall project purpose and need. Then the regulatory agencies can proceed with plans to avoid, minimize and mitigate environmental impacts along a 'Preferred Alternative Corridor' through the NEPA/MEPA process.

It is our understanding that NEPA does not require the project proponent to select the alternative with the smallest environmental impact, irrespective of functionality or cost. Environmental impacts must be weighed in the overall evaluation of an alternative which demonstrates other clear benefits.

The Scope of the EIS/EIR document should be to provide in-depth analysis of significant issues incidental to the reestablishment of commuter rail service connecting the cities of New Bedford, Fall River and Taunton to Boston via the Original Stoughton Alternative.

Thank you for this opportunity to comment.

Heather Graf
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Coordinator/'Citizens Concerned About Tracks' (CCATS)
Town of Norton Representative/Southeastern Massachusetts Commuter Rail Task Force
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January 6, 2009
RE: SOUTH COAST RAIL PROJECT

Comments on the EIS and ENF (EOEA # 14346) PART B (11 Pages)
From – Heather Graf, Coordinator 'Citizens Concerned About Tracks' (CCATS)
E-mail: heathergraf1@comcast.net

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, N.E. District
Regulatory Division (Attn: CENAE-R-PEA)
696 Virginia Road
Concord, MA 01742-2751

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington), EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Please accept these comments as the second in a series (Part B) of my official response to: the EIS/ENF and Scope of the DEIR, submitted as Coordinator of 'Citizens Concerned About Tracks' (CCATS).

CCATS reiterates our regional coalition's support of the recommendation by the project proponent (EOT), based on findings in the November 2008 Environmental Notification Form (ENF): that all of the Attleboro Alternatives be eliminated from further consideration. We believe EOT and the ENF have made a compelling case as to why any and all options using the Attleboro Route should not advance into the EIS/EIR process.

If the Army Corps of Engineers and/or Secretary of Environmental Affairs Ian Bowles do not concur with the findings of the November 2008 Environmental Notification Form, or do not agree with the Executive Office of Transportation and Public Works that the Attleboro Alternatives be eliminated from further consideration, CCATS offers the following comments for your consideration on the ENF and preparation of the Draft EIS/EIR:

TEXT:
Chapter 4 Alternatives Advanced from Phase 1

Section 4.6 Alternative 2 – Through Attleboro

N-004-009 4.6.2 Operations –
"This is the only alternative that does not extend existing MBTA commuter rail service."
Note: The DEIR should provide an updated and more accurate conceptual Operating Plan for the year 2030, using more recent data than the 2020 "North End" (N.Y. to Boston) plan developed by Amtrak in 2003.

If anything, Amtrak is likely to increase service (high speed and Acela trains) to New York City and Washington D.C., beyond what was forecast in the limited plan developed by them in 2003.

N-004-010 4.6.3 Infrastructure Required –
"*Northeast Corridor:* Alternative 1 depends on the ability to add a third track without which this alternative would be infeasible. The third track would be constructed from the proposed Attleboro By-Pass in Attleboro to Transfer Interlocking in the Readville Section of Boston, a distance of 19.09 miles"... This would include "reconstruction of 3 commuter rail stations (Mansfield, Sharon and Canton Junction) and reconstruction of at least 22 railroad and highway bridges, plus a new bridge parallel to the Canton Viaduct, a historic structure that is not wide enough for three tracks."
Note: The DEIR should provide details on the impact of this, nearly 20 miles of new third track, on residential and commercial buildings and industrial properties.

N-004-011 "*Attleboro Secondary:* The line would be single track between the Attleboro Bypass and Taunton, a distance of 8.76 miles, with the remaining 0.62 miles to Weir Junction being double track."
Note: The DEIR should provide details on the impact of this double track.

"*Attleboro Bypass:* A new 2.55-mile long double track FRA class 5 line would be constructed west of the National Grid right-of-way from the Northeast Corridor near the Attleboro/Mansfield/Norton town line to the Attleboro Secondary near the Attleboro/Norton town line. Part of Chartley Pond might be affected where the line would tie into the Attleboro Secondary.

N-004-012 Note: The DEIR should be more specific/accurate as to where the Attleboro By-Pass alignment is proposed. It cannot just run parallel to the Nat'l. Grid right-of-way, but must also be constructed in and under (crossing) the High Tension Power Line ROW.

N-004-013 Also, the DEIR should determine exactly how much of Chartley Pond (or Chartley Swamp and adjoining wildlife habitat area) would be impacted by the new double track By-Pass.

N-004-009

The referenced 2020 "North End" plan provided by the owner/operator of the line, Amtrak, was the most current operational analysis of predicted service on the Northeast Corridor when the DEIS/DEIR was prepared.

N-004-010

Land use impacts associated with the addition of the third track, including impacts to residences and buildings, are detailed in Section 4.2.3.3.1 of the DEIS/DEIR. Social and economic impacts from construction of the third track are discussed in Section 4.3.3.4.1.

N-004-011

In the DEIR analysis the Attleboro Alternatives were refined, and the extent of double track approaching Weir Junction is now approximately 0.4 miles. The impacts of this improvement from one to two tracks is reflected in the various technical reports.

N-004-012

Conceptual designs for the rail alternatives, including the Attleboro Bypass, are provided in DEIS/DEIR Section 3.2.5.2.

N-004-013

Potential impacts to Chartley Pond are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric- and diesel-powered Attleboro Alternatives, respectively.

N-004-014

4.6.4 Project Schedule and Cost –
"Difficulty of Construction: At-grade construction is the least difficult, ofte4n avoiding the need to relocate utilities or modify drainage systems. The next most expensive type of construction is elevated…The most expensive… is tunneling…Elevated construction typically costs two to three times as much as equivalent at-grade construction. Underground construction can cost four to nine times as much as at-grade construction. Other factors affecting difficulty of construction include limited right-of-way, the need to maintain traffic levels and transit services during construction…"
Table 4-5 Alternative Cost Components – Lists " Grade Crossings" (assumed to be at-grade), "Bridge Reconstruction" and under "Special Construction: Northeast Corridor 3rd track for 19 miles, Canton Viaduct, and Attleboro By-Pass for 2.6 miles".
Previous studies (including on hand – The Supplemental DEIR, July 2000, Volume I) Listed under Infrastructure Requirements: Construction of a grade separation on the Attleboro ByPass alignment at the Route 123 (Pleasant Street) crossing"

The DEIR needs to address this in several sections (including 4.6.3 and 4.6.4) as New Bridge Construction or Underground (Tunnel) Construction.
Other factors included must be:
Cost of acquisition or lease of portions of the National Grid Right-of-Way owned by the power company, as well as private property takings from owners who lease to Nat'l. Grid (for the Attleboro By-Pass).
Cost of acquisition or lease of CSX Right-of-Way along the Attleboro Secondary from Taunton to connection with the Attleboro By-Pass.

"Vehicles: Commuter rail cars and diesel locomotives can cost over $3 million each, so the number of cars needed to operate an alternative at reasonable levels of service factors into the cost." Note: The Attleboro Alternatives are the only ones to require all new train sets.

4.6.5 Opportunities for Smart Growth –

N-004-015

Note: The Taunton Depot station adjacent to downtown is not favored by the City of Taunton. And the 15 at-grade crossings (eleven within a 1 ¼ mile segment of Taunton's center) would do more to cripple the city than inspire any sort of 'Smart Growth'.

N-004-016

The "limited, small-scale, village-style" station proposed for the Barrowsville Section of Norton, was soundly rejected by that community. The Barrowsville Station would be located four miles from Norton Center, more than one mile from any highway artery (Rte. 123), set at a dangerous intersection, reached only by traveling down narrow winding roads.

N-004-014

Information on costs and property acquisitions needed for the alternatives can be found in Section 3.2.5 of the DEIS/DEIR.

N-004-015

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

N-004-016

MassDOT has noted and considered your comment.

N-004-016 The proposed "pick-up/drop-off depot" in Norton is an antiquated concept of the 1950s doubling the number of car trips to get commuters there, which certainly does not demonstrate Smart Growth Principles.

A Barrowsville stop would add trip time, while having no appeal to South Coast commuters, would not attract ridership, and would be viewed more as an added, unwelcome burden for Norton residents to bear, than a benefit for the local area.

Commuters here are already served by train stations in Mansfield and Attleboro (with the downtown Attleboro facility slated for major expansion). And if the Stoughton Route is chosen for South Coast Rail, Norton residents look forward to new stations in Taunton and Easton.

Section 4.8 Alternative 3 – Through Attleboro/Middleboro (The Hybrid Option)

N-004-017 4.8.2 Operations –
"This alternative would not stop at the existing Middleboro/Lakeville Station as this would incur a 15-minute delay in service because the trains from New Bedford or Fall River would need to reverse direction at this station. Since this alternative does not require infrastructure improvements on the Old Colony Main Line, the opportunity to extend commuter rail service to Wareham and Buzzards Bay may be limited."

"According to the 2030 operations simulation, the Northeast Corridor also has insufficient capacity for South Coast Rail operations, as described in detail under Alternative 1: (third track necessary between Attleboro Bypass and Readville/Boston to support operations for Alternative 3). There is space for only one additional train on the Northeast Corridor, while this alternative requires adding three."

Note: Comments the same as with the other Attleboro Alternative. Please also see my previous response piece (Part A, January 5, 2009) for additional information on the Lakeville Station.

FIGURES:

N-004-018 4-17 Alternative 1 – Through Attleboro

Attleboro By-Pass

Note: DEIR Map should clearly define and demonstrate the very large footprint/configuration necessary for the new By-Pass (proposed double track and high-speed turnouts) that are critical to ensure NB/FR trains can enter and exit the existing High Speed Northeast Corridor/Shore Line (with third track added). South Coast Rail trains must be able to converge from the By-Pass onto the N.E. Corridor track at a speed that will not interfere with other traffic, or interrupt Amtrak High Speed Rail service on this busiest and fastest of all lines.

N-004-017

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-004-018

Conceptual designs for the rail alternatives, including the Attleboro Bypass, are provided in DEIS/DEIR Section 3.2.5.2. The Bypass is displayed in Figure 3.2-20.

N-004-018 DEIR By-Pass Map needs to be enlarged, to more clearly demonstrate the impacts of new double track, especially at Chartley Pond and Swamp.

DEIR By-Pass Map should not be based on Mass GIS and aerial photo interpretations, which leave much to be desired demonstrating all manner of environmental factors.

N-004-019 Northeast Corridor
DEIR Figures should include maps which show the impacts of the added third track (not just at the Mansfield Station and Canton Viaduct) but also at the other stations and for the entire length of third track through all of the impacted communities: Mansfield, Foxboro, Sharon, Canton, Westwood, Dedham and the Readville Section of Boston, with more detail on streets as well as residential and commercial, municipal and industrial buildings and properties.

N-004-020 Attleboro Secondary
DEIR Figures should include better maps of the Attleboro Secondary Track through Norton and Taunton, including where the track would be doubled and/or sidings added, with (as above) more detail on streets as well as residential and commercial, municipal and industrial buildings and properties.

TEXT:
Chapter 5 Affected Environment, Preliminary Analysis of Environmental Impacts and Benefits

Section 5.1 Wetlands –

5.1.1 Existing Conditions
N-004-021 Land subject to flooding (along Union Rd., Norton in the vicinity of Chartley Pond and Chartley Swamp) and along Richardson Avenue, Norton/Attleboro should receive attention.
Major Wetland Systems
N-004-022 Chartley Pond: It should be noted that this pond is owned by the Norton Conservation Commission, and contrary to statements ion the ENF that there are no Article 97 protected properties along the Attleboro By-Pass, Chartley Pond is indeed subject to Article 97 and protected as Open Space under Chapter 40 Section 8C. As permanently protected land, a conversion of Chartley Pond would require approval of the Conservation Commission, Norton Town Meeting (never happen!) as well as the State Legislature.

N-004-019
Figures 3.2-17 through 3.2-19 in Chapter 3 of the DEIS/DEIR depict the third track through impacted communities along the Northeast Corridor. The resource analyses provided in the Attleboro Alternatives discussions in Chapter 4 include potential impacts along the Northeast Corridor, where they occur.

N-004-020
The resource impacts from the Attleboro Secondary track improvements, to the extent possible based on the current level of design, are depicted in all resource impact figures for the Attleboro Alternatives provided in Chapter 4.

N-004-021
The existing wetland conditions and the Attleboro Alternatives' potential impacts to wetlands, including areas in Norton, are described in DEIS/DEIR Chapter 4.16, Sections 4.16.2.2.3 and 4.16.3.3, respectively.

N-004-022
Chartley Pond was included in the DEIS/DEIR Chapter 4.10, Section 4.10.2.2.2 evaluation of potential project impacts to protected public open spaces from the Attleboro Alternatives. Based on the current level of project design, Chartley Pond would not be impacted by the project if the Attleboro Alternative were to be selected as the LEDPA.

5.1.2 Potential Effects By Alternative
Alternative 1 – Through Attleboro

N-004-023 "The construction of the By-Pass would impact wetlands in the towns of Attleboro and Mansfield, and part of Chartley Pond in Norton might be affected where the line would join the Attleboro Secondary (depending on the location selected for the bypass)."
Note: Minor point – Attleboro is a City. Major point: The ENF should finally have had a definitive alignment for the Attleboro By-Pass (which is a critical element of the Attleboro Route) and any impact on Chartley Pond would have great significance.

N-004-024 "Wetlands that could be affected include the Neponset River Reservation and the Pecunit Brook. In addition, there could be additional wetlands impacts associated with station construction at East Taunton and Barrowsville" (in Norton).
The Norton Conservation Commission verified 4,000 linear feet of bordering vegetated wetland, also bank (intermittent streams), and 2 certified vernal pools at the proposed station site. Nesting habitat for Turtles was also observed.

Table 5-2 Wetlands Resources found within the Proposed Stations
"Norton/Barrowsville – none" needs to be corrected

Section 5.2 Areas of Critical Environmental Concern and Open Space

N-004-025 "Article 97 requires that public land acquired for the protection of conservation or parks cannot be used for any other purpose except as authorized by laws enacted by a two-thirds vote of each branch of the state legislature". This apples to Chartley Pond.

N-004-026 5.2.1 Existing Conditions
Public Open Space
"Several parks and conservation lands, protected under Article 97, also occur along the South Coast Rail alternative routes."
DEIR should address impacts of Attleboro By-Pass on Chartley Pond.

Section 5.3 Biodiversity

Plant Communities/Wildlife/Vernal Pool Habitat
Please refer to letter from Norton Conservation Agent – Jennifer Carlino (Dec. 22, 2008)
And Comments from Jean Shea – 100 Richardson Avenue, Norton (Jan. 5, 2009)

Alternative 1 – Through Attleboro
"The Bypass could impact biodiversity within wetlands in the towns of Attleboro" (should be City) "Mansfield and Norton. Part of Chartley Pond in Norton might be affected where the line would tie into the Attleboro Secondary. Potential impacts of new track" (should say double track) 'construction would include habitat loss and fragmentation."

N-004-023

Details of the Attleboro Alternatives alignment, including the Attleboro Bypass, are provided in DEIS/DEIR Section 3.2.5. Potential impacts to Chartley Pond are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric- and diesel-powered Attleboro Alternatives, respectively.

N-004-024

Wetlands areas along the Attleboro Alternatives alignment, including at station sites, are described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.3, and potential impacts from the two Attleboro Alternatives are described in Section 4.16.3.3.3 and 4.16.3.3.4.

N-004-025

As noted in the response to Comment No. N-004-024, Chartley Pond would not be impacted by the Attleboro Alternatives.

N-004-026

As noted in the response to Comment No. N-004-024, Chartley Pond would not be impacted by the Attleboro Alternatives.

"Two of the proposed stations along Alternative 1 (East Taunton North and Barrowsville) include undeveloped areas and may require construction in naturally-vegetated areas."

N-004-027 The DEIR should also address the portion in the Town of Mansfield where the Attleboro By-Pass Double Track (including high-speed turnout configurations) converges with the Northeast Corridor/Shore Line. This has been classified as an area of Rare Species Priority Habitat (See Town of Mansfield Biodiversity and Habitat Map, SRPEDD, March 2008)

N-004-028 In fact, the DEIR should consult all of SRPEDD's most recent 'Water Resource Protection Maps' and 'Biodiversity and Habitat Maps' for Norton, Mansfield, Attleboro and Taunton along both the existing Attleboro Secondary, and the proposed Attleboro By-Pass.

Note: The almost 3-mile double track By-Pass would cut through untouched woodlands and virgin wetlands, that never had a rail bed.

Section 5.4 Threatened and Endangered Species

N-004-029 5.4.1 Previous Rare Species Studies
" For the 2002 Final EIR, the MBTA conducted a rare species study in the spring and summer of 2001 to determine rare species occurrences in the Hockomock and Pine Swamps." (Stoughton Alternative). There is also some information available for the Three Mile River ACEC and the Fowl Meadow. There is no information on species found anywhere along the proposed Attleboro By-Pass.

If the Attleboro Route is to advance for further review, there must be much greater scrutiny in the DEIR for all manner of environmental issues in the By-Pass area.

N-004-030 Section 5.5 Water Resources

Alternative 1 – Through Attleboro
"Alternative 1 would cross or run adjacent to 13 named streams"
Table 5-5 Two named streams in Norton along the Attleboro Secondary are crossed by the existing freight track. The DEIR should add Goose Brook and Meadow Brook, and evaluate impacts to these streams of the reconstruction of the old rail bed for use by commuter trains.

"Alternative 1 would also intersect or run adjacent to 13 public water supply protection areas (in the Towns of Mansfield, Canton, Sharon and Westwood) including six Zone 1 areas."

N-004-031 Section 5.9 Social and Economic Environment

N-004-027

DEIS/DEIR Chapter 4.15, Section 4.15.2.4 describes the rare species priority habitats along each of the alternative alignments, including the Attleboro Bypass for the Attleboro Alternatives.

N-004-028

Direct impacts to rare species were calculated through the use of a Geographic Information Systems (GIS) model. This model quantified impacts by intersecting proposed work areas with NHESP Priority and Estimated Habitat polygons for rare species. The model quantified all loss of habitat along the project corridors and at the proposed station sites based on the limit of permanent alteration.

N-004-029

DEIS/DEIR Chapter 4.15, Section 4.15.3 describes the project's potential impacts to threatened and endangered species. A summary of impacts to threatened and endangered species for the Attleboro alternatives can be found in Sections 4.15.3.5.2 and 4.15.3.5.3. ACECs are described in Chapter 4.10, Section 4.10.2.

N-004-030

The Attleboro Secondary's potential impacts to Meadow Brook and Goose Branch Brook are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.3. Potential impacts to public water supply protection areas along the Attleboro Alternatives' alignment are described in Chapter 4.17, Section 4.17.3.3.3.

N-004-031

For the purposes of this study, the South Coast area includes the communities that would be served by the project. Existing socioeconomic conditions in the study area, including Norton, are described in DEIS/DEIR Chapter 4.3, Section 4.3.2.

N-004-031

Note: The Town of Norton does not consider itself a part of the 'South Coast', a region which we contend begins south of us in Taunton.

Population, Housing, Employment factors in Norton are all more in line with the towns of Mansfield and North Attleboro.
But if Norton is to be included in Population Trends (Table 5-20) the DEIR should give most recent data available from SRPEDD for the year 2008.

Norton has already experienced huge growth due to its proximity to Rtes. 95 and 495, as well as access to nearby commuter rail stations (Mansfield and Attleboro).

According to Table 5-24 (for the year 2000) 9.4% of Norton workers commuted to jobs in Boston & Cambridge, compared with rates of most the actual South Coast Communities with percentages at approximately one-third of that.

5.9.2 Potential Effects by Alternative
Note: The Town of Norton has already experienced increased population,, improved accessibility to jobs and educational opportunities, enhanced property values, and increased attractiveness to employers.

Running the South Coast Rail over our community will do nothing to enhance these values and opportunities in Norton, and would in fact be detrimental to the social and economic development of our community.

N-004-032

5.10 Environmental Justice

5.10.3 Potential Effects
"The South Coast Rail project is anticipated to provide benefits to EJ populations through improved access to jobs and educational opportunities."
Note: This will only occur with an adequate level of service to attract ridership.

N-004-033

Section 5.12 Traffic and Transportation Systems

5.12.1 Existing Conditions
Note: Norton already has easy access to two commuter rail stations and is served by the Greater Attleboro Taunton Regional Transit Authority (GATRA) bus service as well.

5.12.2 Potential Effects by Alternative
"The South Coast Rail project…In the absence of mitigation, could result in impacts to traffic in the vicinity of stations, and at grade crossings. These impacts could include increased traffic volumes, increased congestion, increased delay, or increased queue lengths.

N-004-032

DEIS/DEIR Chapter 4.4, Section 4.4.3.12 outlines the benefits that environmental justice populations would realize from the project, including increased access to transit and decreased travel times to jobs, educational institutions, and hospitals.

N-004-033

Reasonably foreseeable environmental consequences of the Attleboro alternatives on transportation systems are presented in DEIS/DEIR Section 4.1.4.

N-004-034 Short-term, temporary impacts to traffic flow during construction could also occur as a result of constructing or reconstructing bridges…"
The DEIR must address the new double track grade-separation crossing of Rte. 123 (Pleasant Street) in Attleboro, near the Norton Line. Will it be a bridge or a tunnel? In either case, construction impacts would not be short-term.

N-004-035 Alternative 1 – Through Attleboro
Barrowsville Station
Note: More than improvements to four dangerous intersections, the DEIR must take under consideration the necessary widening of narrow access roads (including South Worcester Street) which if it could be accomplished at all, would require land takings of private property.

N-004-036 **Grade Crossings**

The issue of grade crossings for the Attleboro Alternative, which is HUGE, got very little attention in the ENF.

"Alternative 1 would create two new grade crossings (Route 123 and Richardson Road" (should be Avenue) "in Attleboro that would have the potential to impact traffic flow, particularly on Rte. 123. This alternative would also require upgrades/improvements to approximately ten existing grade crossings in downtown Taunton. Increased train frequency at these crossings could affect traffic delays and congestion, particularly on South Worcester Street and Maple Street in Norton."

Note: There would be a total of fifteen at-grade crossings in Taunton, with eleven of them in a 1 ¼ mile segment of the inner city (Downtown).
But the ENF cites two areas in Norton for greatest traffic delays and congestion!!?

If the DEIR is going to review the Attleboro Alternatives, we expect to see much greater attention to the grade crossing issue in Taunton.

N-004-037 Construction Impacts
"Alternative 1 is not anticipated to result in substantial construction-period traffic impacts. Route 106 in Mansfield Center would need to be reconstructed to accommodate the third Northeast Corridor track, as would the existing rail stations at Mansfield, Sharon and Canton."

Note: That much in itself sounds pretty substantial. But the ENF should have included in this section the reconstruction of 22 bridges, new construction of bridge or tunnel to cross Rte. 123 in Attleboro, and let's not forget the Canton Viaduct.

N-004-034

As presented in Section 3.2, the conceptual design for the Attleboro Alternatives crossing of Route 123 is at-grade.

N-004-035

While localized intersection improvements are recommended, the results of the analysis for Barrowsville Station show no need to widen South Worcester Street. A detailed discussion of the traffic analysis for Barrowsville Station can be found in Section 4.1.3.5.2 of the DEIS/DEIR, which describes the traffic analysis for the Attleboro Alternatives.

N-004-036

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

N-004-037

Reasonably foreseeable environmental consequences of the Attleboro alternatives on transportation systems are presented in DEIS/DEIR Section 4.1.4.

N-004-037 It appears, by the time preparers of the ENF got back to the critical issues of constructability and operations, they pooped out.

If the Attleboro Route is to remain on the table, the DEIR must do a much better/in-depth review and evaluation of the construction impacts.

N-004-038 Section 5.14 Noise
Section 5.15 Vibration
Note: **Both of these subjects (noise and vibration) received much too little attention in the November 2008 Environmental Notification Form.**

We expected at least the same level of detail as was provided in the September 1995 ENF (Volume III) for the 'New Bedford/Fall River Commuter Rail Project.

Noise and vibration impacts, along with grade crossings should have been (along with constructability and feasibility of operations) overriding factors in the elimination of the Attleboro Alternatives.
With The City of Taunton, which was supposed to benefit from South Coast Rail, taking the major hit.

Also, substantial new residential development on Richardson Avenue in Attleboro, increases the noise and vibration impacts significantly over earlier predictions.

N-004-039 Section 5.16 Hazardous Materials

Alternative 1 – Through Attleboro
"No Recognized Environmental Conditions are present along the Attleboro By-Pass section."
Note: Major error here.

Grade crossing in Norton on Union Road is in very close proximity to the Shpack FUSRAP/Superfund Site and adjoining Attleboro Landfill (ALI).

Radioactive waste at the Shpack dump is currently being remediated by the US Army Corps of Engineers. The US Environmental Protection Agency and PRPs will follow with cleanup of chemical contaminants and heavy metals.

Remediation at the Shpack Site does not include cleanup of ground water, which continues to be contaminated with runoff from (ALI).

N-004-038

A detailed noise and vibration analysis was performed in accordance with the Federal Transit Administration (FTA) Guidelines for the proposed project. The noise evaluation is included in Section 4.6 of the DEIS and the vibration analysis is provided in Section 4.7.

The noise monitoring described in Section 4.6 of the DEIS/DEIR was conducted between December 2008 and March 2009. An updated vibration analysis was conducted in September 2008. The noise and vibration impacts were calculated using the FTA Guidelines and the most up to date MassGIS database at the time of analysis.

N-004-039

As discussed in Section 4.12 of the DEIS/DEIR, it is unlikely that contamination would be encountered at the Attleboro Bypass near the Shpack Landfill because the edge of the landfill is located relatively distant (approximately 700 feet) from the proposed Attleboro Alternative, the ground water flow velocity is low, and cleanup activities to address the contamination are underway and are proposed to be completed in 2010.

The Shpack release area is closest to construction on the Attleboro Secondary, not the Attleboro By-Pass. Impacts of the potential release are addressed in Section 4.12.3.3 of the DEIS/DEIR.

N-004-039

Reconstruction of the Attleboro Secondary Track, new construction of the Attleboro By-Pass in this vicinity, as well as vibration from the operation of approximately 30 commuter trains per day, is likely to impact the hydrology in this swampy area, and spread contamination further into the groundwater.

This concludes Part B of my comments on the EIS and ENF and recommendations for the Scope of the DEIR.

Please also see attached:
Comments from Frances Shirley, President – Land Preservation Society of Norton
E-mail Communication with Jeannie Shea – 100 Richardson Ave., Norton, MA

Thank you for this opportunity to comment,

Heather Graf
Coordinator/'Citizens Concerned About Tracks'
Member Southeastern Massachusetts Commuter Rail Task Force/Norton
SRPEDD Commissioner/Town of Norton
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RE: SOUTH COAST RAIL PROJECT
THE ATTLEBORO ALTERNATIVES

COMMENTS FROM:
Frances Shirley, President -- Land Preservation Society of Norton

N-004-040

I strongly oppose the 'Attleboro Alternative', especially with the By-Pass through Norton.
Since this route was last considered, the perceived environmental value of much of the land has resulted in its becoming wildlife preserves, some with conservation restrictions on them. The Land Preservation Society of Norton's two Medeiros preserves have over 3,400 feet of frontage along the proposed trackage, as well as a small extension of Attleboro's Nickerson Woods. Well over 100 species of birds have been found on this combination of forest, woodland edge, meadow and wetland, as well as orchids and a couple of rare butterflies. Much of the proposed 2.5 mile by-pass crosses wetland. The switch at the main line is at a point where trains are going their fastest between Boston and Providence, rather than a slow area such as Canton Junction and viaduct.

Where this by-pass would join the existing tracks from Attleboro, there is a Conservation Commission pond, more wetland, and three Land Preservation properties. If the maps are accurate, the Wetherell preserves and Nelson land would be taken or irreparably damaged. The continuation of the route abuts land with a conservation restriction on it, and impinges on the Wading River, Meadowbrook Pond, and the Three Mile River, all parts of the Taunton River Watershed. The minor disturbance with a couple of freight trains, would become disruptive with the noise and vibration of many high-speed trains daily.

Though not so impressive as the Hockomock Swamp, **where there is still a trackbed that could be rehabbed,** the Attleboro/Norton route is environmentally sensitive with its variety of habitats and species impacted, and wasteful in being two sides of a triangle."

Submitted by:
Frances Shirley
10 Mansfield Avenue
Norton, MA 02766
E-mail: fshirley@wheatonma.edu

N-004-040

MassDOT has noted and considered your comment.

To: Heather Graf
From: Jeannie Shea 100 Richardson Avenue Norton, MA 02766
E-mail: sheawood@comcast.net

Friday March 21, 2008 Fairy Shrimp, Fairy Shrimp!

Hi Heather!
Just wanted to let you know that Corey and I did a little exploring today. Actually, we were out for about 3 hours, did a lot of walking. We were going to mark the areas that we found to be wet, but I don't think they make enough pink tape to do that. I had two rolls with me and that would not have been enough. Then we thought we should mark only the dry areas. I would have only used a couple of feet then. But, anyway even the areas that appeared to be dry were not, because when you stepped and put your weight on them, water would work its way up. Even in the woods, the floor of the forest is covered with sphagnum moss.

We did mark a few wet areas, but gave up because there would have been pink everywhere, looking a little foolish. One thing we were able to confirm was a good sized vernal pool right near Richardson Avenue, under the power lines (on the side of the street where the town line sign is, the area about 30 feet to the left of the sign). I suspected it was a vernal pool, I always heard wood frogs there. But today, when we were there about 2:00 and the lighting was just perfect, we saw dozens of fairy shrimp swimming around, and that was just in a square foot window. We also heard our first wood frogs of the year quacking away. I don't know if that is National Grid property or under private ownership. It could easily be certified as a vernal pool, but I think you need permission from the land owner. The next time you're riding by, take a look. You can view some of it from the street now. When things leaf out, you'll have to climb in to see. I will tell Jennifer Carlino (Norton Conservation Agent) about this.

We also explored a little on my side of the power lines. The area right up and around Michael Edgar's house (393 Richardson Ave. Attleboro) is all wet, very wet. In fact we found one of our CCATS signs back there, must have blown in from the street. We tried to go in to get it, but three was too much water, and our boots were getting sucked down through into the sphagnum.

Jeannie of Sheawood

Wednesday March 26, 2008 Update:

Hi Heather!
Yes, meeting Jennifer Carlino tomorrow at 2:30. She wants to get a look at the vernal pool near the street.
Heard lots of wood frogs today, all up and down the power lines, quacking away.

Looking at the South Coast Rail Web Site, I noticed pictures of Kristina in the 'Hock'. There wasn't a drop of water in sight. She could have been walking the median strip of Rte. 95!! I hope someone will get photos of Kristina wading through our 'Mock' when we do the CCATS sponsored Site Walk of the Attleboro By-Pass area in April.

Jeannie of Sheawood and the Mighty Mock

Friday March 28, 2008 Checking In:

Hi Heather!
Jennifer and I did go out on Thursday afternoon. I took her over to look at the vernal pool under the power lines near the street. It absolutely is a vernal pool, and Jenn even saw the fairy shrimp swimming around. She was actually impressed with the quantity of them.

This vernal pool is in Attleboro and not on Norton Land Preservation Society owned property, so Jennifer can't certify it. And we will need permission from whoever owns the parcel. It got dark because of the clouds, so we didn't spend much more time looking into the water. I showed Jenn one other possible vernal pool, that she will come back to look at another time.

She did tell me though, that the large wet area in the woods of Norton LPS land (the place I told you I had walked on when it was frozen) is indeed a true Bog. Jenn has been in there before. In fact, she said it is the only true bog known in Norton.

A true bog in Massachusetts is a very rare and unique special habitat. This one is also located where the proposed new By-Pass track would turn onto the main line. I am sure it would be eliminated.

Also very close to the bog is what Jenn thinks is a large vernal pool. I am pretty sure that is in Mansfield because it is very near the N.E. Corridor/Shore Line tracks.

Jeannie of Sheawood Forest
and the Mighty Mock (the real deal!)

January 9, 2009

RE: SOUTH COAST RAIL PROJECT
Comments on the EIS and ENF (EOEA #14346) PART C (Pages)

Heather Graf, Coordinator 'Citizens Concerned About Tracks' (CCATS)
E-mail: heathergraf1@comcast.net

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

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington), EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

For the record, please accept this third (and final) in a series of comments (Part C) of my official response to: the EIS/ENF and Scope of the DEIR, submitted as coordinator of 'Citizens Concerned About Tracks' (CCATS)

At the Chartley Post Office yesterday, sending my comments (Parts A & B) supporters offered their advice that (with this opportunity to respond to the ENF) "you have to cover all the bases". The Chartley Post Mistress laughed and added–"And that would involve writing a book" (which I appear to be doing).
The problem is - I have no idea really, how much of all our 'Stuff' (input on the South Coast Rail) has filtered through to you, and the other regulatory agencies–who (after all that has been said and done) are now in the driver's seat for this project.
In hindsight, all of our efforts should have been directed (not just to EOT and the SCR Project Manager–Kristina Egan) but also to members of the Interagency Coordinating Group, especially representatives from the Army Corps of Engineers and MEPA.

Our regional coalition (representing Norton, Attleboro, Mansfield and Taunton) founded in 1995 (which waged a five year successful campaign in the 1990s) was officially reorganized in 2007 when Governor Patrick announced his intention to revive the South Coast Rail Project, and put all of the original alternatives back on the table.

Beginning with form letters to the Administration, then making our voices heard at any and all public meetings, lobbying state legislators, letters to the Editor, the creation of a Web Site, the revival of our 'MBTA–Go The Other Way' yard signs, through countless

phone and e-mail communications and comment pieces, members of CCATS have worked tirelessly for the past twenty-one months to once again bring commonsense to the table for the South Coast Rail Project.

Since April 2007, we have battled to (finally) get the ill-advised Attleboro Route eliminated from consideration for SCR.

So as deadline time nears, I look over some of the correspondence (incoming to me from members of CCATS) and communications I sent, commenting on the South Coast Rail. Unfortunately for me (but perhaps luckily for you) there is not sufficient time to reiterate, replay or copy relevant materials.

But here are a few notes:

In the ENF Section 5.4–Threatened and Endangered Species
Please refer to Comment Letter from Jean Shea 100 Richardson Ave. Norton (dated January 5, 2009)
Jeannie is an experienced birder and tracker, a member of Mass. Audubon, who has also taught nature classes to school children at the Moose Hill Sanctuary in Sharon.
She has spent an enormous amount of time exploring the woods and wetlands in the vicinity of the National Grid Right-of-Way off Richardson Avenue, and has documented species in the area.

N-004-041 The CCATS Coalition believes that the Scope of the EIS/EIR document should be to provide in-depth analysis of significant issues incidental to the reestablishment of commuter rail service connecting the cities of New Bedford, Fall River and Taunton to Boston via the Original Stoughton Alternative.

We concur with findings in the Final EIR (April 2002) and the conclusion that was reached by the project proponent (MBTA), Secretary of Environmental Affairs Robert Durand, and the Massachusetts State Legislature: that the Original Stoughton Alignment was the only feasible alternative, given the need to protect capacity for high-speed rail service between Boston and New York on the Attleboro Line. And CCATS respects the decision of legislators that funding for the construction of the New Bedford/Fall River Commuter Rail Extension would only be approved in the Transportation Bond Bill, with the specification that the new service be "via the Stoughton Alternative".

N-004-042 With the publication of the November 2008 Environmental Notification Form, and announcement from the project proponent (EOT) that the Attleboro Alternatives should be eliminated from further consideration, it appeared there was, once again, a light at the end of this very long and winding tunnel.

N-004-041

As required by the Certificate on the ENF, three rail routes (and two power sources for each) and one highway route, along with the No-Build Alternative, are analyzed in the DEIS/DEIR.

N-004-042

As required by the MEPA Certificate, Attleboro rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR.

N-004-042 Now, we appeal to you, after careful review of the ENF, consideration of the recommendations of EOT, as well as all of the comments received–to make the determination that the Attleboro Route (all of the alternative permutations) be removed from further consideration, and not advance to the EIS/EIR Process.

Out of time!

Thank you for this opportunity to comment.

Heather Graf
Coordinator/Citizens Concerned About Tracks' (CCATS)
Norton Representative, S.E. Mass. Commuter Rail Task Force
SRPEDD Commissioner/Town of Norton
229 N. Worcester St.
Norton, MA 02766

AE

Re: South Coast Rail (EOEA# 14346)
Comments on the CTPS Draft Memorandum (Dated February 2009)

From: Heather Graf, Coordinator
'Citizens Concerned About Tracks'
March 16, 2009 Nine Pages

To:
Secretary Ian Bowles
Executive Office of Environmental Affairs
Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114
E-mail: aislingeglington@state.ma.us

RECEIVED
MAR 18 2009
MEPA

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751
E-mail: screis@usace.army.mil

Dear Sirs,

'Citizens Concerned About Tracks' is grateful for the extension granted to the Executive Office of Transportation and Public Works, and appreciates this opportunity to submit further comments for your consideration.

We are however extremely disappointed with the additional information that has been provided by the Central Transportation Planning Staff relative to ridership projections for the South Coast Rail.

The February 2009 Supplemental Ridership Memorandum at best - makes assumptions that cannot be taken for granted, at worst - it employs faulty reasoning and flawed data which provide unrealistic statistics and reach unreasonable conclusions.

N-005-001 The CTPS study is extremely difficult to analyze as presented, because it does not provide any detail regarding how the final ridership figures were reached: What number of boardings were predicted for each station.

N-005-002 The report does not even list what stations are included in the model. The reviewer is left to figure out (if time allows, by cross referencing other reports) what 'Existing and New Stations Served' are assumed.

And if my 'figuring' is correct – the findings of this analysis are false.

N-005-003 The first clue that the study should not be taken too seriously, was a 'Correction' to 'Table 1: Service Assumptions' sent out by EOT. The hastily drafted revised page states that there were two columns (Run Times and Headways for Alternatives 4B and 5 that were transposed).
One might assume from the text that this was the only error found in the original table. But, comparing the corrected version with the first draft (See: Page 5), it becomes apparent that figures in other columns were also wrong: Run Times for Alt. 1B & 2B – (four numbers) and Peak Headways for Alt. 2A & 2B – (six numbers) have all been changed in the revised table.

Considering this report is all about NUMBERS, the mix-up with the very first table, leads careful observers to question how accurate the rest of the study and how reliable its conclusions will be.

N-005-004 I was also not impressed with the fact that of the 26 pages, 16 of them were a copy of the Distribution List, which had its own error of omission in not including the Town of Westwood – a town which I believe (although only based on my own 'figuring') is one of the 'Existing Stations' locations included in this study for both the Attleboro and Stoughton Options.

Reviewing the text, I was next struck in the section 'Application of the Model' – Under 'Transportation projects assumed in the analysis based on' RPA's Regional Transportation Plans, with - the third project on SRPEDD's list (See Page 4)
'SRPEDD RTP Projects: 3. Mansfield and Attleboro station parking expansion'.

N-005-001

The regional travel demand model basis is described in Section 3.2.4.1. Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results.

N-005-002

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. Projected ridership at each station is detailed in the ridership breakdown for each alternative, including new station boardings. A summary of South Coast Rail project stations is provided in DEIS/DEIR Chapter 3, Section 3.2.5.2.8, Stations.

N-005-003

The South Coast Rail Travel Demand Analysis Results, February 17, 2009, Table 1, presented incorrect service assumptions. These were corrected and reissued. The remaining tables in the memorandum were presented correctly in the original and were not revised.

N-005-004

The Town of Westwood has been added to the distribution list.

I had not heard of any further expansion for commuter rail parking in Mansfield since the new train station was built there in 2004. And at the time, there was criticism of a plan for a regional facility which would draw more riders from other communities to downtown Mansfield.
Currently of the 1,100 spaces provided, 450 are reserved for Mansfield residents only.

N-005-005 It does seem that CTPS', expectation that the Mansfield Station parking will be expanded by 800 spaces, is premature, and that adding those 800 riders to the Attleboro Alternative for South Coast Rail is an unrealistic assumption that skews the numbers, making the Attleboro Route appear better than it should.

N-005-006 What bothered me to a much greater degree was mention of a proposed expansion of the Attleboro Stations. I will grant that the plan for the downtown station is a realistic one. Expansion of parking at the South Attleboro Station however is based on an old sketch plan by GATRA, for which there is no commitment or even interest.

N-005-007 Whatever the demand and potential for increased parking capacity at the Attleboro Stations, it is not a factor worthy of mention in any study for the South Coast Rail Project, since the New Bedford/Fall River Trains do not stop in Attleboro (their route By-Passes the City).

At this point, it became apparent I needed to determine which stations the CTPS was actually including in their South Coast Rail Ridership Model.

I requested more information from Scott Peterson about the figures that were used for the Attleboro and Stoughton Diesel Rail Options.

In a brief e-mail response, he stated "The stations in the study area that have increases are: Mansfield (+800), Attleboro (+315), and S. Attleboro (+800).

Now, at least I may have found the answer to - Which 8 'Existing Stations' have been factored in for the Attleboro Alternative.
See my table below:

N-005-005

South Coast Rail demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area, such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in the most recently adopted Regional Transportation Plan (RTP). While Mansfield Station improvements may not have the support of the Mansfield Selectmen, they cannot be excluded from the travel demand model unless they are excluded from the RTP.

N-005-006

As summarized in the Alternatives Description Technical Report, the demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in their most recently adopted Regional Transportation Plan (RTP).

N-005-007

How well a transit alternative attracts potential riders is directly related to regional development, including highway and transit infrastructure improvements. Regional improvement plans included in the travel demand model are listed in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, Regional Plan, and Table 3.2-2, Regional Transportation Plan Highway Improvement Projects Included in the Travel Demand Analysis.

CTPS Ridership Report
Table 1: Service Assumptions

Station Assumptions for Two Diesel Rail Options
Alternatives: 1A (Attleboro - Diesel) and 4A (Stoughton - Diesel)

EXISTING STATIONS SERVED:

ATTLEBORO OPTION (8)	STOUGHTON OPTION (8)
S. Attleboro****	
Attleboro****	
Mansfield**	Stoughton
Sharon	Canton Center
Canton Jct.	Canton Jct.
Route 128/Westwood	Route 128/Westwood
	Hyde Park
	Ruggles
South Station	South Station
Back Bay	Back Bay

NEW STATIONS SERVED:

ATTLEBORO OPTION (9)	STOUGHTON OPTION (11)
Battleship Cove (Fall River)	Battleship Cove (Fall River)
Fall River Depot (Fall River)	Fall River Depot (Fall River)
Freetown Park (Only for Fall River)	Freetown Park (Only for Fall River)
State Pier (New Bedford)	State Pier (New Bedford)
Whale's Tooth (New Bedford)	Whale's Tooth (New Bedford)
King's Highway (New Bedford)	King's Highway (New Bedford)
East Taunton (Target Plaza)	East Taunton (Target Plaza)
Taunton Depot (GATRA/Oak Street)	Dean Street (Taunton)
	Raynham Dog Track
Barrowsville (Norton)	Easton Village
	North Easton

While South Coast Rail Project Manager Kristina Egan said the latest ridership numbers (particularly the closeness of the predictions for the Attleboro and Stoughton Options) came as a surprise, those of us who have been following this project for many years found the figures to be nothing short of unbelievable.

Prior to the February 2009 Analysis, ridership forecasts from the Central Transportation Planning Staff had remained fairly steady over time, through a number of different studies: with the Stoughton Alternative consistently demonstrating the highest numbers by at least 1,000 new boardings. This could be attributed in large part to the new regional stations proposed for North Easton and the Raynham Dog Track.

N-005-008

It appears that the findings of the February 2009 CTPS Report are very different due to: the inclusion of not only 800 new riders at the Mansfield Station (which should not be assumed) but also another 1,115 at the Attleboro Stations (800 in South Attleboro and 315 at the downtown stop) which cannot be counted as riders for the South Coast Rail, because the New Bedford/Fall River trains 'By-Pass' the City of Attleboro entirely.

While the expansion or enhancement of the Attleboro Stations will impact ridership on the existing Providence to Boston Line, that has nothing to do with South Coast Rail.

Deduct the illegitimate 1,115 riders from the SCR Attleboro Alternative, and CTPS could have an evaluation that is at least closer to the truth.
As it stands now, the report is totally unreliable.

I would also like to offer some observations about the Attleboro and Stoughton Diesel Options for 'New Stations Served':

If the Run Times and Headways are similar for both the Attleboro and Stoughton routes, then it is likely that the number of riders boarding at the six new stations south of Taunton (two in Fall River, one in Freetown, and three in New Bedford) would also be similar for these two alternatives.

Let's compare the proposed new stations from Taunton north:

N-005-008

South Coast Rail demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area, such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in the most recently adopted Regional Transportation Plan (RTP). While Mansfield Station improvements may not have the support of the Mansfield Selectmen, they cannot be excluded from the travel demand model unless they are excluded from the RTP.

The Same - Taunton Station at the Target Plaza is the same for both the Attleboro and Stoughton Options
Score: Even

Somewhat Similar -

Attleboro: Taunton Depot/GATRA and Stoughton: Dean Street
The Dean Street location along the Stoughton route is favored by the City of Taunton. It is a brownfields restoration site. It is also anticipated to bring a revitalization of the downtown area, and would likely attract more riders as there is a National Historic Park planned for this area (which has the backing of Congressman Barney Frank.
Score: 1 Preferred New Station - Dean Street/Taunton for the Stoughton Option.

Attleboro: Barrowsville Depot/Norton and Stoughton: Easton Village
Both of these stations would have limited parking.
The Barrowsville location has been soundly rejected by officials and residents of Norton. It is too remote, without good highway access, set at a dangerous intersection reached only by traveling narrow winding roads, four miles from the center of town, with no commercial or industrial infrastructure. There are no sidewalks and with insufficient pavement width, it would not serve either walk or bike-in customers. The designation of this station as a 'drop-off, pick-up depot' also does not fit with modern travel demand (is in fact a 1950s concept), and nothing about this location is compatible with Smart Growth development principles.
The Easton Village Station is centrally located in downtown Easton, with good proximity to population, jobs and potential commercial development. It is an attractive designation that would serve walk and bike-in customers. The site is also adjacent to old mill buildings with the potential for adaptive reuse.
Score: 1 Preferred New Station - Easton Village for the Stoughton Option.

With the seven new stations common to both routes (in New Bedford, Fall River, Freetown and Taunton at the Target Plaza) plus two similar locations (compared above) - that completes the list of 9 new station options for the Attleboro Alternative.

The 'Icing on the Cake' is the two additional new stations which are proposed for the Stoughton Alternative (bringing their number to 11) Consider:

The Raynham Dog Track -
80 Acre Site with good highway access
A Regional Station with over 500 spaces
Proximity to jobs
Catalyst for 'Transit-oriented development'
Owner George Carney and planners envision a large-scale mixed-use TOD, which would include residential/commercial use as well as an entertainment center. (See: www.ccats.org Newspaper Page Jan. 22, 2009 'Dog track owner supports Raynham train stop').
Transformation of this site also offers an opportunity to reclaim acres of asphalt originally paved for the track - restoring wetlands in the Hockomock Swamp that had been filled.

The North Easton Station -
10 Acre Site at Roche Brothers Plaza, with good highway access
A Regional Station with approximately 1,000 spaces
Proximity to jobs, commercial development and services (medical facilities)

Both of these new stations would be popular with residents on the east side of Norton, and preferable to the remote little depot at Barrowsville offered to appease Norton commuters.

The February 2009 CTPS Draft Memorandum: 'South Coast Rail Travel Demand Analysis Results' (Ridership Report) concludes in its 'Discussion of Results' (See: Page 8):
"The model results show Alternatives 1 (Attleboro Option) and 4 (Stoughton Option) are much more similar than previous studies showed."
'The reasons for the similarities are due to the headways and runtimes for Alternatives 1 and 4 being very similar, with "the major difference being that Alternative 1 lacks two (new) stations."
The report goes on to state: "Even though the number of new stations is less, it (South Coast Rail) still stops at several existing stations (Attleboro Route) that have demand that can be accommodated via parking" (expansion).

As mentioned earlier, I believe the existing station demand being referred to here is for a possible (but questionable) expansion of the Mansfield Station (800 spaces) and more significantly - the demand at two Attleboro stations, where CTPS is anticipating adding 1,115 parking spaces.
The problem with this logic is that the two Attleboro Stations are <u>not served by the New Bedford/Fall River Trains, and therefore cannot be included to tabulate ridership for the South Coast Rail.</u>

The Central Transportation Planning Staff's February 2009 Draft Memorandum:
'South Coast Rail Travel Demand Analysis Results':
Provides no detail on station boardings to justify the final numbers, making it extremely difficult to evaluate the report's accuracy.

N-005-009 Were members of the Interagency Group or RPAs given a more extensive report to review? That should have been expected/demanded in order for them to submit an appropriate response to this supplemental information.

If that were the case, I expect the commenters with more expertise than me would agree:
N-005-010 The findings which make ridership for the Attleboro Alternative appear equal or better than the Stoughton Alternative,
are based on faulty logic and assumptions which cannot be taken for granted, and inclusion of factors that should not be considered in any study for the South Coast Rail Project.

N-005-011 In the March 3, 2009 e-mail response from Mr. Peterson, he stated:
"I am still reviewing the individual station boarding and alighting data for the alternatives, when they are finalized I can share them with you, but not before."
"My final report will be available when all of the analysis is complete and will be available as part of the DEIS."

Last I heard the DEIS will not be released until Labor Day.

N-005-009

The Interagency Coordinating Group was not provided a more detailed report. Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3.

N-005-010

MassDOT has noted and considered your comment.

N-005-011

MassDOT has noted and considered your comment.

N-005-011 When EOT requested and was granted an extension for comments on the ENF, the purpose seemed to be to provide valuable information for the review and comparison of the various alternatives, which would assist the Secretary of Environmental Affairs and the Army Corps of Engineers in their decision on which alternatives should advance for the Draft EIR/EIS.

This unreliable study does nothing to help with that determination, in fact it makes matters worse, with numbers that skew the findings and make the Attleboro Alternative look better (by at least 1,115 riders) than it should. An accurate report around Labor Day is of little value in comparing alternatives, as by then the 'Scope' will have been determined.

If ridership projections are important, the CTPS must produce a much better product than that which I have attempted to review here.
It is unacceptable that such an important decision could be influenced by faulty data and unreasonable conclusions.

Finally, since I have one more opportunity to offer comments on the South Coast Rail:
When the subject of discussion is the Attleboro Alternatives, and I mention the necessary construction of a third rail (for approximately 20 miles) along the Northeast Corridor from Attleboro to Boston – people look at me like I must be quite mad (and I do not mean angry). The reaction (particularly from the communities north of Norton) - that is preposterous!!! We concur.

Even with the impacts on wetlands (Attleboro By-Pass and the 20 mile third rail), as well as the cost for engineering and construction all significantly underestimated, and the ridership numbers grossly inflated (as we believe they are) the proposed Attleboro Alternative is still unfathomable.

The question – Why are we still talking about this?
I wonder…

Respectfully Submitted,
Heather Graf
Coordinator/'Citizens Concerned About Tracks'
Member/S.E. Mass. Commuter Rail Task Force
SRPEDD Commissioner/Town of Norton

EASTON HISTORICAL SOCIETY

Old Colony Railroad Station

P.O. Box 3, 80 Mechanic Street
North Easton MA 02356

AE

RECEIVED

January 2, 2009

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

Secretary Ian Bowles
EEA
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston MA 02114

Sirs:

The Easton Historical Society is the owner of the National Landmark H. H. Richardson designed Old Colony Railroad Station that abuts the proposed Stoughton Alternative MBTA line through the historic district of North Easton. We oppose the Stoughton Alternative as an overly costly, environmentally damaging choice. We support Alternative 44 (Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane). Specifically, the Easton Historical Society believes its building would be threatened by vibrations from passing trains and the potential derailment of trains at the junction with Oliver Street. We also believe that the fencing and safety equipment required for the rail alternative would unnecessarily degraded the aesthetics of the F. L. Olmsted designed grounds of the station.

Studies done by South Coast Rail show that vibration effects at the Old Colony Railroad Station, which sits about 10 feet from the tracks, could exceed those needed to damage fragile buildings. These effects could take place with train speeds as low as 20 miles per hour. As a National Landmark and one of five H.H. Richardson buildings in Easton, protection of the station from damage by vibration during and especially after construction should be a top priority, but the only way to guarantee the safety of this important building is to seek an alternative route.

N-006-001

N-006-002

N-006-003

N-006-001

MassDOT has noted and considered your comment.

N-006-002

DEIS/DEIR Chapter 4.8, Section 4.8.3.10.6 indicates that vibration levels at the Easton Historic Train Station and other historic buildings in Easton Village would be below the 100 VdB vibration threshold for the onset of minor structural damage (such as small cracks in plaster walls) to fragile and historic buildings. Constructing fences and other safety features would introduce new visual elements in proximity to the historic station. To the extent practical, these features would be designed to be consistent with the F.L. Olmstead landscape.

N-006-003

Potential impacts associated with the South Coast Rail alternatives, related to vibration, are described in Section 4.7.3 of the DEIS/DEIR. As discussed in this section, the vibration levels at the Easton Historic Train Station and other historic buildings in Easton Village would be below the 100 VdB vibration threshold for the onset of minor structural damage (such as small cracks in plaster walls) to fragile and historic buildings.

Construction-period vibration impacts would be assessed for each alternative during the final design phase, when construction methods and the locations of specific types of construction equipment have been identified.

N-006-004 During the previous round of studies the MBTA was unable to assess the potential for substantial damage to the Old Colony Railroad through a derailment. It was asserted at one point that "the track segment is straight, with no curves, changes in grade or structural inadequacies that could result in a derailment." This suggest that a derailment is impossible begs the question of human error, poor maintenance, and most importantly the proximity of the station to a crossing. Do any mitigating procedures exist that could prevent a derailment caused by an automobile-train accident from hitting the station. What impact would such mitigation have on the historical integrity of the site? In addition the Historical Society is concerned about the increased annual cost of insurance if we were located next to an active rail line.

N-006-005 Last, the Historical Society believes that the fencing and safety features required by the rail alternative would negatively and permanently impact the North Easton Historic District. Earlier reports suggested mitigation such as the use of black paint on fencing and additional landscaping, but we feel this would only further the negative impact. We also have no confidence in the MBTA's ability to maintain any proposed aesthetic mitigation. Our building, and its F. L. Olmsted designed grounds, is the center for national and international visitors to the North Easton Historical District. We believe that a viable alternative to costly and environmentally damaging rail transportation exists. We urge you to adopt Alternative 44 (Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane) to prevent irreparable damage to historic structures in the North Easton Historic District.

Sincerely,

Edmund Hands
Vice President, Easton Historical Society

N-006-004

Grade crossing safety mitigation is outlined in the DEIS/DEIR Section 4.1.5.1. MassDOT has noted your concern about increased annual cost of insurance.

N-006-005

Constructing fences and other safety features would introduce new visual elements to the historic district. To the extent practical, these features would be designed to be consistent with the architectural style of other buildings within the district. The Federal Railroad Administration (FRA), the federal agency overseeing railroad safety, and the MBTA continually strive to improve safety on the railroad. The MBTA regularly inspects all infrastructure systems (track, signal systems, grade crossing warning systems) and equipment to ensure it is functioning properly. The MBTA maintains both its tracks and equipment to high standards reducing to the greatest extent possible the potential for derailments. MassDOT commits to working with the Easton Historical Society in designing new visual elements.

Fernandes & Charest, P.C.

Certified Public Accountants
& Business Consultants

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AE

January 6, 2009

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

RECEIVED
JAN 8 2009
MEPA

Re: South Coast Rail Project
Permit Number NAE-2007-00698

Dear Mr. Anacheka-Nasemann:

N-007-001 Please accept this letter as evidence of our support for the establishment of passenger rail service between the South Coast region and Boston.

We are a local public accounting firm in Westport, Massachusetts and our mission is to assist our clients in the South Coast region, manage, grow and enhance the success of their businesses. We remain a strong advocate for the extension of commuter rail service from Boston to New Bedford and other communities in the South Coast region of Massachusetts. We 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.

We thank you for your consideration on this important economic development issue. Please do not hesitate to contact us if we can be of assistance.

Sincerely,

Bruce E. Fernandes, CPA
President

Terrance A. Charest, CPA
Vice President

Michael D. Pontes, CPA
Treasurer

cc: Ian Bowles, Massachusetts Secretary of Energy & Environmental Affairs

N-007-001

MassDOT has noted and considered your comment.

AG

First Citizens'
FEDERAL CREDIT UNION

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JAN 9 2009
MEPA

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New Bedford, MA
02740
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N. NEW BEDFORD
570 North Front Street
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S. NEW BEDFORD
1341 Cove Road
New Bedford, MA
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RAYNHAM
629 South Street West
Raynham, MA
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TAUNTON
Shaw's Supermarkets
280 Winthrop Street
Taunton, MA
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FALMOUTH
Library Square
352 Main Street #7
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ORLEANS
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affiliated with:
First Citizens' Insurance Agency

N-008-001

January 9, 2009

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

RE: SouthCoast Rail Project
Permit Number NAE-2007-00698

Dear Mr. Anacheka-Nasemann:

I am writing this letter in full support of the need to establish passenger rail service between the SouthCoast region and Boston.

Having spent the first twenty years of my career working in Quincy, MA, I personally witnessed the positive transformation of a region that was opened up because of a commuter rail extension. The past twelve years I have worked in New Bedford, which in very similar to my Quincy experience *before* the extended commuter rail. I have seen and believe that the commuter rail extension is absolutely critical to economic development and growth in this region. 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.

I thank you for your consideration on this important economic development issue. Please do not hesitate to contact me if I can be of assistance.

Sincerely,

Peter J. Muise
President & CEO

cc: Ian Bowles, Massachusetts Secretary of Energy & Environmental Affairs

N-008-001

MassDOT has noted and considered your comment.

GATRA
GREATER ATTLEBORO-TAUNTON REGIONAL TRANSIT AUTHORITY

AE

December 22, 2008

Mr. Aisling Eglington, Analyst
MEPA
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, MA 02114

RECEIVED
DEC 30 2008
MEPA

RE: EOEA No. 14346 South Coast Rail Project

Dear Mr. Eglington:

N-009-001 The Greater Attleboro Taunton Regional Transit Authority (GATRA) would like to make comment on the above mentioned project. While GATRA does support the extension of commuter rail service to the southeast area of Massachusetts, it should be noted this expansion needs to be closely tied to an enhancement of local public transit services as well. The expansion of rail service to the region will affect at least two regional transit authorities GATRA and the Southeastern Regional Transit Authority (SRTA). Both authorities should be in discussions with the consultants working on this project to decide and define the expansions of local service that would be needed to plan for the beginning of commuter rail service. GATRA would need to add more service as well as begin new services to train station facilities in its region. Depending on the final route alternative selected other significant impacts could affect GATRA even to the location of a station at its current bus terminal facility in Taunton.

N-009-002 GATRA considers the proposed expansion through Stoughton as being the most direct and efficient route to bring train service to Southeastern Massachusetts. The other alternatives proposed will create a significant number of at grade crossings which will not only cause safety and transportation related issues but could also impact GATRA routes and dial-a-ride operations.

N-009-003 Another option that deserves further study is the institution of a bus rapid transit service following the Route 24 corridor. The benefits of bus rapid transit have been identified in several projects around the country. This alternative would need to be priced out in greater detail to understand the implications of developing such a system and the trade offs that the route layout would provide. The final siting of train stations or other facilities along the route needs to be reviewed with the regional transit authorities so that adequate planning can be incorporated into the design of these facilities to assist public transportation to and from the site as much as possible. The provision of some priority signaling

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N-009-001

MassDOT is committed to work with GATRA and SRTA to identify local services needed to support commuter rail. Initial discussions have already begun and after the LEDPA is selected, MassDOT will initiate more detailed planning with the RTAs.

N-009-002

MassDOT has noted and considered your comment.

N-009-003

The Rapid Bus Alternative was advanced for evaluation in the DEIS/DEIR. This alternative and feeder bus opportunities are discussed in DEIS/DEIR Section 3.2. Rapid Bus and the other Build alternatives are evaluated in Section 3.3. Further details of the Rapid Bus design and operation will be considered should the alternative be selected as the LEDPA. MassDOT will continue to coordinate with GATRA and other RTAs on multi-modal opportunities as the project advances.

N-009-003 and other enhancements to ensure the quick movement of buses in and out of facilities may be in order as well as enhanced intelligent transportation information systems for both the riding public on the commuter rail services well as the local bus systems should be part of the final plan to move towards implementation.

This is an ambitious project to undertake and at this point local public transportation needs need to be identified and prioritized as well as the regional train cost and needs analysis. Unless a comprehensive plan is put together one or both systems will suffer in operations once service begins. Public transportation needs to be at the forefront and needs to be adequately financed as part of a commuter rail expansion plan for the region.

Sincerely,

Francis J. Gay
Administrator

sf

AE

Greater Fall River Land Conservancy

P.O. Box 9155
Fall River, Massachusetts 02720
(508) 672-8217
ajlima@comcast.net

RECEIVED
JAN 20 2009
MEPA

January 9, 2009

Ian Bowles, Secretary
Executive Office of Energy and Environmental Affairs
MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA# 14346: South Coast Rail Project

Dear Secretary Bowles:

The Greater Fall River Land Conservancy is a local land trust whose service area includes Fall River and Freetown. On behalf of our membership, we wish to submit the following comments on the above-referenced project.

Since the South Coast Rail Project will include a commuter rail station in Assonet, the resulting development will have positive and negative consequences. On the positive side, the project promises to promote concentrated "smart growth" in the vicinity of the rail station. One of the negatives, however, is that this development will threaten a nearby site of major environmental and historical importance. This site is called Peace Haven.

It would be ironic---and tragic---if two Commonwealth public works projects (the Freetown Commuter Rail Station and the nearby proposed interchange on Route 24) were responsible for the destruction of one of the Commonwealth's most significant historical, archaeological and environmental sites. However, that is what will happen if nothing is done to stop it. You can help to prevent this from happening by requiring an adequate assessment of possible mitigation measures to protect the Peace Haven site.

N-010-001 Because of the impact of the project on this site, we request that you include in your Certificate a requirement that the proponent analyze all impacts from the project on the Peace Haven site and that this assessment include adequate mitigation, including acquisition, if that is deemed necessary.

N-010-002 We would hope, however, that the EIR would go beyond mitigation and explore how the project can actually advance smart growth by facilitating growth near the rail station and land protection further from the station. The Freetown commuter rail station provides an

N-010-001

The archaeological and historical sites potentially affected by the South Coast Rail project are described in DEIS/DEIR Chapter 4.8, Section 4.8.3. The Peace Haven site would not be affected by the South Coast Rail project. However, the Peace Haven site is included in a Priority Protection Area, as described in the Corridor Plan.

N-010-002

As part of the technical assistance program, MassDOT is providing assistance through SRPEDD to the Town of Freetown to plan for future growth and land protection in this part of Freetown.

N-010-002 excellent opportunity to have a win-win by encouraging growth where it is appropriate and facilitating the protection of natural and historical resources at the Peace Haven site and along the Taunton River Greenway.

N-010-003 The Conservancy also wishes to request that we be consulted during the preparation of the EIR to assure that all of the issues of concern to us are included in the project assessment.

Thank you for your consideration of these comments.

Sincerely,

Alfred J. Lima, President
Greater Fall River Land Conservancy

Cc: Alan Anacheka-Nasemann, US Army Corps of Engineers
Kristina Egan, South Coast Rail Manager
SE Regional Planning and Development District
Freetown Board of Selectmen
Freetown Conservation Commission
Freetown Planning Board

N-010-003

The Greater Fall River Land Conservancy is invited to comment upon the DEIS/DEIR as part of the public participation process.

AE

Green Futures

P.O. Box 144
Fall River, Massachusetts 02724-0144
(508) 673-9304
www.greenfutures.org
info@greenfutures.org

"Citizen action for a better community."

RECEIVED
JAN 20 2009
MEPA

January 9, 2009

Ian Bowles, Secretary
Executive Office of Energy and Environmental Affairs
MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA# 14346: South Coast Rail Project

Dear Secretary Bowles:

Green Futures is a regional environmental advocacy organization based in Fall River. On behalf of our membership, we wish to submit the following comments on the above-referenced project:

N-011-001 In general, our organization is in favor of the South Coast Commuter Rail Project, since it promises to bring significant economic benefits to the area. However, there is one issue that concerns us very much and that *must* be given consideration during the MEPA review. That issue is the danger posed by the Freetown commuter rail station to the site known as Peace Haven.

Peace Haven is a 600-acre site in Assonet that abuts the proposed location of the South Coast Commuter Rail station in Freetown. About half of the site has been developed as the Stop and Shop Distribution Facility and another part of the site was developed as the former Algonquin Gas facility, now a Chapter 21E site. The most significant part of the site---about 300 acres---is still undeveloped. Part of this undeveloped land includes resources of major significance to the Commonwealth.

Our concern is that two major Commonwealth public works projects---the commuter rail station and the proposed interchange on Route 24---will accelerate development in the area that will result in the destruction of Peace Haven.

N-011-002 We therefore request that you include in your scope a provision where the proponent will be required, as part of project mitigation, to implement a plan to protect the environmental and historical resources of Peace Haven, including an acquisition option.

N-011-001

MassDOT has noted and considered your comment.

N-011-002

The archaeological and historical sites potentially affected by the South Coast Rail project are described in DEIS/DEIR Chapter 4.8, Section 4.8.3. Peace Haven would not be impacted by the South Coast Rail project; no mitigation is required. However, the Peace Haven site is included in a Priority Protection Area, as described in the Corridor Plan.

N-011-002

Peace Haven has enormous archaeological significance, having been occupied by native tribes for over 12,000 years; when humans started settling in the area following the end of the last ice age. The artifacts found by Fall River's Roy Athearn and other members of the Mass Archaeological Society are in the Athearn collection at the Somerset Historical Society and other locations. Peace Haven is generally regarded by professional archaeologists and the Massachusetts Historical Commission as one of the most important pre-contact sites in Southern New England.

The site was also significant during King Philip's War, when King Philip of the Pokanokets and Queen Weetamoe of the Pocassets fled from the English on July 20,1675 after the battle of the Pocasset Swamp in Tiverton. They arrived at Winslow Point at Peace Haven, crossed the Taunton River and then joined with the Nipmucks in central Massachusetts, thereby starting the war that changed the history of New England. They fled along the Maury Path, and an effort to join Peace Haven with the abutting Freetown-Fall River State Forest would allow the restoration of the route taken by King Philip, Weetamoe and their warriors.

Peace Haven also includes unique and significant geological formations that were created when the area was flooded by Glacial Lake Taunton during the last ice age. These formations include kame terraces and an esker that juts out into the river.

Not the least of the assets of Peace Haven is its remarkable scenic qualities. Located on the Taunton River where the estuary widens, it is one of the most beautiful landscapes in the area. The diversity of landscapes within the site also makes it a very productive wildlife habitat.

Finally, Peace Haven is part of the larger Taunton River Greenway, an initiative to preserve the intact shoreline along this river that will soon be designated Wild and Scenic by the US Congress.

There are, however, major challenges to saving the site. The first of these challenges is that the parcel is zoned industrial and is part of the Riverfront Industrial Park in Freetown. Secondly, the new interchange to be built on Route 24 will provide direct access to the site, increasing its potential for development. Third, the proposed South Coast Commuter Rail Station will directly abut the Peace Haven site.

It is ironic that Commonwealth taxpayers will be funding a commuter rail station and an interchange that will contribute to the destruction of one of the Commonwealth's most significant historical sites.

We therefore request that you require the proponent to develop a plan that will mitigate the impact on Peace Haven of development resulting from the Freetown commuter rail station. We also ask that this mitigation include an option to acquire the site.

Thank you for the opportunity to comment on this project.

Sincerely,

Timothy Bennett, President
Green Futures

Cc: Alan Anacheka-Nasemann, US Army Corps of Engineers
Kristina Egan, South Coast Rail Manager
SE Regional Planning and Development District
Freetown Board of Selectmen
Freetown Conservation Commission
Freetown Planning Board

January 9, 2009

Richard Langseth
Executive Director, Greenwich Bay Watershed Group
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Alan Anacheka-Nasemann
US Army Corps of Engineers
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Secretary Ian Bowles
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Re: Comments about Environmental Notification Form - South Coast Rail Project and Army Corps. Notice of Intent to Prepare an Environmental Impact Statement

Dear Messrs Anacheka-Nasemann and Bowles:

These remarks are by Richard Langseth, Executive Director of the Greenwich Bay Watershed Group. Our group was invited to participate in the development and implementation of the Greenwich Bay Special Area Management Plan or SAMP, a NOAA-funded project. The SAMP is directly connected to this South Coast Rail Army Corps EIS study by the Taunton River and Narragansett Bay.

The ***Greenwich Bay Special Area Management Plan (SAMP) Economic Investment Chapter Summary*** published on January 21, 2004 asks the following question:

> "How does Greenwich Bay maintain its sense of place and environmental health while also encouraging/accommodating economic development?"

One finding of the SAMP team at the University of Rhode Island, Ocean Center was "Growth Centers: Greenwich Bay borders the T.F. Green Growth Center making it a likely candidate for attracting state investment for urban growth that maintains a sense of place. Goals include linking the airport to regional trains…"

N-012-001 Regional train service to and from our watershed is severely constrained by a lack of rail capacity between Canton Junction and Forest Hills on the Northeast Corridor where the Providence trains merge with Stoughton Branch trains. The Army Corps notice directly references this additional rail requirement under the Attleboro Alternative 1. It fails to point out, however, that **the Stoughton Alternative 2 shares the same constraint.** The consultant has found that both alternatives pass through the same overused portion of the Northeast Corridor, that section between Canton Junction and Forest Hills. See details below about this project's ***Capacity Utilization Analyses Technical Memorandum***.

1 of 8

N-012-001

While both the Attleboro and Stoughton alternatives would pass through this segment of the Northeast Corridor, their relative impacts on the segment differ substantially. The Attleboro Alternatives are expected to add 38 new daily trains through the segment, while the Stoughton Alternatives are expected to add 2 new daily trains through the segment. This is because the Stoughton Alternatives would be an extension of existing service, while the Attleboro Alternatives would be entirely new service.

January 9, 2009

Overview of our Comments: The Northeast Corridor, from Canton Junction to Forest Hills, is the part of the corridor that the South Coast Rail Environmental Notification Form (ENF) requires an additional track under the rejected Attleboro option. But the executive summary finds that the accepted Stoughton option that follows the exact same path does not require the additional track. This finding makes no sense. Both options should require the same structure for the same location for additional trains. These additional trains are shown to be needed for the Stoughton Alternative in the capacity model tied to this study.

These proposed additional trains are then cut out of the Stoughton option potentially forcing overcrowding on the currently in service Stoughton Branch trains. The new trains are kept in the Attleboro option forcing the building of an additional track. The consultant then rejects the Attleboro option because it requires an additional track.

This rail capacity issue is the result of not meeting a 1995 Amtrak Record of Decision (ROD) mitigation requirement for the electrification of the Northeast Corridor. This ROD requires bypass tracks at every station. It has never been properly dealt with in Massachusetts except at the Attleboro station. Rhode Island is now building these bypass tracks at the Warwick Intermodal and Wickford stations. This problem affects tens of thousands of rail commuters and motorists in Massachusetts and Rhode Island.

This Attleboro option rejection leaves $300 million of MBTA revenue on the table, revenue that cannot be collected using the Stoughton alternative. This is because the Attleboro trains would all be new. There would be no existing passengers. The Executive Summary fails to recognize this problem.

There has been $400 million in state and federal investment in MBTA infrastructure in Rhode Island since the Amtrak ROD was finalized. This investment included building out the ROD's mitigation requirements in Rhode Island. However, the only place in Massachusetts where the mitigation was carried out was in Attleboro.

N-012-002

Comment 1: The South Coast Rail Environmental Notification Form (ENF) prepared for the Massachusetts Executive Office of Transportation and Public Works (EOT) by Vanasse Hangen Brustlin Inc.(VHB) and subcontractors dated November, 2008 overlooks several internal conflicts within that study document suite that led it to discard the Alternative 1 "Through Attleboro' option without recognizing that these conflicts should also eliminate the Stoughton Alternative for the very same reasons.

It is important for the Army Corps to recognize these conflicts within the ENF supporting documentation. When trains are blocked, thousands of people are late for work or home community activities. Also, operators of passenger trains that make 90 minute plus runs, as the proposed trains will, have an obligation to senior citizens and people with disabilities to have seats available during substantial portions of the runs. Under the Stoughton option, two prime hour trains are removed because they cannot get through the Northeast Corridor constraint. The result is the overcrowding of trains with long runs, a situation that causes problems for the elderly and for people with disabilities.

2 of 8

N-012-002

While both the Attleboro and Stoughton alternatives would pass through this segment of the Northeast Corridor, their relative impacts on the segment differ substantially. The Attleboro Alternatives are expected to add 38 new daily trains through the segment, while the Stoughton Alternatives are expected to add 2 new daily trains through the segment. This is because the Stoughton Alternatives would be an extension of existing service, while the Attleboro Alternatives would be entirely new service.

This rejected Attleboro alternative is of concern to our group because having it would increase capacity in the Northeast Corridor from the Warwick Intermodal. Building out this Attleboro alternative would make it practicable for people in our watershed to commute to jobs in the Boston area. This is a very important consideration given the fact that we in Rhode Island suffer from the highest unemployment rate in the nation.

N-012-003 This ENF should include an inter-regional mobility focus that recognizes that other users of the Northeast Corridor are impacted by decisions made for South Coast Rail, including those in our watershed who need to get to Boston by train to go to work every day. The Attleboro alternative should not be discarded.

N-012-004 **Comment 2:** VHB selected the Stoughton Alternative 2 to be moved forward while rejecting the Attleboro alternative. No financial data was presented to support that decision. The financials from ***The South Coast Rail, A Plan for Action, April 4, 2007*** signed by Governor Patrick make a compelling argument for the continuation of the Attleboro alternative study. We believe that excluding the Attleboro alternative without considering the financials in the governor's report potentially eliminates the Least Environmentally Damaging and Practicable Alternative (LEDPA), the Attleboro option.

Financials derived from that ***Plan for Action*** study show that the Stoughton alternative expenses and loan service for prime commuting period per seat per day service is a staggering $333 per passenger per day. This metric is many times the Federal Transit Administration (FTA) target for federally funded commuter rail service.

When you subtract the projected $5 million in revenue per year projected in ***A Plan for Action*** using a factor of 2220 commuters per day from the South Coast Rail cities and towns, the cash flow out of the MBTA is $322 per seat per day. If seats go empty, the cash flow picture looks worse. Not to sound flippant, but this cost is more than most South Coast riders would net in pay per day after the expenses of going to work and taxes. Excessive costs per seat is a common complaint for new rail service, but this situation is "off the scales" so to speak.

Our main concern is not the financials as such. The people of Massachusetts are welcome in our eyes to spend what they want to create a rail link to Fall River, New Bedford, and Taunton. Yet, as a watershed group protecting Narragansett Bay and its watersheds, we feel that a financially distressed project such as the Stoughton alternative should not plow its way through the Hockomock Swamp. The worst case for us would be for this rail link to die due to financial pressures after the swamp is compromised.

The cash outflow of $322 per passenger per day is way too much to ignore. One must ask if the municipal bond underwriters could market revenue bonds on this basis?

The Attleboro alternative will generate an additional $15 or more million in ticket sales per year ($300 million over the 20 year financial window) and alleviate serious overcrowding on the current MBTA trains in the corridor north of Attleboro. This is because the South Coast Rail trains running via Attleboro will not carry existing

N-012-003

The Attleboro Alternatives were evaluated in the DEIS/DEIR.

N-012-004

The Attleboro Alternatives were evaluated in the DEIS/DEIR.

Stoughton/Canton/Dedham/Hyde Park passengers. The Attleboro alternative also leaves open the option for federal funding for ROD-mandated Northeast Corridor mitigation projects funded by Amtrak or other federal grants. This alternative funding could bring the metrics into the range that is acceptable to the bond markets.

Comment 3: Two extra trains are proposed under the Stoughton proposal in this ENF to bring service up to the three train per peak period requirement of the MBTA. Currently there are only two peak morning hour trains running from Stoughton that could be extended to Taunton during the prime hours, Trains 906 and 908. A third train is needed to meet MBTA service requirements to Taunton. The evening situation is similar. Trains 917 and 919 could make prime hour trips to Taunton. A third train is needed.

However, these two additional trains are eliminated in the ENF study's detailed loading report, the ***Capacity Utilization Analyses Technical Memorandum*** dated November 17, 2008. (EOTPW/MBTA Contract No. X2PS68 VHB Project No. 10111.00, Prepared by: Systra USA). This capacity report shows that only the existing Stoughton trains can get through the Northeast Corridor without the third track. The proposed new trains would saturate the Northeast Corridor according to that part of this ENF study.

N-012-005

As noted in our Overview, this ENF did not consider the prior Record of Decision (ROD) affecting the Northeast Corridor in the study area. The ***Final Environmental Impact Statement/Report Northeast Corridor Improvement Project Electrification (NECIP) – New Haven to Boston, Federal Railroad Administration Record of Decision, May 1995*** is on file at the Transportation Library of the EOT. It spells out a mitigation requirement to add two bypass sidings at the various stations in the study area including Mansfield Station, Sharon, Canton Junction, and Route 128.

The reason why Systra USA was unable to simulate the addition of the two additional Stoughton MBTA trains to this corridor between Canton Junction and Readville Transfer in the ***Capacity Utilization Analyses Technical Memorandum*** section of this study is that these sidings called for by the prior ROD were never installed. With these sidings installed or an additional track for the run from Canton Junction to Forest Park, the additional trains could be scheduled.

N-012-006

Comment 4: It is surprising that VHB did not discuss this Amtrak electrification project ROD in this report. The additional track mitigation requirement is well known. VHB and the MBTA have discussed this need at public meetings. Both the MBTA and Amtrak discussed this problem at the New England Railroad Club meeting on the Northeast Corridor in Providence last spring. The mitigation requirement clearly offers up the possibility for federal funding to answer various needs, including the need of our residents to get full train service from the Warwick Intermodal to Boston.

The VHB finding that laying a third track between Attleboro and Canton Junction is impractical for logistics reasons raises questions. The very Amtrak ROD that allowed for the operation of high-speed Amtrak traffic in this area specifically called for this improvement. It should be built as part of the South Coast Rail Project.

N-012-005

As described in the Technical Memorandum, Network Simulation Analysis of Proposed 2030 MBTA/Amtrak operations, programmed MBTA and Amtrak capital improvements already committed for the Northeast Corridor between Providence and Boston circa year 2030 were included in the simulation model.

N-012-006

DEIS/DEIR Chapter 3, Section 3.2.1.2 describes the Attleboro Alternatives and the requirement for the third track along the Northeast Corridor segment.

With this third track in place, substantial additional revenue would be generated, as much as $15 million or more per year or $300 million during the 20 year study period.

N-012-007 **Comment 5:** Much is made of the disruption that laying the additional track would cause to existing service. However, since an additional track would be required from Canton Junction to Forest Hills to make the Stoughton option "work" according to the parameters in the capacity analysis, it would not be that much more disruptive to add the track from Attleboro rather than from Canton Junction. Two or more construction crews could operate in tandem, one or more north of Canton Junction and one or more south of Canton Junction.

Under the current setup, there is occasional track work to be done during the prime periods. This causes disruptions. With an additional track in place, these disruptions would be minimized. There are engine problems from time to time and accidents to deal with. They also cause disruptions. The additional track would help mitigate some of these operational disruptions.

N-012-008 **Comment 6:** There is another factor to consider, potential Northeast Corridor improvements to be funded under P.L. 110-432, the ***Passenger Rail Investment and Improvement Act of 2008*** enacted into law on October 16, 2008. Since substantial improvements that parallel the Attleboro alternative third track are called for in the Amtrak ROD as mitigation items, there is reason to believe that federal funding may be made available for the Northeast Corridor portion of the South Coast Rail project under P.L. 110-432. This possibility was not discussed in the ENF.

What could be more important than new sources of funding for potential overlapping projects and federally enforceable ROD mitigation requirements that deal specifically with the issue at hand, Northeast Corridor capacity under both the Attleboro and the Stoughton alternatives?

N-012-009 **Comment 7:** The Army Corps notice being discussed here points out that "The 'Attleboro Alternative' would expand service via the existing AMTRAK Northeast Corridor, with added capacity, new track…" etc. But, the Massachusetts ENF discards this alternative as being impractical without discussing financials. We strongly urge the lead agency, the Army Corps to continue to consider the Attleboro Alternative 1.

N-012-010 An interagency working group has been formed to help guide the development of the South Coast Rail service. This group has met several times to discuss not only the development of the "passenger rail service between Boston and New Bedford/Fall River" as noted in the ***Army Corps Notice of Intent to Prepare*** but also to plan out train stations and associated land use or "Smart Planning" issues.

Smart planning seems to be a good approach. However, care must be taken or an option like the Attleboro alternative may fall into a back seat to other alternatives because there may be less potential for new smart development along the existing Northeast Corridor that would be used by the Attleboro option rather than a new alternative.

N-012-007

As described DEIS/DEIR Chapter 3, Section 3.2.5.2, Rail Build Alternatives, passenger and freight rail services currently operate on the Northeast Corridor. Passenger services include Amtrak and MBTA. CSX operates freight from 4:00 AM to 1:00 AM, 7 days per week. Construction would require that the existing catenary system be de-energized during the week. Therefore, constructing outside these operating hours would significantly impact the construction duration for the Attleboro Alternatives. A third track would not be required between Canton Junction and Forest Hills.

N-012-008

SYSTRA's *Network Simulation Analysis of Proposed 2030 MBTA/Amtrak Operations*demonstrates that the Stoughton Alternative works without the need for any additional infrastructure on the Northeast Corridor. It is substantially farther from Attleboro to Readville (20 miles) than from Canton Junction to Readville (5 miles), and there is no need to add trains to the 2030 No Build condition in order to provide South Coast Rail Service under the Stoughton Alternative. The third track is not included in the No-Build because it is not a planned transportation improvement.

N-012-009

The Attleboro Alternatives were evaluated in the DEIS/DEIR.

N-012-010

Smart growth will not be a significant factor in the LEDPA selection.

N-012-010 A balance is needed between the competing goals of providing the least damaging but cost effective rail infrastructure to take cars off the highways while allowing for smart development along the rights of way. Clearly the Army Corps is in the position to keep that balance alive. This balance is a major reason for the Army Corps to keep the Attleboro alternative alive. It may not be the "coolest" approach, but it does get the job done with a minimal impact to very sensitive wetlands.

N-012-011 **Comment 8:** The MBTA has authorized the expenditure of an amount not to exceed $9,355,042 for VHB to plan out the South Coast Rail development. This should provide for a very complete planning process. It should give VHB the flexibility to fold in findings from prior studies that it has worked on in the Northeast Corridor in both Massachusetts and Rhode Island into both the Attleboro and the Stoughton options.

VHB's ***Pawtucket/Central Falls Commuter Rail Station Study*** is a good one. It discusses the use of the Attleboro Secondary as well as passenger and freight use of the Northeast Corridor. It includes interviews with the railroads plus string chart simulations of the Northeast Corridor/Southwest Corridor between Providence and Boston that it, VHB developed with its own staff that was specifically assigned to the MBTA.

One finding of that study is that schedules are so tight in the corridors that some existing MBTA trains do not have the luxury of stopping in Pawtucket for fear of throwing off the schedules for Amtrak Acela, Amtrak Regionals, and other MBTA trains. This study showed the first southbound MBTA train arriving at the Warwick Intermodal at about 6:30 p.m. Since that time, Amtrak, the scheduling agency for the Northeast Corridor has juggled some peak service, delaying northbound MBTA departures from Providence by 30 minutes to get another southbound to the Intermodal. This is shown in the agreement between Amtrak and Rhode Island Public Rail Corporation finalized this past fall.

All of this congestion affects the Stoughton alterative just as much as the Attleboro alternative. Since VHB is in the center of all of this existing planning, the knowledge from those prior studies and activities should be applied to the current study, the ***Capacity Utilization Analyses Technical Memorandum*** dated November 17, 2008 to revalidate the new simulation studies being performed by VHB's sub contractor, Systra USA against its own VHB study for the Pawtucket/Central Falls performed two years ago.

N-012-012 **Comment 9:** Although the South Coast Railroad project appears to be an isolated, Massachusetts only, transportation project in this study, it really isn't. SRPEDD, the MPO largely coordinating this project has invited the Rhode Island MPO (Rhode Island Statewide Planning) into the planning process for the Northeast Corridor. Until now, SRPEDD has been questioning Rhode Island Statewide Planning more often than not on how its South County Rail project might impact train service in the Attleboro and Mansfield areas. Now the shoe falls on the other foot. Rhode Island Statewide Planning should be asking how SRPEDD's South Coast Rail project impacts Rhode Island passengers from Providence, Warwick and Wickford. For this reason, we recommend that Rhode Island Statewide Planning be brought into the picture to attend interagency meetings and comment on this EIS process as it moves forward.

N-012-011

While both the Attleboro and Stoughton alternatives would pass both utilize a segment of the Northeast Corridor, their relative impacts on the segment differ substantially. the Attleboro Alternatives are expected to add 38 new daily trains through the segment, while the Stoughton Alternatives are expected to add 2 new daily trains through the segment. This is because the Stoughton Alternatives would be an extension of existing service, while the Attleboro Alternatives would be entirely new service.

N-012-012

The South Coast Rail project is not expected to impact rail service from the Providence, Rhode Island area, currently served by Amtrak along the Northeast Corridor. That service is not expected to change as a result of the South Coast Rail project, regardless of which alternative is implemented.

January 9, 2009

In summary, we stress the importance of bringing the Attleboro alternative forward for final consideration. It is the only alternative that seems to be somewhat financially viable, especially if Amtrak mitigation funds can be uncovered to satisfy the ROD requirements. This alternative would help us in our mission and the mission of the Greenwich Bay SAMP sponsors to create jobs in our watershed.

Because the Attleboro alternative will not go through the Hockomock Swamp, our Greenwich Bay is better protected. The Hockomock Swamp is important to the health of the Taunton River, Mount Hope Bay, and eventually Narragansett Bay and Greenwich Bay. The Hockomock is also of interest to American Indians living in our watershed. Before first contact, Greenwich Bay was the home of over 10,000 Narragansetts and Wampanoags. Many of these people dispersed into the woods including to the Hockomock Swamp. But some remain to coach us on their unique needs.

We trust that you will consider our comments and make them part of the official record associated with both documents, the Army Corps Notice of Intent and the Massachusetts ENF comments file.

It is our goal to make the larger environment better for all of us, residents of our watershed and residents of Fall River, New Bedford, Taunton (my home town) and even possibly Newport. To accomplish this, we need you to find that the Attleboro Alternative Number 1 should remain on the table.

Sincerely yours

Richard Langseth

cc: Jared Rhodes
Chief, Division of Planning
Statewide Planning Program
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January 9, 2009

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AE

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January 6, 2009

RECEIVED
JAN 6 2009
MEPA

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

Re: **SouthCoast Rail Project**
Permit Number NAE-2007-00698

Dear Mr. Anacheka-Nasemann:

N-013-001

Please add me, as well as my friends and clients as supporters of **passenger rail service** between the SouthCoast region of Massachusetts and Boston. As a board member of the New Bedford Area Chamber of Commerce, I have been among those who have long waited for the project to come to fruition.

Such a project promises much for the economic future of this region and for the state as a whole, including:

- Relief for those drivers who commute everyday from this area to Boston;
- Enable persons who would like to re-locate to the SouthCoast but for the lack of a viable public transportation system;
- Bringing more industry and business to the SouthCoast which has an under-employed workforce since the exodus of the textile and other industries from the region; and
- Better enable visitors from the Boston area travel to this area and take advantage of the rich cultural histories of cities like New Bedford and Fall River.

We thank you and the US Army Corps of Engineers for your time and consideration of this project which is vital to the economic development of the SouthCoast.

Please call if I can be of any assistance.

Best regards,

Doug Leatham

Doug Leatham
Cc: Ian Bowles, Massachusetts Secretary of Energy & Environmental Affairs
Roy Nascimento, CEO of the New Bedford Area Chamber of Commerce

490 Pleasant Street, New Bedford, MA 02740 *www.leatham-cpa.com*

N-013-001

Thank you for your support of the South Coast Rail project.

Mass Audubon

Protecting the Nature of Massachusetts

January 9, 2009

Mr. Alan Anacheka-Nasemann
U. S. Army Corps of Engineers
New England District
Regulatory Division
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696 Virginia Road
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Secretary Ian Bowles
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Boston, MA 02114

Via Email: SCREIS@usace.army.mil and aisling.eglington@state.ma.us

Re: Notice of Intent to Prepare an Environmental Impact Statement for South Coast Rail, NAE-2007-00698 and Environmental Notification Form for South Coast Rail, EOEEA #14346

Dear Mr. Anacheka-Nasemann and Secretary Bowles:

On behalf of Mass Audubon I submit the following comments on the scope for the Environmental Impact Statement (EIS) and Environmental Impact Report (EIR) for the South Coast Rail (SCR) Project. Mass Audubon is an abutter to the SCR project through its ownership of property in Lakeville that the proposed rail line crosses or abuts. It is likely there will be impacts to Mass Audubon property. Mass Audubon is a member of the Taunton River Watershed Campaign, a coalition of ten environmental and regional planning groups committed to the protection and restoration of natural resources in the Taunton River Watershed. I am a member of the Commuter Rail Task Force and participate regularly in Task Force meetings.

SUMMARY COMMENTS

We request that the following items be addressed in the EIS/EIR. Detailed comments on these issues will follow:

- Project purpose and need, including reconciliation of state and federal purpose statements, demand and ridership, evaluation of Smart Growth benefits and detriments and consideration of reductions in traffic and air emissions;
- Alternatives analysis, including Middleborough alternatives, use of existing highway corridors, criteria to determine practicability, project costs and consideration of project in context of benefits to and needs of overall MBTA system;
- Assessment of natural resources in the project Study Area, including but not limited to wetlands, water resources, rare species, conservation lands, and other significant habitats;
- Analysis of project impacts, including demonstration of avoidance and minimization of impacts and proposals for mitigation;
- Impacts to conservation lands including Mass Audubon property.

N-014-001 Mass Audubon supports commuter rail improvements as an alternative to highway expansion and where it serves to reduce emissions of greenhouse gases. We also support Smart Growth that concentrates development on appropriate land in close proximity to transit and other infrastructure to preserve habitat, reduces vehicle-miles traveled, and encourages people to live and work in close proximity. However, as the ENF filed acknowledges, the SCR Project involves significant adverse environmental impacts, with "high levels of impacts" associated with the Stoughton alternative. This project also entails a major investment of up to $3 billion in expansion of the Massachusetts Bay Transportation Authority's (MBTA) commuter rail system at a time when the MBTA is struggling under a heavy existing debt load.

N-014-002 Alternatives Analysis and Applicable Laws

It is vital that the alternatives analysis for this project provide information that demonstrates compliance with the National Environmental Policy Act (NEPA), the federal Clean Water Act (CWA), the Massachusetts Environmental Policy Act (MEPA), the Massachusetts Endangered Species Act (MESA) and all other applicable environmental laws and regulations. This analysis must carefully evaluate the environmental impacts of the project to demonstrate that the preferred alternative is the least environmentally damaging practicable alternative. It must also evaluate the financial impacts in relation to the needs of the overall commuter rail system.

N-014-003 The Guidelines to Implement Section 404(b)(1) of the 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 Massachusetts Wetlands Protection Act, variances from the performance standards may only be granted if the project fulfills an overriding public interest and there are no reasonable conditions or alternatives that would allow the project to proceed in compliance. The Massachusetts Endangered Species Act also requires an alternatives analysis and demonstration that impacts to rare species have been avoided and minimized. The EIS/EIR must demonstrate compliance with all of these requirements as well as with all other applicable laws and regulations.

Climate Change

N-014-004 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 loss of shoreline wetlands and other habitats. These concerns underscore the need to identify an alternative that avoids wetlands loss to the greatest extent practicable.

Our specific comments on the scope for the EIS/EIR are provided below:

PROJECT PURPOSE

N-014-005 Two statements of purpose have been defined for the project: 1) a state purpose under MEPA and 2) a federal purpose approved by the Army Corps of Engineers. These need to be reconciled in the EIS/EIR. The statement for the purpose of the MEPA review is: "The 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, MA to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities."

N-014-001

MassDOT has noted and considered your comment.

N-014-002

Regulatory compliance with applicable federal, state, and local programs is discussed in DEIS/DEIR Chapters 4 and 7. The potential environmental impacts of each alternative on a broad range of resources is described throughout Chapter 4.

N-014-003

DEIS/DEIR Chapter 4.16, Section 4.16.4, and Chapter 7 describe regulatory compliance requirements of the Massachusetts Wetlands Protection Act and federal Clean Water Act. Compliance with the Massachusetts Endangered Species Act and the federal Endangered Species Act is described in Chapter 4.15, Section 4.15.4.

N-014-004

A comparison of each alternative's potential impacts to wetlands is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.5. Avoidance, minimization, and mitigation measures to reduce or offset unavoidable wetland impacts are described in Section 4.16.3.6. The cumulative effects of the project, combined with past, present, and reasonably foreseeable future actions, on climate change and biodiversity are described in Chapter 5, Section 5.4.2. The greenhouse gas emissions reduced by each project alternative are described in Chapter 4, Section 4.9.4.2.1.

N-014-005

MassDOT does not believe that the use of different statements of project purpose will result in irreconcilable differences between the Commonwealth's goals and the Corps' and DEP's permitting processes. Large complex projects such as South Coast Rail typically have different

N-014-005 The statement for the purpose of review under Section 404 of the federal CWA, as approved by the Army Corps of Engineers is: "The 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 MA to enhance regional mobility."

The ENF does not explain why the proponent has defined the project purpose differently for the state and federal review, or how the two "purposes" will be treated in the review process. We are concerned that the dual purposes may confuse the regulatory process, specifically because there may be alternatives that are preferable under the CWA but do not satisfy the MEPA purpose. Because the CWA requires selection of the Least Environmentally Damaging Practicable Alternative (LEDPA) that satisfies the federal project purpose, a more environmentally damaging alternative should not be permitted, even if that alternative fails to satisfy the MEPA purpose. We request clarification of how the difference in the two statements of project purpose will be addressed in the review.

N-014-006 Demand and Ridership

Both statements of purpose refer to "the existing and future demand for public transportation between Fall River/New Bedford (FR/NB) and Boston;" yet this demand is not defined. In fact, Section 2.5 of the Executive Office of Transportation's (EOT) 2007 document titled "Demand and Ridership" stated that the demand for transit service from Fall River/New Bedford to Boston has not been quantified in advance of embarking on this project. In order to determine which alternatives satisfy the project purpose, EOT should first quantify existing and future demand by providing ridership projections, especially for the FR/NB areas for each alternative considered. We noted in previous comments to EOT that the inclusion of all South Coast communities in the measurement of daily trips to Boston is not consistent with the stated purpose of meeting existing and future demand for public transport *between Fall River/New Bedford and Boston.* The EIS/EIR should clarify whether the project purpose seeks to serve all South Coast communities or primarily the Fall River/New Bedford areas.

N-014-007 Traffic Congestion, Emissions of Air Pollution and Greenhouse Gases (GHG)

As the ENF states and as EOT has reiterated at numerous public meetings, reduction of traffic congestion, air pollution and emissions of greenhouse gases are among the most important benefits associated with public transit systems. To reflect the importance of these potential outcomes, we urge you to expand the project purpose to include these goals: "and to reduce traffic congestion on existing roads, air pollution and emissions of greenhouse gases." Especially in light of the estimated high cost of the project, the question of whether any of these benefits will be realized is a crucial one that should be addressed in the EIS/EIR as criteria for determining whether alternatives satisfy the project purpose.

Smart Growth Evaluation

"Sustainable Development Principles" for the Commonwealth of Massachusetts, supported by Governor Patrick are found on the Commonwealth's website at: http://www.mass.gov/Agov3/docs/smart_growth/patrick-principles.pdf. Principle #1, "Concentrate Development and Mix Uses" states in part, "Encourage remediate and reuse of existing sites, structures and infrastructure rather than new construction in undeveloped areas." Principle #4, "Protect Land and Ecosystems" states, "Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, quality and accessibility of open spaces and recreational opportunities."

As noted above, the MEPA project purpose includes "while supporting opportunities for Smart Growth planning and development strategies in the affected communities." The ENF identifies opportunities for

statements of project purpose adopted by the project proponent and the regulatory agencies. Project proponents often develop a purpose statement that broadly defines the objectives and goals of a public infrastructure project, which may include enhancing a regional transportation system, improving public safety, improving air quality, supporting smart growth, contributing to economic growth, or promoting transportation equity. The proponent's purpose statement guides the Commonwealth's transportation planning and funding decisions. The broad framework statements used by MassDOT are consistent with the MEPA requirement that an EIR discuss "the objectives and benefits of the project" (301 CMR 11.07(6)). MassDOT's project purpose statement is just that – a statement of the Commonwealth's objectives in advancing the project.

N-014-006

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. Existing and anticipated future Boston work trips in the corridor are described in Chapter 2, Section 4.1.

N-014-007

The purpose and need for the South Coast Rail project was developed in consultation with the Interagency Coordinating Group and represents a consensus of all parties involved. The MassDOT agrees that the issues you identify (reduced traffic congestion, air pollution, and greenhouse gas emissions) are anticipated benefits of the project. All MassDOT goals are not integrated into the South Coast Rail project purpose statements and are discussed in Chapter 2 as part of the Purpose and Need.

Smart Growth benefits for each of the project alternatives in Chapter 4. We note that the cited benefits mostly relate to Transit Oriented Development (TOD) and redevelopment of urban areas. Mass Audubon strongly supports TOD and redevelopment of urban and brownfield areas.

We are concerned, however that other principles of Smart Growth are underemphasized or ignored in the ENF, for example conservation of open space and utilization of existing infrastructure, i.e., transportation corridors for new development. For example, the ENF identifies the construction of a rail line through the Hockomock Swamp, the Commonwealth's largest freshwater wetland as inconsistent with Smart Growth principles, and it does not point out that this Smart Growth detriment would not occur under the Middleborough or Rapid Bus alternatives. The ENF rejects the alternative of construction of a rail line on the existing Route 24/140 corridors, although that action would be consistent with the Smart Growth principle of utilization of existing transportation corridors for new development.

The ENF refers to a South Coast Rail Corridor Plan that will identify Priority Protection Areas (PPAs) and Priority Development Areas (PDAs), but it fails to provide information about how the project will fund or otherwise implement acquisition of PDAs or how the project will catalyze the adoption of state and/or local tools that will protect open space, such as open space zoning, wetlands and watershed bylaws or mechanisms to allow transfer of development rights. The ENF also cites "controlled and managed growth in accordance with Smart Growth planning" as a potential benefit of the SCR project (page 5-14) but provides no explanation of how this result would be achieved.

N-014-008 The EIS/EIR should provide a broad and objective evaluation of the Smart Growth benefits and detriments for each alternative for all communities likely to be impacted by the SCR Project. It should identify specific measures that may realistically achieve a wide range of Smart Growth benefits, including protection of open space, wetlands, streams and other habitat throughout the SCR Study Area and in other potentially impacted communities.

ALTERNATIVES ANALYSIS

N-014-009 The ENF includes the April 2008 *Analysis of South Coast Rail Alternatives: Phase I Report* based on a review by an interagency working group of 65 alternatives and the selection of the five presented in the ENF. Furthermore, EOT has already rejected some of those five alternatives. We urge you to require a significantly expanded range of alternatives beyond the three recommended by EOT. We are especially concerned that EOT recommended this reduction in the number of alternatives before ridership projections were completed and released for public review; this information is critical to determining which alternatives are viable. Also of concern is the fact that the Operations Analysis provided by the RAILSIM model has not yet been made available for public review.

N-014-010 In evaluating alternatives, the EIS/EIR should consider the potential benefits that each alternative would provide to MBTA commuter service systemwide in comparing alternative costs. Higher cost alternatives should not be automatically eliminated if they result in needed improvement elsewhere in the system.

N-014-011 **We urge you to retain the "Middleborough Full" alternative for full NEPA and MEPA review, and to evaluate the costs associated with improvements to alleviate the bottleneck in the Quincy/Braintree area in the context of overall system improvements, including potential future expansions of the commuter rail system in Southeastern Massachusetts, such as service to Cape Cod.** We note that the MBTA recently removed seating from some Red Line cars in order to make room for significantly increased ridership, providing one example of the mounting problems with capacity on the Old Colony/Red Line track system to meet demand.

We also note that the ENF states that ridership projections will be based on the year 2030. One reason given for elimination of the Middleborough Full alternative is that it cannot be completed by EOT's

N-014-008

The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. The DEIS/DEIR does not compare the alternatives based on their smart growth potential. While the alternatives would provide varying magnitude of transit-oriented development potential, each of the alternatives provides opportunities for smart growth.

N-014-009

As required by the Certificate on the ENF, three rail routes (and two power sources for each) and one highway route, along with the No-Build Alternative, are analyzed in the DEIS/DEIR. The most recent ridership analysis is provided in Chapter 3, Section 3.1.7 of the DEIS/DEIR, and the operations analysis is described in Section 3.2.5.2.1. The draft railroad simulation is provided on the project website, mass.gov/southcoastrail.

N-014-010

Chapter 3, Section 3.3 of the DEIS/DEIR provides a preliminary evaluation of the South Coast Rail alternatives. This evaluation considers how the alternatives would meet the project purpose, how practicable they are to construct and operate, and the magnitude of their environmental impacts and/or benefits.

N-014-011

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-014-012 deadline of 2016. Completion of the Middleborough Simple by 2016 would provide an interim level of service for Fall River and New Bedford, and Middleborough Full could be operational by 2030, the year on which the projections are based. The EIS/EIR should consider a combination of the "Middleborough Simple" and "Middleborough Full" alternatives.

N-014-013 In addition, we urge you to retain the following alternatives for further review:

- rail service in Route 24 corridor (entire length or between Routes 495 and 128);
- coupling of trains from Fall River and New Bedford at Taunton;
- service for Fall River and New Bedford through Wareham, as suggested by CSX Railroad. ("Cape Cod Offers Rail Plan," *The Enterprise*, October 6, 2008); and
- retention of single track in the Southern Triangle rather than double-tracking.

N-014-014 Finally, in light of the fact that the MBTA is currently under a very serious debt burden, this project, its alternatives and associated costs need to be evaluated in the context of the entire MBTA system and all of its expansion and operational needs and priorities.

Existing Route 24 and 140 Highway Corridors.

N-014-015 During the SCR Civic Engagement meetings, installation of a rail line in the existing highway corridors was suggested by a number of commenters who cited the potential for reducing the severity of environmental impacts associated with other options, for reducing or avoiding at-grade crossings and for providing increased visibility of the new rail service. The highways corridors are already heavily disturbed. They provide an alternative to the use of routes that run through highly sensitive ecosystems, such as the Hockomock, Pine and Assonet Cedar Swamps, areas where the project is likely to cause habitat fragmentation, intrusion into interior forest habitat and destruction or alteration to wetlands, rare species habitat and unique ecosystems that are difficult if not impossible to replace. Use of the highway corridors would be consistent with the Smart Growth Principles supported by the Governor, in that it would reuse existing transportation infrastructure to provide a new mode of service while protecting environmentally sensitive wetlands and ecosystems. We strongly urge you to reconsider this group of alternatives and to retain one of them for analysis in the EIS/EIR. The analysis presented in the ENF on this topic is not sufficient in depth and should be supplemented in the EIS/EIR.

N-014-016 We also request further clarification of the status of discussions related to the repair and widening of Route 24. Last November several newspaper articles (for example, "Drive on to fix Route 24," *Brockton Enterprise*, November 30, 2007) reported that local and state officials are discussing safety upgrades to Route 24 that would provide wider shoulders, improvements to interchanges and reconstruction of bridges. The ENF cites the need to widen the existing corridor and reconstruct interchanges as one factor in the elimination of the rail/highway corridor option. If any discussions are occurring regarding a Route 24 upgrade, the use of the highways corridors for rail should be retained and analyzed in the EIS/EIR. It would be an extremely unfortunate outcome to construct the South Coast Rail in a corridor that causes significant environmental damage, and shortly after to undertake Route 24 reconstruction with all of the associated costs and impacts that have been identified as reasons for eliminating the rail/highway corridor options.

N-014-017 The EIS/EIR should include a full analysis of whether the measures suggested in the "No Build" option, such as schedule changes and other enhancements to bus service and expansion of park-and-ride lots would satisfy the project purpose. Alternatives that enhance public and other shared transportation options and capacity in the region should be evaluated as "Build" options not "No Build."

N-014-012

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-014-013

The development of alternatives, previous evaluation and screening efforts, and station site selection are included in DEIS/DEIR Chapter 3, Section 3.1. Section 3.2 describes the alternatives evaluated in the DEIS/DEIR process; Section 3.3 includes a preliminary evaluation of these alternatives. Substantial single track alignments in the "Southern Triangle," south of Taunton, are part of each rail alternative evaluated in the DEIS/DEIR. The other alternatives noted in this comment were considered and eliminated as not practicable.

N-014-014

A detailed Finance Plan for the LEDPA will describe how the project will be funded.

N-014-015

As described in DEIS/DEIR Chapter 3, Section 3.1.3.5.1., Highway Corridor Rail Alternatives, constructing commuter rail within the existing highway right-of-way has been eliminated from consideration due to operational, construction, and environmental impacts.

N-014-016

As described in DEIS/DEIR Section 3.2.4.1.2, Regional Plan, highway improvement projects such as those proposed along Route 24 were taken into consideration. A full list of highway improvement projects included in the South Coast Rail project's background development is provided in Table 3.2-2.

CRITERIA TO DETERMINE PRACTICABILITY

N-014-018 The EIS/EIR should avoid the use of overly restrictive screening criteria to determine "practicability" that result in elimination of potentially viable alternatives. The following are examples of such criteria:

1. *Construction must be completed by the 2016 deadline established by EOT.* Viable alternatives that would provide modern, high quality transportation and avoid adverse impacts associated with other alternatives should not be eliminated based on the fact that they would require several more years to complete. Instead the EIS/EIR should evaluate ways to improve service from FR/NB to Boston in the interim; several options are suggested in the ENF's description of the "no build" alternative.

2. *Construction should not disrupt existing transportation operations.* This criterion strongly disfavors the use of existing transportation corridors which is likely to reduce environmental impacts and is consistent with Smart Growth. While we understand the need to keep the existing transportation arteries operative, we note that many transportation improvement projects have required short-term closures of existing travel lanes and other construction period impacts to traffic flow; yet these projects proceeded. The EIS/EIR should explore creative measures to manage transportation flow during construction for viable alternatives.

3. *Cost of the alternative should not exceed EOT's identified "budget" of $1.4 billion.* As noted above, alternatives that provide benefits to other lines in the MBTA system should not be eliminated solely on the basis of cost. In these cases, the full cost of the alternative should not be attributed to the SCR project, but should be pro-rated in consideration of the other benefits to the MBTA commuter rail system.

4. *The use of travel times* to compare alternatives is a significant factor, but this factor should not be interpreted as a directive to choose the alternative that provides the fastest commute.

EVALUATION OF INDUCED GROWTH

N-014-019 While the ENF refers to the anticipated benefits of the SCR project related to economic growth, job creation and stimulation of the housing market in the South Coast region it fails to discuss the potential negative impacts of the project on induced growth. The EIS/EIR should provide a full evaluation of increased traffic, induced growth and the extent to which that will be Smart Growth vs. sprawl, increased emissions of greenhouse gases and other air pollutants, loss of open space, increased demand for infrastructure and the resulting costs to municipalities, and other potential adverse local or regional impacts. Analysis of potential benefits of the project to traffic congestion, greenhouse gas emissions and emissions of other air pollutants must include effects resulting from induced growth. This assessment should include all towns where increased growth resulting from the project is likely to occur, even if they do not fall within EOT's presently defined "Study Area."

N-014-020 This evaluation should also consider whether the siting of new train stations will result in traffic congestion, and eventually the need for widening of local roads with potential associated environmental impacts. A potential example of this situation is the proposed Raynham Dog Track site in Raynham, where traffic on Route 138 is currently congested. Worsened traffic conditions in this location could potentially lead to consideration of widening of Route 138 that would unavoidably result in filling of more wetlands in the Hockomock Swamp. The EIS/EIR should provide Level of Service evaluations for traffic conditions around all proposed stations, and proposed mitigation for areas for potential future congestion may occur.

N-014-017

DEIS/DEIR Chapter 4.1, Section 4.1.4.1 analyzes the impacts of the No Build alternative regarding transportation. The "enhanced bus" concept was developed to include schedule and capacity improvements, but was found to not meet the project purpose.

N-014-018

The alternatives selection criteria described in DEIS/DEIR Chapter 3, Section 3.2 is a reasonable set of parameters developed in collaboration with the Corps and the Interagency Coordinating Group.

N-014-019

The environmental impacts of induced growth are described in the indirect and cumulative effects analyses, provided DEIS/DEIR Chapter 5, Sections 5.3 and 5.4, respectively, the analysis was expanded to include municipalities outside of the initial study area.

N-014-020

Reasonably foreseeable traffic impacts of the South Coast Rail alternatives are presented in DEIS/DEIR Chapter 4, Section 4.1.4. Proposed traffic mitigation measures, associated with the various alternatives, are presented in Section 4.1.5. Indirect and cumulative impacts of the South Coast Rail alternatives, including anticipated growth, are described in DEIS/DEIR Chapter 5.

N-014-020 Encouraging high density development in close proximity to the Hockomock Swamp not only increases potential impacts on the swamp from stormwater discharge, indirect alteration of habitat and reduction of buffer areas, but also may increase demand for frequent pesticide spraying for mosquito control as a result of converting the area to intense residential, commercial and transit-related uses.

N-014-021 **PROJECT COST**

In light of the high cost of the project, the EIS/EIR should provide a detailed analysis of the cost associated with each alternative including the cost of mitigation. The EIS/EIR should also provide information on cost per rider for each alternative. It should also explain how the project will be funded.

N-014-022 The full cost of the Middleborough Full alternative (adding tracks to the rail line in Braintree and Quincy) should not be attributed to the SCR project, but should be considered in light of the benefits to other existing lines and potential future extensions, such as rail service to Wareham and Cape Cod and increased capacity on the Old Colony Line.

ASSESSMENT OF NATURAL RESOURCES

N-014-023 Wetland Delineations

EOT's draft scope (Section 8-3 of the ENF) states that the EIR will use aerial photography and existing mapping, such as USGS, MassGIS, FEMA mapping and National Wetland Inventory resources to clarify limits of the wetlands resources along the alternative corridors. It further states that the limits of wetland resource areas will be field-verified at critical areas, particularly areas where there is currently no active rail line.

Reliance on aerial photographs and existing maps may result in significant inaccuracies regarding the actual wetland boundaries and lead to erroneous conclusions about wetland impacts. We urge that the EIS/EIR scope require field verification of all wetlands within one hundred feet of the rail right-of-way for the entire study area along alternatives selected for detailed review. These delineations should be submitted to the local Conservation Commission for approval.

Mass Audubon specifically requests field delineation of existing wetland resources, including all resource types and stream crossings along the rail line in the Assonet Cedar Swamp. During the previous MEPA review for this project, field delineations and investigations for vernal pools were done in the Hockomock Swamp but not in the Assonet Cedar Swamp, despite the fact that it too is protected conservation land containing rare species habitat of high sensitivity. Mass Audubon reiterates the requests it has made on many occasions for our involvement in the development of field survey protocols to be implemented by EOT in the environmental review process. This information must be gathered during the MEPA/NEPA review, not afterward.

Functions and Values Assessments

N-014-024 The EIS/EIR should provide an in-depth functions and values assessment for all potentially impacted wetland areas, as well as information on the specific factors used to make this assessment. Functions and values that are difficult or impossible to replace should be identified, as well as those with local importance. Atlantic White Cedar Swamps (AWCS) are particularly sensitive to even small changes in hydrology. The analysis should include examination of the extent to which past alterations including but not limited to existing rail lines have impacted wetlands that will be further impacted by this project.

N-014-021

Detailed cost breakdowns for the alternatives can be found in Section 3.2 of the DEIS/DEIR. Cost per Rider is available in Section 3.3.2.1. Mitigation costs are included in the cost estimate.

N-014-022

The Middleborough Full Alternative has been removed from further review as it did not meet the Project Purpose.

N-014-023

The figures provided in DEIS/DEIR Chapter 4.16 depict the wetlands and potential impacts from each of the alternatives based on existing information, GIS mapping and the current level of project design. Field verification was used in areas where aerial photographs and topographic maps provided inconclusive results. Field delineations will be conducted for the LEDPA, when selected.

N-014-024

Functions and values of wetlands along each of the South Coast Rail alternative alignments, including the Hockomock Swamp, are described in DEIS/DEIR Section 4.16.2.2. The Hockomock Swamp itself is described in Chapter 4.10, Section 4.10.2.2.3. The swamp's biodiversity values, including wildlife habitat, are described in Chapter 4.14, Section 4.14.2.

N-014-024 As the Commonwealth's largest freshwater wetland, the Hockomock Swamp is an extremely valuable and important resource for many reasons, recognized by the state through its designation as an Area of Critical Environmental Concern (ACEC). It supports aquifers that feed drinking water supplies, diverse and complex ecosystems, rare species habitat and breeding and stopover areas for migratory birds. It also serves as a huge flood storage basin and the headwaters of the Town River, providing pollution abatement to downstream waters. The EIS/EIR should provide a comprehensive assessment of the functions and values of this resource. It should also describe the current condition of the former rail bed, identifying areas where it serves as a stream channel, corridor for wildlife passage, turtle nesting habitat or other functions.

N-014-025 The ENF states on page 5-4 that "the location of culverted streams within the right-of-way provides a means for retaining floodwaters higher in the watershed." In its evaluation of existing culverts, the EIS/EIR should also consider the impacts of undersized culverts on downstream flow and upstream ponding. It should also consider how potential flooding increases in rainfall resulting from climate change might affect upstream retention of waters by culverts in the right-of-way, and identify opportunities to alleviate these problems.

N-014-026

Rare Species Habitat and Priority Natural Communities

N-014-027 The EIS/EIR should identify all areas considered Priority Habitat by the Massachusetts Natural Heritage and Endangered Species Program. Because current listings by NHESP largely depend on reports of sitings from local observers, species observed in the past may have been eliminated from the list for lack of recent reported sitings. The EIS/EIR should also provide historical information about species found in the study area in the past and conduct surveys of any areas that will potentially be impacted by project construction. 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.

N-014-028

N-014-029

N-014-030 Several potentially impacted areas of the Study Area include Atlantic White Cedar Swamps, a community in decline in southeastern Massachusetts. Some of those areas, including portions of the Hockomock Swamp and the Assonet Cedar Swamp are crossed by rail lines that were constructed in the 1800s. The hydrological changes that occurred may have resulted in transformation of the portions of the swamp downgradient of the berm to red maple. We request that the EIS/EIR include a review of the potential impacts of historic hydrological manipulation of these areas and investigate ways to restore the downgradient areas as a potential mitigation component of this project.

N-014-031 Other Wildlife Habitat

The EIS/EIR should also provide a comprehensive assessment of other wildlife habitat in the Study Area. This assessment should identify nesting, breeding and stopover areas for migratory birds, including information on the species that utilize these areas. Two "Important Bird Areas," the Hockomock Swamp and the Assonet Cedar Swamp have been identified in the Study Area. Mass Audubon's surveys of breeding birds at Assonet show that it supports breeding by a number of species that are considered of conservation concern by the Division of Fisheries and Wildlife's in their Massachusetts Wildlife Conservation Action Plan. These are species that are classified as forest interior species, meaning that they require large contiguous acreage of forests for successful nesting. These include Wood Thrush, Northern Parula (on state Endangered Species list), White-throated Sparrow, Winter Wren and Canada Warbler. Impacts to the integrity of protected conservation lands should be carefully assessed, including not only direct footprint impacts but also habitat fragmentation.

N-014-032

N-014-025

Many of the existing culverts are compromised and, depending upon which alternative is selected, would be replaced or upgraded to meet hydrologic and wildlife habitat needs, as described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.3. Hydrologic and hydraulic analyses of culvert impacts on stream flow will be completed for the LEDPA, when selected.

N-014-026

Replaced or reconstructed culverts would be sized based upon hydrologic and hydraulic analyses, taking into consideration precipitation patterns, to minimize flooding.

N-014-027

Areas identified as priority habitat are shown in Figures 4.15.3 through 4.15.10 of the DEIS/DEIR.

N-014-028

As described in DEIS/DEIR Chapter 4.15, Section 4.15.1.3, MassDOT obtained information about rare species from NHESP, NMFS, and USFWS as part of the assessment of existing conditions within the South Coast study area. Field surveys were conducted in accordance with protocols developed with NHESP.

N-014-029

As described in DEIS/DEIR Chapter 4.15, Section 4.15.1.3, MassDOT obtained information about rare species from NHESP, NMFS, and USFWS as part of the assessment of existing conditions within the South Coast study area. Field surveys were conducted in accordance with protocols developed with NHESP. MassDOT has coordinated with Mass Audubon staff concerning rare species on the Assonet Cedar Swamp Sanctuary.

N-014-033 Water supplies

The EIS/EIR should identify all public and private drinking water sources that may be potentially impacted by construction or operation of any of the alternatives.

The Southern Triangle

N-014-034 The ENF assumes that the proposed upgrades of the New Bedford and Fall River lines will not result in major impacts to environmental resources and therefore provides or proposes inadequate assessments of wetlands, streams, vernal pools, rare species communities and other resources in the Southern Triangle. This assumption may not prove accurate in light of the fact that the ENF also suggests that double-tracking and power stations may or will be added at some (unspecified) locations along the existing lines. The previous MEPA review of this project identified over 120,000 square feet of alteration of bordering vegetated wetlands in the municipalities of Berkley, Freetown, Lakeville, Fall River and New Bedford, as well as many areas where stream crossings would be altered and other impacts to wetland resources. Some of this alteration resulted from plans to add a second track on portions of the New Bedford line.

We note that the New Bedford line corridor includes two of the Commonwealth's outstanding examples of Atlantic White Cedar Swamp: the Acushnet and Assonet Cedar Swamps. Especially because of the quality and sensitivity of the wetlands along the currently active Fall River and New Bedford Main Lines, the EIS/EIR should not assume that no adverse impacts will result from this project and should provide field verification of wetland delineations. The applicant should also conduct surveys for rare species in areas identified as Core Habitat by the Massachusetts Natural Heritage and Endangered Species Program and for vernal pools.

N-014-035

N-014-036 Mass Audubon Property at Assonet Cedar Swamp.

As stated above, Mass Audubon owns property in Lakeville that abuts the right-of-way for the SCR project in the "Southern Triangle." The 1014 acre Assonet Cedar Swamp Wildlife Sanctuary is crossed by both the New Bedford and Fall River lines. This property includes one of the largest stands of Atlantic White Cedar in the Commonwealth. The New Bedford line runs through much of the property southeast of Malbone Street. The Fall River line intersects a section of the property northeast Beechwood Road. This section includes a small area of regenerating Atlantic White Cedar bordering on the rail line. The Assonet River runs through this Sanctuary.

In April of 2008 Project Manager Kristina Egan and representatives of the Army Corps, the Environmental Protection Agency, and Department of Environmental Protection attended a site visit to Mass Audubon's Lakeville properties with several representatives of Mass Audubon. We appreciated the willingness of these officials to attend this visit. At that time the right-of-way was owned by CSX Railroad and we were not authorized to walk on this property. This fact greatly limited the extent to which we could view the areas of Mass Audubon's properties that are directly adjacent to the right-of-way, including stream crossings, some of which may need to be reconstructed for the project with direct impacts to Mass Audubon property. We requested at that time that EOT schedule another visit to allow us to walk the right-of-way with EOT's consultants. Since that site walk, the Commonwealth has acquired the rail line from CSX Railroad. We now request that EOT and its consultants conduct a full survey of wetland resource areas, rare species and vernal pools along the portions of the line that cross or abut Mass Audubon's properties in coordination with Mass Audubon. We also request that a full evaluation of physical, biological and hydrological impacts and associated mitigation be conducted.

N-014-030

Swamps crossed by rail lines constructed in the 1800s have reached a new hydrologic equilibrium; MassDOT does not intend to alter the current hydrologic regime with any aspect of the South Coast Rail project.

N-014-031

Section 4.14.2 of the DEIS/DEIR, in particular, Section 4.14.2.1.4 *Important Bird Areas*, describes existing habitat within the South Coast Rail study area including nesting, breeding and stopover areas for migratory birds.

N-014-032

Potential impacts to protected conservation lands associated with the South Coast Rail alternatives, including habitat fragmentation, are described in Section 4.14.3 of the DEIS/DEIR.

N-014-033

DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2 identifies public drinking water supply Zone I and Zone II areas traversed by each of the South Coast Rail alternatives. An analysis of potential impacts to public and private drinking water water supplies during construction and operation of the project is also provided, along with a discussion of proposed mitigation measures.

N-014-034

Potential impacts to wetland resources within the Southern Triangle, from the Fall River Secondary and New Bedford Main lines, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.2. Figures 4.16-31a through 4.16-32q depict the wetlands and potential impacts within the Southern Triangle based on existing information, GIS mapping and the current level of project design. Field verification was used in areas

EVALUATION OF IMPACTS ON NATURAL RESOURCES

Wetlands Impacts

N-014-037 For each alternative, the EIS/EIR should identify specific locations and acreage (or linear extent) of all alterations to wetlands, floodplains, banks and streams, including stream diversions and crossings, as well as areas where work is proposed in regulated buffer zones of wetland resource areas and proposed culvert replacements. The analysis should include the impacts of all proposed structures along the lines, such as electric substations and catenary supports for line electrification.

N-014-038 In addition, the EIS/EIR should provide analysis of impacts extending beyond the footprint of actual work such as hydrological effects to wetlands and streams, changes in canopy and cover, light, temperature and pH, fragmentation of blocks of wetland habitat and obstruction of corridors that currently provide wildlife passage. We note that the ENF states that electrification of the Stoughton line would create a wider "canopy gap" over the rail line than the diesel option; this increased impact should be carefully evaluated. 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 such as those of 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 the center of such an area are not limited to the project footprint, and should be evaluated carefully. Mass Audubon is also concerned regarding the potential indirect impacts of the project such as increased train activity and maintenance work, and hydrologic and water quality effects on adjoining habitat in its Assonet Cedar Swamp Wildlife Sanctuary. We request that these impacts be evaluated objectively there, in the Acushnet Cedar Swamp, and in other protected blocks of conservation lands or large wetlands potentially impacted by the project.

N-014-039 Project plans of a 1"=40' scale should be provided to show the work proposed in such areas including delineation of all resource area boundaries, streams and vernal pools. These plans should provide full delineation of resource areas and location of work. Cross section diagrams of pre- and post-construction dimensions of the right-of-way (showing any modifications to side slopes) and of culverts should be provided.

N-014-040 The EIS/EIR should provide plans showing how the proposed trestle in the Hockomock Swamp (Stoughton alternative) would be constructed. It should also provide soil analysis for this portion of the right-of-way to demonstrate the ability to support the footings of the trestle.

N-014-041 If an alternative will result in loss of Atlantic White Cedar Swamp (AWCS) or other priority community, the EIS/EIR should provide currently available information on past experience of replication attempts of the community and the likelihood of successful replication in the project area, as well as the costs and anticipated time frame to verify replication success.

N-014-042 For all proposed alteration of wetland resources, the EIS/EIR must demonstrate that the project will not result in unacceptable impacts and that any impacts that the project will cause are unavoidable. It should also provide information on how the SCR project will work with local Conservation Commissions in the permitting of work subject to the Massachusetts Wetlands Protection Act.

Impacts to Rare Species

where aerial photographs and topographic maps provided inconclusive results. Field delineations will be conducted for the LEDPA, when selected.

N-014-035

Habitats designated by the NHESP as BioMap Core Habitat and Supporting Natural Landscapes, and as Living Waters Core Habitat and Critical Supporting Watersheds, and both Certified Vernal Pools and Potential Vernal Pools, were considered in the analysis of impacts provided in Chapter 4.15, Section 4.15.3.3 of the DEIS/DEIR. Additional field surveys would be undertaken for the preferred alternative, if required by NHESP.

N-014-036

The New Bedford Main line alignment through the Assonet Cedar Swamp was visited by representatives of the Project Team and Mass Audubon in November 2010. Potential impacts to this wetland area are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.2.

N-014-037

Table 4.16-57, in Chapter 4.16 of the DEIS/DEIR, compares the alternatives' potential impacts to wetlands bank, bordering vegetated wetlands, wetlands within ACECs, Outstanding Resources Waters, bordering land subject to flooding, and riverfront area. The narrative description of each alternative's impacts, provided in Section 4.16.3.3, identifies potential wetlands impacts along each alignment, and includes potential impacts due to power structures.

N-014-038

The South Coast Rail project alternatives' potential impacts to biodiversity, including habitat fragmentation within wetland areas such as the Hockomock Swamp, Acushnet Cedar Swamp, and Assonet Swamp

N-014-043 The EIS/EIR should provide a thorough evaluation of potential impacts to rare species and methods to avoid taking of rare species or destruction or fragmentation of their habitat. All anticipated unavoidable impacts should be identified and shown on project plans of a scale of 1" = 40'. Potential impacts resulting from the construction period should be identified, accompanied by analysis of whether the impact will be temporary or permanent.

N-014-044 The EIS/EIR should also identify all impacts anticipated to wildlife habitat and populations resulting from loss of open space and nesting habitat, intrusion into interior forest habitat, disruption of migration corridors, mortality on rail lines, use of herbicides and other factors, and propose appropriate mitigation, as well as any anticipated impacts on the two Important Bird Areas.

Impacts to Resources in the Southern Triangle

The April 2002 Final Environmental Impact Report for the New Bedford/Fall River Commuter Rail Extension stated that proposed work along the existing rail lines in Lakeville included "reconstruction of the existing railbed to support two tracks, and reconstruction of the existing bridges and grade crossings." It further stated, "Retaining walls will be constructed along a 7,500 (1.4 mile) segment of the right-of-way south of Malbone Street to avoid placing fill in wetlands within mapped rare species habitat associated with the Assonet and Cedar Swamp Rivers. The bridges over these rivers will require reconstruction and widening to support a second track." Impacts to resource areas included 3,111 square feet of alteration of bordering vegetated wetland, 32 linear feet of bank alteration and 7,878 square feet of alteration of bordering land subject to flooding.

The ENF for the SCR project states (p. 5-12) that the project would require an estimated 2.8 acres of wetland fill in the Southern Triangle, but does not identify specific locations where this alteration will occur. It acknowledges that double-tracking and new power stations may/will be installed in some portions of the two lines but fails to provide specific locations. The EIS/EIR must provide information on the specific areas where wetland alteration will occur, as well as where second tracks or stations are proposed to be added on the existing berms, indicating whether modification or expansion of the side slopes, installation of retaining walls and/or widening of bridges is proposed and whether direct or indirect alteration of wetlands, vernal pools or rare species habitat will result. Project plans of a scale of 1"=40' should be provided showing the proposed work. N-014-045

N-014-046 The EIS/EIR should also explain the need for any proposed double-tracking in the Southern Triangle. In light of the Commonwealth's recent acquisition of the CSX rail line, it is our understanding that EOT would have the ability to schedule freight train runs on the FR and NB main lines. With only three runs of the proposed commuter rail per day, it is not clear why a double track would be needed. The EIS/EIR should also provide specific information about potentially increased use of herbicides in proximity to wetlands and/or priority habitats along the rail lines and the anticipated impacts. N-014-047

N-014-048 We reiterate our request for complete disclosure of all impacts to wetlands and rare species habitat in Mass Audubon's Assonet Cedar Swamp Wildlife Sanctuary, including site plans of a scale of 1"=40' showing resource delineations, all proposed work, toe of slope and erosion control, accompanied by detailed diagrams of all new or modified drainage structures, bridge spans or retaining walls. The EIS/EIR should also demonstrate that impacts are unavoidable and have been minimized to the greatest extent feasible, and should propose appropriate mitigation.

Impacts to Water Supplies

N-014-049 The EIS/EIR should provide a complete analysis of potential impacts to any public or private water supply and proposed mitigation.

are described in DEIS/DEIR Chapter 4.14, Section 4.14.3.5 for each alternative.

N-014-039

EEA agreed that it is not feasible to provide 1"=40' scale plans for each alternative in the DEIS/DEIR; this would require 1000 sheets per resource. Figures in DEIS/DEIR Chapter 4.16 are provided at a scale of 1" = 400'. More detailed drawings, including cross-sections and culvert designs, will be prepared as part of the final design for the LEDPA, when selected.

N-014-040

The conceptual design of the trestle is provided in Chapter 4.15, Section 4.15.3.6.2 of the DEIS/DEIR. Geotechnical investigations of the railroad bed would be conducted as part of the design process if one of the Stoughton Alternatives is selected as the LEDPA.

N-014-041

There would be no loss of Atlantic White Cedar swamp or other NHESP priority natural communities. Proposed mitigation measures for biodiversity impacts are provided in DEIS/DEIR Chapter 4.14, Section 4.14.3.6.3. A detailed mitigation plan for impacts to biodiversity will be developed for the LEDPA, when selected, based in part on historical data of previous replication attempts and including a cost estimate and implementation schedule.

N-014-042

A comparison of each alternative's potential impacts to wetlands is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.5. Avoidance, minimization, and mitigation measures to reduce or offset unavoidable wetland impacts are described in Section 4.16.3.6. Chapter 7 describes regulatory compliance requirements for the South Coast Rail project,

Impacts of Proposed Stations.

N-014-050 The EIS/EIR should provide project plans showing proposed stations and associated TOD construction that include wetland boundaries, streams, vernal pools and rare species habitat within one hundred feet of the limit of work.

N-014-051 The EIS/EIR should also provide stormwater management plans that indicate how stormwater will be collected, treated and discharged accompanied by calculations of volumes, loss of groundwater recharge and pre- and post-construction flow rates and velocities. These plans should utilize Low Impact Development techniques to the maximum extent feasible.

Air quality impacts

N-014-052 The quantification of emissions of air pollutants from the SCR project should include emissions from diesel trains, both running and idling.

N-014-053 For options that utilize electrification of rail lines, the EIS/EIR should discuss what generating sources will power these trains and any associated environmental impacts.

N-014-054 Secondary Growth Impacts

For each alternative, the EIS/EIR should evaluate impacts of secondary growth that will result from the project on wetlands, rare species and wildlife habitat.

WETLANDS MITIGATION

N-014-055 Proposed mitigation for unavoidable wetland losses should be "in-kind" (same wetland type) and designed to fully replace the functions, values, hydrology and species diversity of the impacted wetland. If an impacted wetland currently provides important values to the local area (such as flood control) local replacement should be provided if at all feasible. At a minimum, the project should result in "no net loss" of wetland acreage, functions and values. We urge that proponent to propose wetlands mitigation that will result in a net gain of wetlands.

N-014-056 We request that the applicant conduct a review of available information to identify possible candidate areas for restoration of previously filled or destroyed wetland areas within the project corridor. A potential example is the Raynham Dog Track site: this site has been proposed as a station and Transit-Oriented-Development (TOD) site, but the fact that significant segments of the existing parking lot may well be paved-over former wetlands has been ignored. This information would include 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. Preference should be given to mitigation projects that remove fill or pavement to restore historic wetlands over creation of wetlands in upland. If wetlands enhancement is proposed, it should be given proportional credit based on demonstrable functions and values that it will provide.

N-014-057 Mitigation should include mitigation for unavoidable wetlands habitat fragmentation or degradation (e.g. due to unavoidable hydrologic or water quality changes which will occur even with the best design and use of stormwater management practices). All existing and proposed new or revised stream crossings should be assessed in relation to the Massachusetts Stream Crossing Standards. Evaluation of mitigation should include potential for upgrading existing crossing that do not meet the standards in order to bring them into compliance.

including those of the Massachusetts Wetlands Protection Act. MassDOT will coordinate with the local conservation commissions of the municipalities affected by the LEDPA, when selected.

N-014-043

DEIS/DEIR Chapter 4.15, Section 4.15.3.3 describes the impacts to state-listed species and their habitats that would potentially result from any of the South Coast Rail project alternatives. The analysis provides a comparative evaluation for the set of elements comprising each alternative: alignment, stations, and layover facilities. Impacts to rare species have been avoided and minimized to the extent practical, based on the current level of project design. Unavoidable impacts from each alternative, for both construction and operation phases, are also described in the DEIS/DEIR. Further avoidance and minimization measures may be identified as the design of the LEDPA, when selected, is advanced.

N-014-044

Section 4.14.2 of the DEIS/DEIR, describes biodiversity within the South Coast Rail study area, including nesting, breeding and stopover areas for migratory birds in Section 4.14.2.1.4 *Important Bird Areas*. Impacts to these habitats are described in Section 4.14.3 of the DEIS/DEIR. The CAPS analysis in particular, described in Section 4.14.3.4, describes potential impacts that may result from loss of open space and migratory corridors, and habitat fragmentation. Potential mitigation measures are described in Section 4.14.3.6. Additionally, establishing the Priority Protection Areas described in the Corridor Plan would mitigate biodiversity impacts through a comprehensive, region-wide approach to protecting open spaces.

N-014-058 Use of Wetland Banks for Mitigation

Wetland banks in other states have demonstrated mixed levels of success, with many failing to provide the lost functions and values they were intended to replace. A potential benefit of the use of a bank the ability to establish new wetlands and verify that they are functional and self-sustaining before the permitted wetland destruction occurs. A potential detriment is the loss of important wetland functions to the locality where the alteration occurs, if the bank that will provide compensation is located in another region or subwatershed.

There is no existing wetland bank in the South Coast region. Construction of the SCR project is scheduled to begin in 2012. Given the time needed for permitting, construction and establishment of wetlands vegetation in a new bank, it is unlikely that replacement wetlands could be verified as fully functioning and self-sustaining before the existing wetlands in the SCR corridor would be destroyed. If wetland banking is considered as a mitigation option, the EIS/EIR should address this concern.

N-014-059 Rare Species

If mitigation is proposed for unavoidable impacts to rare species, the EIS/EIR should provide documentation that the mitigation has been proven successful in other similar cases and does in fact provide a "net benefit" to the species. Any proposed mitigation should be accompanied by a plan for monitoring to evaluate the success of the mitigation over a period of at least ten years.

CONCLUSION

N-014-060 In conclusion, the EIS/EIR must provide information that demonstrates that the preferred alternative can be constructed in compliance with the National Environmental Policy Act (NEPA), the federal Clean Water Act (CWA), the Massachusetts Environmental Policy Act (MEPA), the Massachusetts Endangered Species Act (MESA) and all other applicable environmental laws and regulations. It must analyze an adequate range of alternatives and provide complete evaluation of all associated environmental impacts to demonstrate that the preferred alternative is the least environmentally damaging practicable alternative. The EIS/EIR must also evaluate the project and its financial impacts in relation to the needs of the overall commuter rail system.

N-014-061 Mass Audubon specifically requests that the EIS/EIR include detailed evaluation of resources and impacts to its property.

Thank you for considering these comments. We look forward to reviewing the Draft EIS and EIR.

Sincerely,

Priscilla Chapman
Taunton Watershed Advocate
Mass Audubon
1298 Cohannet Street
Taunton MA 02780

N-014-045

Potential impacts to wetland resources within the Southern Triangle from the Fall River Secondary and New Bedford Main lines are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.2. Potential impacts to vernal pools are described in Chapter 4.14, Section 4.14.3.2.2, and potential impacts to rare species are described in Chapter 4.15, Section 4.15.3.2.2. Project plans indicating potential impacts to wetlands are provided at a scale of 1" = 400'. More detailed drawings will be prepared as part of the final design for the LEDPA, when selected.

N-014-046

While MassDOT owns the right-of-way along the Southern Triangle that was previously under CSX control, the freight rail operator on these lines is Mass Coastal. Design of these corridors would need to accommodate future passenger and freight rail service. The Southern Triangle has been designed as a single track with siding tracks to accommodate commuter rail operations.

N-014-047

As described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources. Specifics of the Vegetation Monitoring Plan will be developed for the LEDPA, when selected.

N-014-048

Please see responses to Comment Nos. N-014-045 and N-014-042.

N-014-049

DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2 identifies public drinking water supply Zone I and Zone II areas traversed by each of the South

Mass Audubon
Protecting the Nature of Massachusetts

MEMBER TRWA

March 27, 2008

Kristina Egan
South Coast Rail Manager
Executive Office of Transportation
10 Park Plaza
Boston, MA 02116

Re: **Comments on Alternatives Screening Process, South Coast Rail Project**

Dear Kristina:

On behalf of Mass Audubon and the Taunton River Watershed Alliance, Inc. we write to express concerns regarding the most recent round of screening of the alternatives under consideration by the Executive Office of Transportation (EOT) for the South Coast Rail Project.

EOT has proposed a reduced list of ten alternatives, after eliminating 25 through a three-step evaluation process. During the recent Civic Engagement meetings you indicated that a significant amount of information and analysis relating to all the alternatives previously under consideration was presented to the Interagency Coordinating Group (ICG), but this information has not been made available to the public. In addition, the ICG meetings are closed to the public. In order to understand why certain alternatives were eliminated and others retained, to evaluate these decisions and to participate in this process in a meaningful way, the public needs access to all the information that was available to the ICG, through the project's website or by other means. We request that you provide this information to the public as soon as possible and allow a reasonable time frame for comment. We also request that you present all options and associated data in the Environmental Notification Form at the start of the concurrent MEPA/NEPA process.

Although this pre-MEPA/NEPA planning process is developing preliminary recommendations on the alternatives you propose to study further, the official scopes for the MEPA/NEPA reviews may revise these determinations. Furthermore, the ICG minutes reflect the fact that alternatives analysis is an iterative process, and that information that comes to light as planning proceeds may warrant revisiting of preliminary cuts previously made. We urge you to remain open to including some

Coast Rail alternatives. An analysis of potential impacts to public and private drinking water water supplies during construction and operation of the project is also provided, along with a discussion of proposed mitigation measures.

N-014-050

Conceptual station designs are included in DEIS/DEIR Section 3.2. The figures provided in Chapter 4.16, Section 4.16.3.3.10 depict wetlands and streams near each proposed station site's footprint. The figures provided in Chapter 4.14, Section 4.14.3.2.11 show vernal pools, and the figures provided in Chapter 4.15, Section 4.15.3.3.10 show rare species habitat, near each station's footprint. The designs minimize impacts to each site through the use of low-impact design techniques and stormwater detention facilities.

N-014-051

The LEDPA, when selected, would be designed and constructed in compliance with the Massachusetts Stormwater Management Standards and Regulations, which are summarized in DEIS/DEIR Chapter 4.17, Section 4.17.1.2.5. The final design of the LEDPA will incorporate LID design concepts and include a stormwater management plan.

N-014-052

The air quality analysis for emissions from the diesel train alternatives, described in DEIS/DEIR Chapter 4.9, Section 4.9.2, includes both running and idling operations.

N-014-053

Specific off-site electric power generating sources have not been identified for the South Coast Rail electric train alternatives. As

alternatives that you are not presently recommending for further study if further information regarding technical feasibility, ecological values and impacts, cost of mitigation, ridership, construction costs or other issues emerge and justify such a reconsideration.

Our concerns are explained in more detail below.

Public Access to Information Provided to the ICG

Important information related to ridership projections, technical feasibility, environmental impacts, costs and other issues was presented to the ICG during the three-step screening process that reduced the alternatives for the South Coast Rail Project. The ICG used this information to evaluate each alternative on its ability to satisfy the project purpose, its practicability and its environmental impacts, and proposed a reduced list of ten alternatives. Within the next month, the ICG will identify a shorter list for further study and review under the Massachusetts Environmental Policy Act (MEPA) and the National Environmental Policy Act (NEPA).

The initial filings with MEPA and NEPA will present for public review and comment detailed information only on the final alternatives, **not** on the alternatives that the ICG is now eliminating. As noted above, the information that provided the basis for the alternatives screening has not been made available to the public for review. Instead, the results of the evaluation were presented on charts that listed each alternative with numerical scores, "highly favorable" to "highly unfavorable" ratings, and one or two brief phrases of commentary. While the comments characterize several alternatives as having a "big bang? for the buck," no specific costs per rider for each alternative have been disclosed. As you pointed out at several recent meetings, this screening process involves judgment calls and balancing of competing values. We agree that some degree of judgment may be inherent in the process, but also insist that such a process be factual, transparent and fully open to public review so that the factors that form the basis for judgment are clear.

As you know, the Guidelines to Implement Section 404(b)(1) of the Clean Water Act (CFR 40 Section 230) prohibit the discharge of dredged or fill material if there is a practicable alternative that would have less adverse 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 Massachusetts Wetlands Protection Act, variances from the performance standards may only be granted if the project fulfills an overriding public interest and there are no reasonable conditions or alternatives that would allow the project to proceed in compliance. The Massachusetts Endangered Species Act also requires an alternatives analysis and demonstration that impacts to rare species have been avoided and minimized.

In order for the public to evaluate whether the requirements of the statutes referred to above have been met, EOT should make all the information and analysis that has been presented to the ICG regarding wetland impacts and other aspects of the project available

discussed in DEIS/DEIR Chapter 4.9, Section 4.9.1.3.3, the project CO_2 emissions that would result from the electric trains were calculated using equations converting estimated electric usage to emission rates based on accepted factors. The total amount of travel time was calculated for each train per trip, which includes the time for traveling round-trip plus the amount of time to move to the layover facility and back to the terminal station. The projected electric consumption for each train trip was calculated and then the electric consumption for each train per trip was then converted into tons of CO_2 per year.

N-014-054

The potential environmental impacts of induced growth are described in the secondary (indirect) and cumulative effects analyses for wetlands, rare species, and wildlife habitat are provided in DEIS/DEIR Chapter 5, Sections 5.3 and 5.4, and in Chapter 4, Sections 4.14, 4.15, and 4.16.

N-014-055

A description of proposed mitigation measures for wetlands impacts is provided in DEIS/DEIR Section 4.16.3.6. The wetlands mitigation plan developed for the LEDPA, when selected, will provide details on wetlands functions and values, hydrology, and species diversity. Wetland mitigation goals for each alternative are summarized in Table 4.16-65, in Section 4.16.3.6.5. Federal and state regulatory requirements include mitigation ratios, which vary depending upon the wetland characteristics, ensure a "no-net-loss" of wetlands.

N-014-056

MassDOT convened a wetland mitigation group, which included representatives of Mass Audubon and other environmental advocacy organizations, to help identify priority wetland restoration sites. A description of proposed mitigation measures for wetlands impacts is provided in DEIS/DEIR Section 4.16.3.6. Wetlands mitigation site

for public review. Especially because the meetings of the ICG have not been open to the public, we strongly urge you, as stated above to include all of the alternatives that have been considered and all of the information and analysis pertaining to those alternatives in the documents that will be available to the public for comment during the formal MEPA and NEPA reviews. We also request that EOT remain open to reconsidering one or more alternatives if new information or changing circumstances justify doing so.

Use of Existing Highway Corridors

We are disappointed that EOT has proposed to eliminate from further consideration all of the alternatives involving use of rail in the existing Route 24 and 140 highway corridors. We believe these options could potentially reduce environmental and other impacts. As discussed above, the lack of access to the complete analysis that was provided to the ICG makes it difficult to understand these decisions completely. As one example, we would like the opportunity to review the detailed information relating to the technical feasibility of constructing a monorail.

During earlier Civic Engagement meetings, installation of a rail line in the existing highway corridors was suggested by a number of commenters who cited the potential for reducing the severity of environmental impacts, for reducing or avoiding at-grade crossings and for providing increased visibility of the new rail service. The highway corridors are already heavily disturbed. They provide an alternative to the use of routes that run through highly sensitive ecosystems, such as the Hockomock, Pine and Assonet Cedar Swamps, areas where the project is likely to cause habitat fragmentation, intrusion into interior forest habitat and destruction or alterations of wetlands, rare species habitat and unique ecosystems that are difficult if not impossible to replace. Use of the highway corridors would be consistent with Smart Growth principles supported by the Governor, in that it would reuse existing transportation infrastructure to provide a new mode of service while protecting environmentally sensitive wetlands and ecosystems. We strongly urge you to reconsider this group of alternatives and to retain at least one of them for further study.

We also request further clarification of the status of discussions related to the repair and widening of Route 24. Last November several newspaper articles (for example, "Drive on to fix Route 24," *Brockton Enterprise*, November 30, 2007) reported that local and state officials are discussing safety upgrades to Route 24 that would provide wider shoulders, improvements to interchanges and reconstruction of bridges. At the March 11 Civic Engagement meeting, you cited the need to widen the existing corridor and reconstruct interchanges as a primary factor in the elimination of the rail/highway corridor option. You also stated that Route 24 reconstruction is not scheduled at this time. However, if any discussions are occurring regarding a Route 24 upgrade, the option of incorporating rail in this project should be retained in the MEPA/NEPA process for the South Coast Rail. It would be an extremely unfortunate outcome to construct the South Coast Rail on a corridor that causes significant environmental damage, and shortly after to undertake Route 24 reconstruction with all of the associated costs and impacts that have been identified as reasons for eliminating that rail/highway corridor options.

locations will be identified for the LEDPA, when selected. Mitigation site locations would be identified within the watersheds impacted by the LEDPA, and determined by the project team in coordination with the appropriate regulatory agencies (US Army Corps of Engineers, MassDEP) and landowners. The selected sites would prioritize restoration of wetland habitat.

N-014-057

Proposed mitigation measures for unavoidable wetlands impacts are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.6. As described in Section 4.16.3.2.1, to the extent practicable new or replaced culverts would be designed to comply with the Massachusetts stream crossing standards.

N-014-058

MassDOT has noted and considered your comment.

N-014-059

Proposed mitigation measures for unavoidable impacts to threatened or endangered species are described in DEIS/DEIR Chapter 4.15, Section 4.15.3.6.4. A detailed mitigation plan for impacts to rare species will be developed for the LEDPA, when selected, based in part on historical data about other mitigation efforts. A monitoring and evaluation plan would be incorporated in the mitigation plan.

N-014-060

The DEIS/DEIR has been prepared to meet the requirements of the Secretary's Certificate on the ENF as well as the general requirements of MEPA and NEPA.

N-014-061

Evaluation of Wetlands Impacts

According to the alternatives evaluation charts, the evaluation of wetland impacts appears to be limited to acreage of fill. We reiterate our prior concern that impacts to wetlands; streams and rare species often extend well beyond the footprint of actual work. The acreage of wetlands fill that is required by each alternative should be considered an important criteria, but failure to review factors beyond actual filling, such as changes to hydrology, quality and diversity of the affected communities and habitat fragmentation is likely to result in an inaccurate comparison of the overall adverse impacts to aquatic ecosystems. It is possible to apply criteria such as the size of wetland blocks before and after construction, or the length of disturbance through protected wetlands and rare species habitats vs. other types of land cover, using existing available information. Therefore we do not agree that the only measure for comparing relative wetland impacts available at this stage in the process is the footprint of wetland impacts.

We urge you to expand your review to include these and other factors.

Thank you for your consideration of these concerns. We appreciate the opportunity for continued participation in the South Coast Rail Project review.

Sincerely,

Priscilla Chapman
Taunton Watershed Advocate
Mass Audubon
508-828-1104

Carolyn LaMarre
Executive Director
Taunton River Watershed Alliance, Inc.
508-828-1101

The River Center at Boyden Refuge
1298 Cohannet Street
PO Box 1116
Taunton MA 02780

cc: ICG
Colonel Curtis L. Thalken, Commander/District Engineer
US Army Corps of Engineers

Impacts to Assonet Cedar Swamp Sancuary are described in DEIS/DEIR Chapter 4.10, Section 4.10.3.2.

Mass Audubon
Protecting the Nature of Massachusetts

December 14, 2007

Kristina Egan
South Coast Rail Manager
Executive Office of Transportation
10 Park Plaza
Boston, MA 02116

Dear Ms. Egan:

On behalf of Mass Audubon I submit the following comments regarding the South Coast Rail Project. These comments relate to suggested alternatives and criteria for evaluating those alternatives.

During Wednesday's Commuter Rail Task Force meeting, you indicated that the Executive Office of Transportation (EOT) would work during the next few weeks with the Interagency Task Force to narrow the list of alternatives that were suggested during the public comment sessions for future consideration. Our primary concern is that the upcoming review process thoroughly explores all reasonable alternatives that satisfy the stated project purpose in order to comply with the requirements of Section 404(b) of the federal Clean Water Act and the Massachusetts Wetlands Protection Act. EOT must insure that the alternative that is ultimately chosen avoids and minimizes impacts to wetlands to the extent practicable, and is the least damaging to aquatic resources. Premature elimination of a reasonable alternative may result in failure to do this.

Following are additional comments.

1. We urge you to retain for further study the proposed alternative of using the existing highway corridors of Routes 24 and 140 for new rail lines or bus routes. While the use of these corridors is likely to result in some impacts to natural resources, this option merits investigation, particularly because these corridors are already disturbed areas. We also note that recent news articles (for example, "Drive on to fix Route 24," Brockton Enterprise, November 30, 2007) report that local and state officials are discussing safety upgrades to Route 24 that would provide wider shoulders, improvements to interchanges and reconstruction of bridges. If such a Route 24 reconstruction project is under consideration, it is critical that the Executive Office of Transportation explore the potential for incorporating a public transit corridor in that undertaking.

2. At the Commuter Rail Task Force meeting, you described some of the criteria for evaluating alternatives that are currently under consideration. In response to a question, you indicated that reduction of traffic congestion and reduction of air pollution **may not** be included as criteria. Because these parameters are among the most important benefits that can be provided by the use of public transit rather than automobiles, we urge you to give serious consideration to including them. We also suggest that "reduction in total greenhouse gas emissions" be included.

3. We are pleased that the amount of wetlands fill and impacts to habitats of state-listed species will be included as criteria for evaluation of alternatives. As I indicated at the Task Force meeting, we request that you include the Taunton River Watershed Campaign's Commuter Rail Position Statement submitted to you last July in the public comment record on alternatives and evaluation criteria. A copy of that Statement is attached. Among other points, the Statement indicated that impacts to wetlands, streams and rare species often extend well beyond the footprint of the actual work. While we understand that you will not be conducting a detailed review of alternatives at this stage, we urge you to consider factors beyond actual wetlands filling, such as stream diversion, changes to hydrology and fragmentation of aquatic ecosystems.

4. You identified several other proposed criteria, including competitiveness of the alternative with automobile use, total travel time and convenience factors, such as avoiding the need to transfer from one rail line to another while traveling to or from Boston. We acknowledge that these factors are important to the public, but reiterate the concern that alternatives that avoid or minimize impacts to the environment should not be prematurely eliminated on the basis of those criteria.

5. We suggest that "flexibility to incorporate intra-regional mobility" be included in the criteria for evaluation.

Thank you for considering these comments. We look forward to working with you, the Task Force and the permitting agencies during the upcoming review process.

Sincerely,

Priscilla Chapman
Taunton Watershed Advocate
Mass Audubon
The River Center at Boyden Refuge
1298 Cohannet Street
Taunton MA 02780

Mass Audubon
Protecting the Nature of Massachusetts

March 17, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Aisling Eglington, EOEEA # 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Via Email: aisling.eglington@state.ma.us

Re: South Coast Rail Travel Demand Analysis Results, Environmental Notification Form for South Coast Rail, EOEEA #14346

Dear Secretary Bowles:

On behalf of Mass Audubon, I submit the following comments on the February 17 memorandum ("the memorandum") from Scott Peterson of the Central Transportation Planning Staff (CTPS) to Kristina Egan, South Coast Rail Project Manager regarding the South Coast Rail Demand Analysis Results developed by CTPS. We appreciate the reopening of the comment period on the Environmental Notification Form (ENF) to allow public comment on this memorandum. The memorandum's projections of new riders (a maximum of 2950 for the Stoughton electric alternative with lower numbers for other alternatives) raise serious questions about whether the cost of the project is justified in light of the MBTA's current debt burden and other needs of the overall MBTA system; also, in light of the "high levels of impacts" to the Hockomock Swamp and other natural ecosystems which the ENF of November 2008 predicted if the Stoughton alternative were selected. We reiterate our previous request that the DEIR evaluate a broad range of alternatives including the no-build option, the Middleborough "full" option and the use of the existing Route 24 highway corridor for rail and bus service and that it include complete analysis of project financing that discloses what portion of construction and operation/maintenance costs will be covered by fares and sources of funding to cover the remaining costs. Finally, we request that the DEIR provide all data and assumptions that were used to develop these ridership projections, as explained in detail below.

N-015-001

N-015-002

Mass Audubon submitted comments to the Army Corps of Engineers and the Massachusetts Environmental Policy Act Office on the scope for the Draft Environmental Impact Statement (DEIS) and Draft Environmental Impact Report (DEIR) on January 9, 2009. In these comments we stated that the "existing and future demand for public transportation between Fall River/New Bedford (FR/NB) and Boston" referenced in both state and federal project purpose statements had not been defined by the Executive Office of Transportation (EOT). We requested that EOT

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N-015-001

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives evaluated in the DEIS/DEIR process. The development of alternatives, previous evaluation and screening efforts, and station site selection are included in Section 3.1. Section 3.2 describes the alternatives evaluated in the DEIS/DEIR process; Section 3.3 includes a preliminary evaluation of these alternatives. As explained in Section 3.1, Middleborough and Route 24 rail alternatives were eliminated from further consideration prior to the DEIS/DEIR process.

N-015-002

DEIS/DEIR Chapter 3, Section 3.2.4.2, Ridership Model Inputs, describes the elements and assumptions the model uses to estimate future ridership.

submit ridership projections to quantify this demand. We commend EOT for providing this memorandum.

Comments on Demand Analysis

N-015-003 The memorandum projects that the Stoughton "electric" options would generate 5,900 additional transit trips per day over the "no build" option and the Stoughton "diesel" option would generate 5,000. Since these numbers represent "one way" trips, they are divided by two to determine numbers of new riders, yielding 2950 for Stoughton electric and 2500 for Stoughton diesel. It is our understanding that these numbers represent new riders *to the MBTA system*, and that riders who transfer from private bus service to the new service are not counted in these figures; also that 1,500 to 2,000 riders who currently use private bus service would transfer to the new service. Clarification is needed regarding projections of the number of riders who would switch from automobile use to transit.

The memorandum provides a description of the major features of the CTPS travel model including methodology, information about transportation and service assumptions that were used in the application and results. The modeled area encompassed 182 towns in eastern Massachusetts. Results of the modeling include the following projections:

- total Linked Transit Trips and changes in such trips from the "no build" scenario;
- daily boardings by mode, and changes in daily boardings from "no build;"
- total daily boardings at new stations and averaged boardings at each station; no station specific data were included; and
- changes in daily peak period Vehicle Miles Traveled (VMTs).

Additional information is necessary to understand the assumptions and data on which these projections were based, and the reliability of these projections. Examples of specific areas for which additional information should be provided are given below.

N-015-004 Modeled area. The DEIR should provide a list of the 182 towns that were included in the model. It should also specify for specific information components (such as household surveys, population projections, job growth projections, etc.) whether the set of information applies to all 182 towns or to a subset (and if so, identify the subset).

N-015-005 Household surveys. The memorandum indicates the model was developed using data from a Household Travel Survey. The DEIR should provide a copy of the survey, the area encompassed, the results and an explanation of how the results were incorporated into the model.

N-015-006 Passenger surveys and ground counts of transit ridership. The DEIR should provide this data and indicate the area encompassed.

N-015-007 Population projections. Although this information was not included in the memorandum, Scott Petersen's presentation at the February 11 Commuter Rail Task Force meeting included a slide on population projections that identified the population in 2006 as roughly 597,000 and projected the population in 2030 as 747,000. This represents a population growth of 150,000 people or about 25%. It was not clear whether these numbers represented the 182 towns in the model area. The DEIR should include all population projections that were used in the travel model, specify

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N-015-003

Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3. As described in Chapter 3, Section 3.2.4, and as presented in the tables in Section 3.2.4.3, the total number of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project alternative. This number presents the linked trips increase--trips that, without the project, would have been made by car.

N-015-004

DEIS/DEIR Chapter 3, Section 3.2.4.2, Ridership Model Inputs, describes the elements and assumptions the model uses to estimate future ridership. The section does not provide a list of all the cities and towns that are included in the model; however, the model area includes all of eastern Massachusetts, except for the Cape and Islands.

N-015-005

The ridership analysis provided by CTPS is based on a travel demand model, which includes household surveys. These surveys were not included in the DEIS/DEIR, but can be available upon direct request from CTPS.

N-015-006

MassDOT did not conduct passenger or ground count surveys. The ridership analysis provided by CTPS is based on a travel demand model, which includes household surveys. These surveys were not included in the DEIS/DEIR, but can be available upon direct request from CTPS.

N-015-007

Population projections were provided by the SRPEDD Regional Plan. It was not included in the DEIS/DEIR appendix but it can be provided by SRPEDD through a direct request to the agency.

N-015-007 the area included in the projections and provide the assumptions that were used to develop these numbers.

N-015-008 Job growth. At the February 11 meeting, Mr. Petersen's presentation also included a slide regarding job growth indicating that the number of jobs in the region would grow from 255,000 in 2006 to 317,000 in 2030, an increase of 62,000 jobs, or about 25%. Once again, it was not clear whether these numbers represented all 182 towns. The DEIR should include the projections of job growth that were used in the model, specify the area those projections cover and provide the assumptions that were used to develop these numbers.

N-015-009 Fares. The travel model is based on fares up to $5.68 one way for the longest trip. Current fares for commuter rail trips on existing lines are similar to this figure. Considering the MBTA's large budget deficit and news reports that fare increases are likely, the DEIR should discuss in detail whether this figure represents a realistic fare projection for the year of the forecast, 2030.

N-015-010 Transportation assumptions. The memorandum states that "transportation assumptions that were included in this study are those that are most likely to be built by 2030 and are included in the last federally approved and fiscally constrained Regional Transportation Plan of the RPAs that are in the model area." It provides examples of transportation projects included in the analysis. The DEIR should provide a complete list of all the projects that were considered, and also describe other projects that are currently under consideration but are not included in the Regional Transportation Plans.

N-015-011 Ridership transfers from private bus service. The memorandum does not make clear whether the numbers of riders who transfer from private bus service to the new commuter rail service are subtracted from the numbers of people assumed to switch from automobile to transit mode. The latter numbers are used to calculate the changes in daily peak period VMTs. The DEIR should clearly identify the numbers of riders who are expected to transfer from private bus service and should address how those numbers are incorporated into subsequent calculations of changes in linked transit trips and reductions in VMTs.

N-015-012 Traffic induced by the SCR project. The memorandum does not specify whether the projected automobile traffic for the year 2030 includes the additional traffic that is likely to result from growth induced by the SCR project. If projections of induced traffic were not included in the CTPS modeling, these projections should be done, clearly identified and included in the calculation of VMTs for the year 2030.

N-015-013 Breakdown of trip and ridership information by boarding stations. As stated in the ENF, the SCR project purpose is: "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA, to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities." While Tables 2 and 4 of the memorandum provide numbers of daily linked trips, changes in daily linked trips resulting from the project and daily boardings at new stations, they do not provide breakdowns of these numbers by specific stations. They do not tell how many riders board in the greater Fall River and New Bedford areas, in comparison to how many riders board in Taunton, Raynham or other locations. To evaluate the extent to which the project will satisfy

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N-015-008

Job growth projections were provided by the SRPEDD Regional Plan. It was not included in the DEIS/DEIR appendix but it can be provided by SRPEDD through a direct request to the agency.

N-015-009

As summarized in DEIS/DEIR Chapter 3, Section 3.2.4.2.4, the travel demand model compared the economics of using the proposed transit system to the economics of driving or using existing commuter bus service. Fares for the "No Build" Alternative were based on the existing commuter bus monthly fare structure. Fares for the Build Alternatives, including both rail and Rapid Bus alternatives, were based on the current MBTA commuter rail monthly fare structure. Should fares increase, they would increase similarly for each alternative and would not differentiate the alternatives. Therefore, fare increases were not considered in the evaluation of alternatives.

N-015-010

Future transportation improvement are discussed in DEIS/DEIR Chapter 3 Section 3.2.4.1.2 Regional Plan. Table 3.2-2 summarizes the transportation projects assumed in the analysis, based on the SRPEDD and OCPC RTPs.

N-015-011

Ridership projections, including the number of people projected to switch from automobile to transit mode, are presented in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. These totals include riders that would transfer from existing private bus service, as part of new boardings. New linked trips represent only the auto transfer.

N-015-012

N-015-013 demand for public transit to Boston from New Bedford and Fall River, such breakdowns of ridership by station are needed.

It should also be noted that total run times from Fall River and New Bedford to South Station for all of the options are given for the last station on each line. These stations may or may not serve large numbers of riders from that area. The DEIR should provide run times between each station for each alternative. Especially if boarding information for specific stations shows that the majority of riders from the greater Fall River and New Bedford areas board at the second or third stations from the end of the line, run times from these locations to South Station should be considered in evaluating travel times in the overall determination of "practicability" of alternatives. N-015-014 N-015-015

Smart Growth Planning and Development N-015-016

We also reiterate our previous comments that the construction of a rail line through the Hockomock Swamp, the largest freshwater wetland in Massachusetts, when alternatives are available that would utilize existing transportation corridors is not consistent with the Commonwealth's Sustainable Development Principles that encourage use of existing infrastructure and protection and restoration of environmentally sensitive lands and other resources.

Conclusion

The DEIR should provide complete information regarding data and assumptions that were used in the CTPS Travel Model to project ridership numbers and reductions in VMTs for the South Coast Rail Project. The ridership projections provided in the memorandum do not justify either the cost or the high levels of impacts to natural resources, especially if the Stoughton Route is selected. The DEIR should evaluate a broad range of alternatives including the "no-build" that are truly consistent with the Commonwealth's Sustainable Development Principles. It should also provide complete information on the costs associated with each alternative, the fare structure and other sources of funding to cover the high cost of the project. We look forward to reviewing the DEIR. Thank you for considering these comments.

Sincerely,

Priscilla Chapman
Taunton Watershed Advocate
Mass Audubon
1298 Cohannet Street
Taunton MA 02780

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Indirect and cumulative impacts of the South Coast Rail alternatives, including induced traffic, are described in DEIS/DEIR Chapter 5.

N-015-013

Station-specific ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Section 3.2.4.3.

N-015-014

Travel times are discussed in DEIS/DEIR Chapter 3, Section 3.3.1.2.1, Travel Time.

N-015-015

Please see response to Comment No. N-015-015. The practicability measure analysis of the South Coast Rail alternatives is provided in DEIS/DEIR Chapter 3, Section 3.3.2.

N-015-016

MassDOT has noted and considered your comment.

cc: Kristina Egan, SCR Project Manager
Scott Petersen, CTPS
Steven Smith, SRPEDD

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March 17, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Aisling Eglington, EOEEA # 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Via Email: aisling.eglington@state.ma.us

Re: <u>South Coast Rail Travel Demand Analysis Results, Environmental Notification Form for South Coast Rail, EOEEA #14346</u>

Dear Secretary Bowles:

On behalf of the undersigned organizations, we submit the following comments on the scope for the Draft Environmental Impact Report (DEIR) for the South Coast Rail (SCR) Project, with particular reference to the South Coast Rail Demand Analysis Results (DAR) developed by the Central Transportation Planning Staff (CTPS). We appreciate the reopening of the comment period on the Environmental Notification Form (ENF) to enable public comments on ridership, which is so fundamental to any public transportation project.

All of our organizations are committed to the protection and restoration of the Commonwealth's wetlands and waterways. We are very concerned about the potential environmental damage that would result from the Stoughton Alternative that would involve a rail line constructed through over two miles of the Hockomock Swamp, the largest freshwater wetland in Massachusetts. As the Commonwealth's largest freshwater wetland and the headwaters of the Town River, the Hockomock Swamp is an extremely valuable and important resource, designated in 1990 as an Area of Critical Environmental Concern. It supports diverse and complex ecosystems, habitat for rare species and breeding and

stopover areas for migratory birds. The Hockomock also includes aquifers that feed local drinking water supplies and it serves as a huge flood storage basin protecting downstream areas.

Impacts and Alternatives

N-016-001 The ENF filed in November of 2008 for this project described "high levels of impacts" associated with this alternative. In order to comply with requirements of the federal Clean Water Act and the Massachusetts Wetlands Protection Act, the EIR must demonstrate that there is no practicable alternative that would have less adverse environmental impact on the aquatic ecosystem, and that discharge of dredge or fill material would not cause or contribute to significant degradation of the waters of the United States. In addition, the DEIR should evaluate a broad range of alternatives. In addition to
N-016-002 three alternatives recommended by EOT, these should include 1) the Middleborough "full" option that would add a second track to the Old Colony Line in the Quincy/Braintree area, and 2) use of the existing Route 24 highway corridor for rail service.

Ridership

The DAR projects a maximum of 5,900 transit trips per day would be generated by the Stoughton "electric train" alternative in the year 2030, and 5,000 by the Stoughton "diesel" alternative. Since most people will make two trips in their round-trip commute, this means the number of new riders the project would attract is 2,950, or 2,500 respectively. It is also projected that 1,500 of the 2,000 commuters who presently ride private bus services will be diverted to the commuter rail. The project entails a major investment of up to $3 billion at a time when the MBTA is struggling under a heavy debt load. The projected ridership levels do not justify either the project cost or the potential damage to an irreplaceable wetland ecosystem if the Stoughton route is selected.

Assumptions and Supporting Data

N-016-003 We also urge you to require that the DEIR provide all data and assumptions that were used to develop the ridership projections.

N-016-004 A key assumption is the fare structure. The DAR is based on fares up to $5.68 one way for the longest trip. Current fares for commuter rail trips on existing lines (assuming use of monthly passes for discounts) are similar now. Considering the MBTA's large budget deficit and news reports that fare increases are likely, the model should utilize realistic fare projections for the year of the forecast: 2030.

Smart Growth and Resource Protection

As indicated above, "supporting smart growth planning and development strategies in affected communities" is a component of the project purpose. "Sustainable Development Principles" for the Commonwealth of Massachusetts, supported by Governor Patrick are found on the Commonwealth's website at: http://www.mass.gov/Agov3/docs/smart_growth/patrick-principles.pdf. Principle #1, "Concentrate Development and Mix Uses" states in part, "Encourage remediate and reuse of existing sites, structures and infrastructure rather than new construction in undeveloped areas." Principle #4, "Protect Land and Ecosystems" states in part, "Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and

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N-016-001

A comparison of each alternative's potential impacts to wetlands is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.5. Section 4.16.4 describes regulatory compliance requirements of the Massachusetts Wetlands Protection Act and federal Clean Water Act. Chapter 3 contains a comparison of alternatives' performance and feasibility.

N-016-002

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives evaluated in the DEIS/DEIR process. The development of alternatives, previous evaluation and screening efforts. As described in DEIS/DEIR Chapter 3, Section 3.1.3.5.1., Highway Corridor Rail Alternatives, constructing commuter rail within the existing highway right-of-way has been eliminated from consideration due to operational, construction, and environmental impacts. Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-016-003

DEIS/DEIR Chapter 3, Section 3.2.4.2, Ridership Model Inputs, describes the elements and assumptions the model uses to estimate future ridership.

N-016-004

As summarized in DEIS/DEIR Chapter 3, Section 3.2.4.2.4, the travel demand model compared the economics of using the proposed transit system to the economics of driving or using existing commuter bus service. Fares for the "No Build" Alternative were based on the existing commuter bus monthly fare structure. Fares for the Build Alternatives, including both rail and Rapid Bus alternatives, were based on the current MBTA commuter rail monthly fare structure. Should fares increase, they would increase similarly for each alternative and would not differentiate

historic landscapes…" Fragmenting and degrading the largest freshwater wetland in Massachusetts, especially when one or more alternatives that would utilize existing transportation corridors are not consistent with these principles.

N-016-005 In conclusion, the DEIR should provide complete analysis of environmental impacts and a demonstration of compliance with state and federal wetlands laws and all other applicable statutes and regulations. It should identify a preferred alternative that will not result in unacceptable impacts to irreplaceable natural resources of the Commonwealth.

N-016-006 The DEIR should also provide complete information about projected ridership, project costs and sources of funding. We look forward to reviewing this document. Thank you for considering these comments.

Replies to these comments may be sent to Heidi Ricci, Mass Audubon, 208 South Great Road, Lincoln, MA 01773 or hricci@massaudubon.org.

Sincerely,

E. Heidi Ricci

E. Heidi Ricci, Senior Policy Analyst
Mass Audubon

Michael Fager, Chair, Policy Committee
Mystic River Watershed Association

Kerry Mackin, Executive Director
Ipswich River Watershed Association

Steve Pearlman, Advocacy Director
Neponset River Watershed Association

Linda Mack, Executive Director
Massachusetts Association of Conservation Commissions

George Comiskey, Vice President
Parker River Clean Water Association

James McCaffrey, Director
Massachusetts Sierra Club

cc: Kristina Egan, SCR Project Manager
Scott Petersen, CPTS

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the alternatives. Therefore, fare increases were not considered in the evaluation of alternatives.

N-016-005

DEIS/DEIR Chapter 4 describes the potential environmental consequences of each alternative for a broad range of resources. Chapter Section 4.16.4 describes the project's compliance with federal wetlands regulations.

N-016-006

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. Project costs for each alternative are discussed in DEIS/DEIR Chapter 3, Tables 3.2-26 and 3.2-33. A detailed Finance Plan for the LEDPA will describe how the project will be funded.

Metropolitan Area Planning Council
60 Temple Place, Boston, Massachusetts 02111 617-451-2770 fax 617-482-7185 www.mapc.org
Serving 101 cities and towns in metropolitan Boston

January 9, 2009

Ian A. Bowles, Secretary
Executive Office of Energy & Environmental Affairs
Attention: MEPA Office
William Gage, MEPA # 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: South Cost Rail, ENF #14346

Dear Secretary Bowles:

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 Environmental Notification Form (ENF) and offers the following comments.

The South Coast Rail project is an initiative of the Executive Office of Transportation and Public Works (EOT) to bring public transportation to the South Coast region, connecting Boston to the cities of Fall River and New Bedford via transit; either by commuter rail or dedicated bus lanes. The stated goals of the project are increased transit access, more equitable distribution of transit services, increased transit ridership, improved regional air quality, action against climate change, and support of opportunities for smart growth and sustainable development.

The project is undergoing concurrent state and federal environmental review. The U.S. Army Corps of Engineers has drafted a Notice of Intent that was filed at the same time as the ENF. The Notice of Intent and the ENF contain five alternative routes with mode options for state, federal, and public review. A preferred alternative will be identified from these options in the Draft Environmental Impact Report (DEIR).

EOT is also developing an Economic Development and Land Use Corridor Plan (or Smart Growth Corridor Plan) with the municipalities and Regional Planning Agencies (RPAs) in the affected regions, as well as with the members of the Southeastern Massachusetts Commuter Rail Task Force. The plan will "provide a blueprint for economic and residential development, job creation, and environmental preservation" along the new rail corridor. It will attempt to coordinate the new transportation investment with regional and local land use changes that maximize the benefits of that investment.

Jay Ash, *President* Michelle Ciccolo, *Vice President* Grace S. Shepard, *Treasurer* Marilyn Contreas, *Secretary*
Marc D. Draisen, *Executive Director*
PRINTED ON RECYCLED PAPER

N-017-001 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 opportunities. 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.

N-017-002 MAPC is strongly supportive of initiating a comprehensive economic development and land use corridor plan before a major transportation investment such as this. We feel a 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 for the South Coast Rail project provides an excellent opportunity to design and implement a comprehensive process that can be applied in the future. It is important that we get the process right. Corridor planning should be a coordinated effort involving municipalities, RPAs, relevant state agencies, and other regional stakeholders.[1] In order to be most effective, corridor planning should be conducted (or at least begun) before the specifics of any new transportation project are determined. The final product should be a consensus plan that identifies the infrastructure investment (if any) needed to address the needs of the corridor; as well as an implementable land use plan that will preserve the capacity added by any such investments and ensure that resulting development meets the Commonwealth's Smart Growth goals. Each corridor plan should be developed consistent with the goals and objectives of the respective RPA's long range plan and the Commonwealth's Sustainable Development Principles, and each plan should provide the affected municipalities with the necessary tools and resources to grow responsibly, to take advantage of economic and housing development opportunities created by the new line, and to preserve critical resources such as open space, habitat, and water resources. The proponent should review MAPC's *MetroFuture* plan for more suggestions and details regarding Corridor Planning.[2]

N-017-003 New growth around train stations can be a positive "Smart Growth" outcome of the rail expansion and should be encouraged as long as it is efficiently laid out according to the

[1] Relevant state agencies should include, at a minimum, the Executive Office of Housing and Economic Development (both housing and economic development interests should be actively involved), the Executive Office of Energy and Environmental Affairs, the Executive Office of Labor and Workforce Development, and EOT. The relevant RPAs should include the Southeastern Regional Planning and Economic Development District, the Old Colony Planning Council, and MAPC. "Other regional stakeholders" should include business organizations (such as chambers of commerce), watershed and other environmental groups, non-profit housing development organizations, and major regional institutions such as colleges and universities.

[2] MetroFuture Implementation Strategies, MAPC, December 2008; Strategy 12.A.1., pp. 218-219

N-017-001

Thank you for your support of the South Coast Rail project.

N-017-002

We thank MAPC for the agency's active participation in the development of the Corridor Plan and for its ongoing work to implement the plan. The Corridor Plan includes a long term development and protection approach for the 31 cities and towns in the corridor. It was developed with significant public input and used the Commonwealth's Sustainable Development Principles as its foundation. Ongoing technical assistance is being provided to implement the Plan's recommendations.

N-017-003

MassDOT agrees with these principles of Transit Oriented Development. The impacts of transit-oriented development (TOD) and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. TOD and station area development are discussed beginning on page 65 of the Corridor Plan. Technical assistance is being provided to the cities and towns to further plan for TOD at the proposed station areas.

N-017-003 principles of Transit Oriented Development (TOD). It is important that this growth is designed to maximize the use of the new rail service. It should be dense and have a mix of uses that are oriented to the station. Although reasonable amounts of parking are essential, is it important that not all of the prime land near stations be lost to parking. Furthermore, although there may be a powerful incentive to locate commercial/industrial projects near the train stations, a good mix of housing – including units that are affordable to low and moderate-income households – are a critical part of a balanced TOD approach.

N-017-004 Achieving these goals will require the participation of cities and towns to make local land use and zoning decisions that are beyond the jurisdiction of EOT. Therefore, the Commonwealth should explicitly commit to fund continued technical assistance to communities with new stations in exchange for a commitment from those communities to amend their zoning regulations around the stations to promote transit oriented developments (TODs) that will promote a dense mix of uses that fully utilizes the potential of the station while limiting reduction of open space. Preferably, these funds should be made available through the Commonwealth's District Local Technical Assistance Program.[3]

N-017-005 Although the majority of 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. We would like the DEIR to include a comprehensive evaluation of the impacts that construction and new service will have on South Station. Commuter rail service at South Station is currently restricted by the number of tracks that can be placed within its existing footprint. South Station must be expanded to accommodate the additional track space for the South Coast Rail. How will this expansion be undertaken without negatively impacting existing service? Will potential for future expansion be incorporated into the design to allow for future and proposed projects? The DEIR should address these questions.

N-017-006 Similarly, the DEIR should include an explanation of potential changes, due to construction or new service, to existing service along the selected route. This analysis should extend to potential disruptions in freight access during construction and once new service is started. Every attempt should be made to ensure that service, commuter or freight, is not disrupted on these lines while construction is underway, and the final project should include consideration of improvements to existing stations and service along the selected route. We are concerned that one alternative, the full Middleborough alternative, might involve a particularly significant period of disruption to rail and subway service in the Quincy and Braintree area, as well as extraordinary costs for constructing a new tunnel on the Old Colony line.

N-017-007

N-017-008 Partnerships with Amtrak and area freight providers should be seriously considered in calculating project finances and evaluating route alternatives. The proponent should consider whether expansion needed for the South Coast Rail service would also benefit

[3] See M.G.L. c. 29 § 2XXX

N-017-004

The Commonwealth is providing ongoing technical assistance to the 31 cities and towns to implement zoning changes, including TOD zoning at the station areas, and anticipates continuing this assistance throughout the project planning.

N-017-005

The Boston South Station High Speed Intercity Passenger Rail Project is separate and distinct from the South Coast Rail project. As described in DEIS/DEIR Chapter 3, Section 3.2.5.1, the South Station expansion is part of the No-Build condition for South Coast Rail.

N-017-006

Reasonably foreseeable impacts of the South Coast Rail alternatives on transportation systems are presented in DEIS/DEIR Section 4.1. These include impacts to freight rail access.

N-017-007

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-017-008

MassDOT regularly consults with Amtrak and freight providers in planning the South Coast Rail project.

N-017-008
N-017-009 Amtrak or freight service as well. The alternative selection process and the DEIR should include a comprehensive exploration of potential cost savings and improved services through these types of partnerships.

In order to ensure that project benefits are maximized and any negative impacts are minimized and mitigated, we would like to see the following elements included in the Draft Environmental Impact Report (DEIR):

N-017-010 - Complete integration of the findings and recommendations of the Smart Growth Corridor Plan into the DEIR. This should specifically include the impact mitigation and use maximization findings, commitments for state policy changes and expenditures that will enhance Smart Growth within the corridor, and municipal land use and local policy commitments.

N-017-011 - Comprehensive explanation of impacts on current commuter rail service during construction.

N-017-012 - A detailed financing plan, including the potential to share costs for establishment of track with potential partners (Amtrak, MBTA, or rail freight companies) that would also benefit.

N-017-013 - A detailed parking plan, including programs for: off-hours/weekend use of commuter rail lots to serve as parking for bolstering economic development activities in the communities; conversion of newly excess parking at stations that are no longer end-of-line to more useful economic development or TOD uses; and consideration for structured parking at stations to allow for TOD development.

N-017-014 - A list of all at grade crossings on the preferred alternative and a detailed plan developed with the communities to ensure that they are safe for pedestrians and auto vehicles and that they cause a minimum of disturbance to the flow of all modes.

N-017-015 - An explanation of the impacts on and of freight provision, including the potential for re-routing of freight service if specific alternatives are selected as the preferred alternative.

N-017-016 - An explanation of the impacts on Amtrak service.

N-017-017 - A proposal to expand bus and shuttle connections between the stations and nearby retail, office, and residential uses. Expanded transit provision (supportive of the new line) should be a key element of the mitigation plan. 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.

N-017-018 - Consideration for incorporating bicycle and pedestrian paths along rail right of way (i.e., the "rails AND trails").

N-017-009

Existing agreements between the freight operators, Amtrak, and the Commonwealth would remain in place after the South Coast Rail project is implemented.

N-017-010

The smart growth measures and state commitments are incorporated into the DEIS/DEIR under Section 5.3.1.3.1.

N-017-011

Reasonable foreseeable impacts of the South Coast Rail alternatives on transportation systems are presented in DEIS/DEIR Section 4.1. These include impacts to freight rail access.

N-017-012

A detailed Finance Plan for the LEDPA will describe how the project will be funded.

N-017-013

With the exception of Fall River Depot Station, the conceptual station designs, provided in DEIS/DEIR Section 3.2.5.2.8 feature surface parking. However, these designs do not preclude future structured parking at stations. The demand for parking at stations was estimated through a regional travel demand modeling process. A explanation of the methods for anticipating access demand at stations, including parking demand, is provided in Section 3.2.4.2 of the DEIS/DEIR. The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5.

N-017-014

The DEIS/DEIR evaluated the impacts at grade crossings as a result of

N-017-019 - Station design guidelines that ensure integrated bicycle and pedestrian connections and easy access to surrounding retail, commercial, and residential uses.

N-017-020 - Inclusion of a multi-municipality traffic study to identify and propose mitigation for disruption of automobile traffic during construction of the preferred alternative.

N-017-021 - Early identification of potential negative impacts of construction on economic or housing development strategies now in place in the municipalities.

Thank you for the opportunity to comment on this important project.

Sincerely,

Marc D. Draisen
Executive Director

cc:
Tim Tinlin, City of Boston
Rachel Meredith-Warren, town of Braintree
William Friel, town of Canton
Andrew A. Gala Jr., town of Foxborough
Michael D Yunits, town of Holbrook
Dennis E. Harrington, city of Quincy
David C. Murphy, town of Randolph
Benjamin E Puritz, town of Sharon
Mark Stankiewicz, town of Stoughton
Taber Keally, Chairman, Three Rivers Interlocal Council
Steven Smith, SRPEDD
Pat Ciaramella, OCPC
Kristina Egan, EOT

the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

N-017-015

Impacts to freight operations from each alternative are discussed in DEIS/DEIR Chapter 4.1, Section 4.1.4.2.2.

N-017-016

Amtrak service is not expected to be impacted by operating any alternative the project. Constructing either of the Attleboro Alternatives, if selected as the LEDPA, would be scheduled to minimize any effects during the construction phase.

N-017-017

Regional bus operators would provide feeder bus service to the South Coast Rail stations, as described in DEIS/DEIR, Chapter 3, Section 3.2.5.2.1.

N-017-018

Pedestrian and bike paths within active railroad rights-of-way were not included in the project for numerous reasons. One main reason is that proposed track footprints have been reduced to minimize environmental impacts. Adding additional pathways would widen the right-of-way footprint, thus incurring additional environmental impacts.

N-017-019

South Coast Rail stations have been conceptually designed to support pedestrian and bicycle connectivity to surrounding areas. Pedestrian and bicycle accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8. These accommodations and connections will be further evaluated in Final EIS/EIR phase of the project, once the LEDPA has been selected.

N-017-020

Reasonably foreseeable traffic impacts of the South Coast Rail alternatives are presented in DEIS/DEIR Chapter 4, Section 4.1.4. Proposed traffic mitigation measures, associated with the various alternatives, are presented in Section 4.1.5. Detailed mitigation measures will be further defined in the Final EIS/EIR, once a LEDPA is selected. Indirect and cumulative impacts of the South Coast Rail alternatives, including anticipated growth, are described in DEIS/DEIR Chapter 5.

N-017-021

DEIS/DEIR Chapter 4.3, Section 4.3.3 includes an analysis of the socioeconomic impacts of the project. Smart growth strategies, as described in the Corridor Plan, would provide a positive effect on economic development in the South Coast region.

Moore & Isherwood Communications, Inc.
156 Eighth Street, New Bedford, Massachusetts 02740
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RECEIVED
MEPA

January 7, 2009

Mr. Alan Anacheka-Nasemann
US Army Corps of Engineers, New England District
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheka-Nasemann:

N-018-001 I am writing this letter in support of the SouthCoast Commuter Rail project.

The South Coast of Massachusetts is one of the few regions of the state that is without commuter rail. As one of the fastest growing regions in the state, the area would be well served with an improved mass transit system resulting in opening up affordable housing markets for many people who live and work in Boston now.

Commuter rail would be an environmental plus, taking many vehicles off the road that travel to Boston on the existing highway system, which is inadequate for the number of vehicles that drive the route on a daily basis.

I personally believe commuter rail will also be an economic development engine resulting in job creation.

In summary, the many benefits of the SouthCoast Commuter Rail project is clearly in the best interests of the Commonwealth's citizens and worthy of enthusiastic support.

Very truly yours,

Elizabeth Isherwood, APR
President

cc: Secretary Ian Bowles, EEA
Aisling Eglington

N-018-001

Thank you for your support of the South Coast Rail project.

NEPONSET RIVER WATERSHED ASSOCIATION

2173 Washington Street • Canton, MA 02021
Phone 781-575-0354 • Fax 781-575-9971 • www.neponset.org

RECEIVED JAN 7 2009 MEPA

COMMENTS ON SCOPE OF DEIR FOR SOUTH COAST RAIL PROJECT
Neponset River Watershed Association

The Neponset River Watershed (NepRWA) is, naturally, primarily concerned about impacts of the various alternatives on our watershed. Both Alternative 1 through Attleboro and Alternative 4 through Stoughton would run through the Neponset River Watershed while the other alternatives would not. We believe, however, that certain environmental principles (and certainly all environmental laws) should apply statewide. For example, we believe that impacts to Areas of Critical Environmental Concern (ACECs) should always be avoided unless a project serves an overriding public interest and there are no reasonable alternatives that would avoid those impacts.

N-019-001

N-019-002 NepRWA has noted that the project purpose stated in the ENF is not identical to that stated in the USACOE filing, in that the state has added the purpose of supporting "smart growth planning and development in affected communities." Because of this additional language, concern has been expressed that the Rapid Bus Alternative could ultimately be rejected by EOT as not contributing as much to smart growth as rail alternatives, and could even lead to a conflict between EOT's "preferred alternative" and the Corps' "Least Environmentally Damaging Practicable Alternative." We would ask that the project purpose submitted to the Corps be used for MEPA purposes as well.

NepRWA would propose that the scope for the Draft EIR, as proposed by EOT in the ENF, be revised as follows:

ENF Section 8.2 Alternatives

N-019-003
- We strongly concur with EOT's recommendation to remove Alternative 1 (through Attleboro) from consideration in the DEIR, particularly because it would fill nearly 10 acres of wetlands, many in the Fowl Meadow ACEC in our watershed. We concur with EOT's clear and convincing rationale for this recommendation in Section 6.5.5 of the ENF.

N-019-004
- In the DEIR, plans and designs as well as discussions of impacts of each alternative (including tables and figures) should be presented not only for each municipality, but also for each discrete segment of each alternative within that municipality (for example, the segment of Alternative 4 between Stoughton Station and Canton Junction where new track would have to be added). Major streets, as well as watershed boundaries and impacts, should also be included.

N-019-005 **ENF Section 8.3 Wetlands.** NepRWA is generally happy with the proposed scope for the draft DEIR contained in Section 8.4 of the ENF, but would request the following:

- EOT in Section 8.3 says it is "committed to the sequential mitigation process …(of) avoiding and minimizing impacts," and only mitigating "unavoidable impacts." Therefore, the EIR

Boston, Canton, Dedham, Dover, Foxborough, Medfield, Milton, Norwood, Quincy, Randolph, Sharon, Stoughton, Walpole, Westwood

N-019-001
The South Coast Rail alternatives' potential impacts to ACECs are described in DEIS/DEIR Chapter 4.10, Section 4.10.3.2.

N-019-002
MassDOT does not believe that the use of different statements of project purpose will result in irreconcilable differences between the Commonwealth's goals and the Corps' and DEP's permitting processes. Large complex projects such as South Coast Rail typically have different statements of project purpose adopted by the project proponent and the regulatory agencies. Project proponents often develop a purpose statement that broadly defines the objectives and goals of a public infrastructure project, which may include enhancing a regional transportation system, improving public safety improving air quality, supporting smart growth, contributing to economic growth, or promoting transportation equity. The proponent's purpose statement guides the Commonwealth's transportation planning and funding decisions. The broad framework statements used by MassDOT are consistent with the MEPA requirement that an EIR discuss "the objectives and benefits of the project" (301 CMR 11.07(6)). MassDOT's project purpose statement is just that - a statement of the Commonwealth's objectives in advancing the project.

N-019-003
The Secretary's Certificate on the ENF required that the environmental review include the Attleboro Alternatives.

N-019-004
DEIS/DEIR Chapter 3 provides detailed descriptions of all alternatives. Chapter 4 describes the potential impacts of the alternatives to a broad range of resources. As appropriate, impact discussions are presented for each municipality.

N-019-005 should discuss efforts to avoid and minimize, as well as mitigate, impacts in each wetland that will be altered under each alternative.

N-019-006
- Section 8.3 discusses restoration and enhancement of wetlands. The Wetlands Protection Act Regulations do not generally accept such mitigation measures if they occur off-site unless a variance is granted. The DEIR for this project should indicate not only the wetlands permits that will be needed for each affected wetland, but whether variances will be required and why. Alternatives should not be considered at all in the EIR if they are not permittable under state, federal or local law, unless the alternative is revised to comply with that law.

N-019-007
- Section 5 of the ENF notes that affected wetlands locations and impacts for the Stoughton Alternative had been given in the 2002 Final EIR and in the April 2008 Phase 1 Report. We would expect that relevant information in those documents would be included in the DEIR, and not just by reference.

ENF Section 8.5 Vegeation and Wildlife Habitat

N-019-008
- Fragmenting large continuous habitats can almost never be fully mitigated by creating or preserving a collection of smaller parcels elsewhere. The DEIR must address this issue with a sophisticated analysis of impacts on all wildlife habitat functions. Under the Wetlands Protection Act (M.G.L. c. 131 Section 40 paragraph 14), these functions are food, shelter, migratory or overwintering areas and breeding areas. Wildlife is defined in the Regulations (310 CMR 10.04) to include all mammals, birds, reptiles and amphibians as well as all vertebrate and invertebrate animal species that are officially listed in Massachusetts as endangered, threatened, or of special concern. Habitat of fish and shellfish is protected separately under the Wetlands Protection Act and Regulations, but should be included in the DEIR analysis.

N-019-009 **ENF Section 8.7 Water Resources**

- It is unclear why potential impacts of surface water discharges under Section 8.7 will only be evaluated for stations, parking areas, and layover facilities, but not for the tracks themselves. Section 8.7 states that there are no potential sources of stormwater runoff from the tracks that could contribute to the degradation in water quality. It would seem to us that oil, toilet waste and diesel fuel are highly likely to be discharged onto the tracks and could run off with stormwater. If we are not mistaken about this, then evaluation of the tracks should be included in the DEIR as well.

N-019-010
- The ENF refers to the "Massachusetts Stormwater Management Policy," which has now been superseded by the stormwater provisions contained in the Wetlands Protection Act Regulations (310 CMR 10.00), which in turn frequently requires compliance with the Massachusetts Stormwater Handbook. The DEIR, therefore should assess compliance with those two documents.

Neponset River Watershed Association, page 2 of 3

N-019-005

A description of wetlands impact avoidance and minimization, and proposed mitigation measures for unavoidable wetlands impacts is provided in DEIS/DEIR Chapter 4.16, Section 4.16.3.6.

N-019-006

As described in Section 4.16.4.1.2, construction of any of the Build Alternatives would require MassDEP to issue a variance from the Massachusetts Wetlands Protection Act regulations.

N-019-007

The potential wetlands impacts from the Stoughton Electric Alternative and Stoughton Diesel Alternative are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.5.4 and 4.16.3.5.5, respectively.

N-019-008

Impacts to wildlife habitat (including birds, amphibians/reptiles, mammals, insects, fish/shellfish, and plants) that would result from the South Coast Rail alternatives are described in Section 4.14 of the DEIS/DEIR.

Potential impacts to habitat fragmentation and function are evaluated in Section 4.14.3 of the DEIS/DEIR.

N-019-009

The potential water resources impact analysis provided in DEIS/DEIR Chapter 4.17, Section 4.17.3.3 includes all components of each alternative: alignments (rail or road), stations, and layover facilities. It should be noted that toilet waste would be contained in sewage tanks on the trains, and not discharged to the tracks. Fuel and oil will not be discharged.

ENF Section 8.10 Land Use

N-019-011 • NepRWA would like to see an analysis in the DEIR of the impacts of the additional set of tracks that would be added from Stoughton Center to Canton Junction under Alternative 4. Among other things, the DEIR should indicate areas needing additional rights of way, wider embankments and bridges or creation of new bridges, along with the environmental impacts of these changes. Section 4.9.3 of the ENF does state that for the Stoughton Alternative: "North of Stoughton Station, the existing bridges may need to be widened to accommodate the new track."

N-019-012 • Alternative 1 was rejected partially because the Canton Viaduct is not wide enough to accommodate an additional track, thus requiring construction of a new bridge. Yet, unless we are mistaken, the new track proposed between Stoughton Center and Canton Junction would also have to use the Viaduct near Forge Pond in Canton. This should be clarified in the DEIR.

N-019-013 **ENF Section 8.11 Social and Economic Environment**

• It is well established that reducing commuting time in outlying communities, whether from constructing or widening highways or from introducing mass transit, induces additional growth in those communities. EOT in Section 8.11 of the ENF states: "The Draft EIR will identify any potential social and economic impacts, including induced growth of the proposed action in the absence of growth management strategies discussed below." Induced growth, however, does not only have social and economic impacts, but also environmental, land use and traffic impacts (growth creates traffic impacts even if the new citizens use mass transportation to and from their jobs).These impacts should be addressed in the DEIR.

N-019-014 Similarly, most transit users drive from to and from transit stations, which has environmental and other impacts, including impacts on actual travel times This should be addressed in the DEIR.

Misc proposed developments/socoastrailenfcomments.doc

Neponset River Watershed Association, page 3 of 3

N-019-010

Compliance with the Massachusetts Wetland Protection Act is described in DEIS/DEIR Chapter 4.16, Section 4.16.4.1. The project's compliance with the Massachusetts Stormwater Management Standards and Regulations is provided in Chapter 4.17, Section 4.17.3.5.

N-019-011

The environmental impacts associated with each of the South Coast Rail alternatives, including the Stoughton Alternative, are described in Chapter 4 of the DEIS/DEIR. There are no new bridges or rights-of-way associated with the Stoughton Alternative. Bridge improvements, including widenings associated with this alternative are discussed in Section 3.2 of the DEIS/DEIR.

N-019-012

The Canton Viaduct is located on the Northeast Corridor just south of Canton Junction, and spans the Neponset River and a local street. Because the Stoughton Alternatives connect to the Northeast Corridor at Canton Junction, it does not use the Canton Viaduct. The structure on the Stoughton Line spanning Forge Pond in Canton is a small stone-arch culvert unrelated to the Canton Viaduct.

N-019-013

The potential effects of induced growth on land use and traffic are described in Sections 5.3.2.1 and 5.3.2.8, respectively, of DEIS/DEIR Chapter 5.

N-019-014

DEIS/DEIR Chapter 4.1, Section 4.1.4.2 describes the indirect transportation effects of the project, including traffic impacts from automobiles driven to stations. Air quality impacts of personal automobile

use for this purpose are included in the analysis provided in Chapter 4.9, Section 4.9.4.

JAN-06-2009 02:22PM FROM-NEW BEDFORD AREA CHAMBER OF COMMERCE +508 999 5237 T-538 P.001/001 F-412

AE

NEW BEDFORD AREA CHAMBER OF COMMERCE

794 Purchase Street · P. O. Box 8827 · New Bedford, MA 02742
(508) 999-5231 Tel · (508) 999-5237 Fax · www.newbedfordchamber.com

January 5, 2009

RECEIVED JAN 6 2009 MEPA

Secretary Ian Bowles
Executive Office of Energy & Environmental Affairs
ATTN: Aisling Eglington, MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: SouthCoast Rail Project
Permit Number NAE-2007-00698

Dear Secretary Bowles:

N-020-001 Please accept this letter as evidence of our support for the establishment of passenger rail service between the SouthCoast region and Boston.

The New Bedford Area Chamber of Commerce, a one thousand member-strong business organization, provides leadership on issues and activities important to our economy and quality of life. 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.

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 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.

We thank you for your consideration on this important economic development issue. Please do not hesitate to contact us if we can be of assistance.

Sincerely,

James R. Pratt, Jr.
Chairman of the Board

Maureen Armstrong
Vice Chair of Government Affairs

Roy Nascimento, IOM
President & CEO

cc: Alan Anacheka-Nasemann, US Army Corps of Engineers, New England District

N-020-001

Thank you for your support of the South Coast Rail project.

NEW BEDFORD
ECONOMIC DEVELOPMENT COUNCIL

January 8, 2009

Secretary Ian Bowles
EOEEA
Attn: MEPA Office Aisling Eglington
100 Cambridge Street, Suite 900
Boston MA 02114

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

RE: South Coast Rail ENF Comments

Secretary Bowles & Mr. Anacheka-Nasemann,

Uniting

The New Bedford Economic Development Council (NBEDC) works collaboratively with local organizations and dozens of agencies at the city, state and federal levels to promote sustainable economic development activities for New Bedford and as such recognize the significance that the South Coast Rail (SCR) project would have for the future growth of New Bedford.

New Bedford's

The City of New Bedford is at a critical turning point and we are positioned to move a progressive development and job creation agenda that will address the critical components for achieving sustainable growth in the city's economy, neighborhoods and families.

N-021-001 *economic*

The SCR project epitomizes the principles of smart growth that provide New Bedford with an opportunity for revival. By reconnecting the cities of New Bedford and Fall River, the rail project will direct development to the urban areas that are ready and able to handle growth and sustainable development.

strengths.

The SCR provides New Bedford with an unprecedented revitalization opportunity that will enable the city to become the regional center of the South Coast. It encourages the reuse of brownfields, and under-utilized lands, and if planned properly, may ensure the preservation greenfields.

N-021-002

While the NBEDC fully supports SCR to New Bedford, after careful review and consideration, we must strongly opposes Option 5—the rapid bus service alternative. Bus service falls far short of commuter rail in terms of its environmental benefits, and attracts far less ridership than rail, reducing further any positive impacts.

Please contact us should you require any additional information.

Sincerely,

Matthew A. Morrissey
Executive Director

1213 Purchase Street
New Bedford, MA 02740
Tel. 508.991.3122
Fax: 508.991.7372
www.nbedc.org

N-021-001

Thank you for your support of the South Coast Rail project.

N-021-002

The Rapid Bus Alternative was analyzed in the DEIS/DEIR, as required by the MEPA Certificate and the Corps of Engineers.

Eglington, Aisling (EEA)

From: Linda Rodrigues [LRodrigues@bufftree.com]
Sent: Wednesday, January 07, 2009 4:45 PM
To: screis@usace.army.mil; Eglington, Aisling (ENV)
Cc: Scott Costa
Subject: New Bedford/Fall River/Boston Rail Project

SOUTH COAST
CEO COUNCIL

RECEIVED
JAN 7 2009
MEPA

January 7, 2009

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

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2524

Dear Secretary Ian Bowles and Mr. Anacheka-Nasemann:

N-022-001 The intent of this letter from the New Bedford CEO Council is to express our unanimous support for the rail project to connect New Bedford/Fall River and Boston.

Our group represents both public and private companies that employ well over 10,000 people, academia, as well as representatives of industrial development, etc. within the greater New Bedford area.

We believe that once completed, this rail project would provide economic stimulus for our region while benefiting the environment overall.

Respectfully,

Scott W. Costa

1/7/2009

N-022-001

Thank you for your support of the South Coast Rail project.

Chairman
New Bedford CEO Council

1/7/2009

Old Colony Planning Council

Jeanmarie Kent Joyce
President

70 School Street
Brockton, MA 02301-4097

Pasquale Ciaramella
Executive Director

Telephone: (508) 583-1833
Fax: (508) 559-8768
EMAIL: info@ocpcrpa.org

January 9, 2009

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 Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA #14346: South Coast Rail Project
Environmental Notification Form (ENF)

Dear Mr. Alan Anacheka-Nasemann and Secretary Bowles:

Old Colony Planning Council (OCPC) has reviewed the Environmental Notification Form (ENF) submitted for the South Coast Rail Project (EEA #14346). The proposed transportation project is an Executive Office of Transportation and Public Works (EOTPW) initiative to bring public transportation to the South Coast region of the Commonwealth. This effort will increase transit accessibility; ensure equitable distribution of transit services; increase transit ridership; improve regional air quality; help provide a solution for climate change; and support opportunities for smart growth and sustainable development. The ENF for the proposed transportation project included four (4) commuter rail alternatives; Alternative #1 through Attleboro; Alternative #2 though Middleborough (2A & 2B); Alternative #3 through Attleboro/Middleborough; Alternative #4 through Stoughton; and Alternative #5 Rapid Bus service utilizing existing highway networks. In addition, the ENF contained information on existing environmental conditions; potential environmental impacts; EOTPW's list of recommended alternatives; necessary federal and state permits and approvals; and a proposed scope for the forthcoming Draft EIS/EIR. Overall, I found the ENF document to be well prepared and organized, which enables enhanced general public comprehension. I look forward to reviewing future environmental documents prepared with the same care and thoroughness as evident in the ENF.

Public Participation

In April 2007, the Patrick-Murray Administration's *South Coast Rail: A Plan for Action* report documented the importance of this proposed transportation project and identified it as a priority initiative for the Commonwealth. In order to ensure an effective and open public participation process, EOTPW 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. The Phase I Alternatives Analysis included in the ENF, documented the extensive process EOTPW employed to reduce the original list of viable alternatives from sixty-five (65) to the five (5) included in the ENF. This exhaustive and comprehensive public participation component is an example of an effective and transparent process that should be recognized and applauded. OCPC has participated in the aforementioned Commuter Rail Task Force since its inception in 2000 and always encourages early, continuous, and ongoing communication between project proponents, municipalities, permitting agencies, stakeholders, and other interested parties in order to identify potential issues early in the design and review process so that questions and/or concerns can be answered and rectified in a timely manner. I commend EOTPW for their public participation efforts relative to this project and I encourage them continue this important component of the proposed transportation project.

Smart Growth

The scale and geographic extent of the proposed transportation project offers an opportunity to generate new economic development, while shaping this new growth in a way that it helps preserve as many environmental resources as possible. EOTPW has partnered with local municipalities to jointly plan the proposed transportation project and, with local land use, the project can help cluster people and jobs in close proximity to train stations and therefore theoretically reduce sprawl. Utilizing Smart Growth principles will help reduce the "development sprawl" by providing destinations and residences that people will enjoy, while protecting open space for recreation and wildlife habitat future generations. EOTPW has committed to completing a Smart Growth Corridor Plan to accompany the planning and construction of the South Coast Rail Project. This is important to Southeastern Massachusetts in order to protect and preserve the regions natural resources, in addition to, managing growth in the State's fastest growing area in ways that are appropriate to the diverse needs of the communities in the region. Smart Growth principles are and should remain a major component of the proposed transportation project during the final alternative selection and the station and layover facilities design process.

N-023-001

Draft EIR Scope

According to the ENF, the scope of the forthcoming Draft EIS/EIR will be quite extensive. It will include more detailed alternatives descriptions; extensive analyses of potential environmental impacts; a full Traffic Impact and Access Study; and a complete list of mitigation measures. As such, OCPC continues to believe that safety remains a key issue that needs to be addressed in the Draft EIS/EIR, and mitigated to the satisfaction of the affected communities. Considering the scope of the Draft EIS/EIR, I encourage the proponent to request that the public review period be extensive for this stage in the environmental review in order to provide ample time for the permitting agencies, stakeholders,

N-023-001

Thank you for your agency's assistance in the development and implementation of the Corridor Plan. MassDOT is committed to continuing station area planning to advance smart growth.

and the general public to review and comment on the proposed project. In addition, I recommend the proponent pay close attention to the following items in the Draft EIS/EIR.

Public Transportation

N-023-002 Public transportation usage is a central priority for this proposed transportation project and large public transportation vehicles are harder to maneuver, require more space, 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 Authority (SRTA)) must be involved in the station and conceptual design discussions and the fixed route interconnectivity analyses and planning. 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 service 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 Mass*RIDES* program to promote ridesharing and carpooling.

Bicycle and Pedestrian Accommodations

N-023-003 Bicycle and pedestrian accommodations are important to integrate into this proposed transportation project. The conceptual station site plans which incorporate bicycle and pedestrian needs will help reduce trips on the roadway network as some people will choose to walk or ride a bike to their destination. As such, the Draft EIR 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. In addition, providing bicycle amenities at stations, and at other locations as appropriate, such as bike racks and lockers, will help to promote bicycle commuting and reduce the amount of cold starts at the station parking areas. As an overriding design requirement, at-grade pedestrian crossing to access station platforms must be avoided to eliminate potential injury or fatalities.

Conclusion

The restoration of commuter rail service on the Old Colony Lines provided numerous opportunities for development and several examples of the positive impacts resulting from the commuter rail line and train station locations can be found throughout the OCPC region. For example, large mixed use Transit Oriented Development (TOD) projects are planned at both the Kingston and Plymouth Commuter Rail Stations, which provide residential and commercial uses within village style settings. In addition, the Downtown Brockton 40R district continues to progress with more mixed use residential/commercial revitalization planned in the near term. These 40R districts employ smart growth principles, which are critical in reducing overall vehicle miles traveled, and improving air quality, while increasing transit ridership.

The proposed transportation project is a large, capital-intensive project which will have both positive and negative impacts on the Southeastern Massachusetts region for many generations and therefore, all

N-023-002

South Coast Rail project stations, as presented in DEIS/DEIR Section 3.2.5.2.8, have been conceptually designed to support access by many modes of transportation, including local, regional and interstate bus services. Transit agencies and other passenger transportation operators have been and will continue to be engaged in refining site plans. Transit agencies and other passenger transportation operators will be engaged to refine site plans during the Final EIS/EIR phase of this project, once the LEDPA has been selected.

N-023-003

South Coast Rail stations have been conceptually designed to support pedestrian and bicycle connectivity to surrounding areas. Pedestrian and bicycle accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8. These accommodations and connections will be further evaluated in Final EIS/EIR phase of the project, once a LEDPA has been selected. No new pedestrian grade crossings are proposed at South Coast Rail stations.

N-023-004

stakeholders should pay close attention to project implementation to ensure that all environmental impacts are either avoided, minimized, and/or mitigated. The Old Colony Planning Council Region rests in-between the communities with the greatest demand for this service and Boston, regardless of which alternative is chosen. Taking that into consideration, as the project moves forward, ensuring safety, providing satisfactory mitigation, and maintaining the balance of both new development and the preservation of both historic and natural resources needs, are vital to the communities in the region, so that the project can provide additional value to the destinations in-between the northern and southern terminus of the proposed project. As stated in the ENF, traffic volumes on the roadways in the South Coast area have grown at an annual rate of three to four percent over the past decade. This trend is likely to continue and without significant transportation improvement projects that reduce congestion, improve safety, or provide transportation alternatives, the current infrastructure, especially Route 24, will not adequately accommodate the future traffic demand. As the average daily traffic increases on our roadways, its associated impacts translate to impacts on both the region's quality of life and the physical environment. Therefore, extreme care and sensitivity needs to be applied in the planning, design, and construction stages of this proposed transportation project.

I thank you for the opportunity to comment on this project to ensure that it accomplishes its objectives with minimal environmental impacts and look forward to reviewing all future filings.

Sincerely,

Pasquale Ciaramella
Executive Director

cc: OCPC Delegates and Alternates
Federal and State Legislators
OCPC Region Chairs, Board of Selectmen
OCPC Region Chairs, Planning Boards
Mr. James Aloisi, Jr., Secretary, EOTPW
Ms. Luisa Paiewonsky, Commissioner, MassHighway
Mr. Daniel Grabauskas, General Manager, MBTA
Mr. Paul Maloney, P.E., Metropolitan Planner, FHWA
Mr. Bernard McCourt, Director, MassHighway District 5
Mr. Lionel Lucien, Public/Private Development Unit, EOTPW
Ms. Joanne Weinstock, MPO Liaison, EOTPW
Mr. Reinald Ledoux, Jr., Administrator, BAT
Mr. Frank Gay, Administrator, GATRA
Mr. Joseph Cosentino, Administrator, STRA

N-023-004

MassDOT has noted and considered your comment. Thank you for your agency's active involvement in the planning of this project.

Old Colony Planning Council

Jeanmarie Kent Joyce
President

70 School Street
Brockton, MA 02301-4097

Pasquale Ciaramella
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March 17, 2009

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 Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: EEA #14346: South Coast Rail Project
Environmental Notification Form (ENF) & Supplemental Ridership Memorandum

Dear Mr. Alan Anacheka-Nasemann and Secretary Bowles:

Old Colony Planning Council (OCPC) has reviewed the Supplemental Ridership Memorandum filed as part of the Environmental Notification Form (ENF) submitted for the South Coast Rail Project (EEA #14346). The project proponent, the Executive Office of Transportation and Public Works (EOTPW), submitted the Supplemental Ridership Memorandum to the United States Army Corps of Engineers and the Massachusetts Environmental Policy Act (MEPA) office on February 17, 2009, thereby extending the MEPA review public comment period. Overall, I found the Supplemental Ridership Memorandum to be organized and concise, which seemed to enable enhanced general public comprehension of the forecast ridership. Old Colony Planning Council supports the utilization of CTPS for the travel demand modeling portion of the transportation impact analyses and commends the work done to date. N-024-001

Supplemental Ridership Memorandum

At the February 11, 2009 meeting of the Southeastern Commuter Rail Task Force, Scott Peterson, CTPS staff member, provided the Task Force members with an overview of the South Coast Rail Travel Demand Model and the results included in the Supplemental Ridership Memorandum. While this hour long discussion was appreciated by Old Colony Planning Council and the Task Force members, considering the importance of this information, the proponent should continue their N-024-002

N-024-001

MassDOT has noted and considered your comment.

N-024-002

A summary of the South Coast Rail project public outreach efforts is provided in Chapter 4.4, Section 4.4.4 of the DEIS/DEIR. As the project continues to progress, the most up-to-date public outreach information is posted to the project website, at mass.gov/southcoastrail.

N-024-002 extensive public outreach efforts to include more discussion and information dissemination relative to the projected ridership analyses.

N-024-003 The Supplemental Ridership Memorandum, produced by CTPS included an overview and major features of the travel demand model used in the analysis; the application of the model; the list of alternatives examined; service assumptions information; and an overview of the results. Overall, I felt that the information presented in the memorandum was concise; however, the way in which the information was displayed made it difficult to make direct comparisons (i.e. – Table 2: Daily Linked Trips vs. Table 5: Changes in Daily Peak Period Vehicle Miles of Travel) between the different alternatives. Therefore, I encourage the proponent to construct one table which displays the results of all of the analyses to give the reader a better understanding of how each of the alternatives directly compare to one another. The project proponent should share this table with all interested parties as they continue the aforementioned public outreach efforts.

Draft EIR Scope

Since the release of the ENF document, the project proponent has held a Station Workshop in the Town of Stoughton (February 11, 2009) and a Civic Engagement Meeting in the Town of Easton (March 3, 2009). Those events provided interested parties with the opportunity to discuss the project directly with the project proponent; ask questions about the project; and to express concern regarding aspects of the project design. On behalf of the OCPC communities, I thank the project proponent for continuing the public participation component of the project and I recommend that the following items, which were mentioned at both events, be included in the Draft EIS/EIR filing:

Stoughton Station Workshop – February 11, 2009

N-024-004 ▪ Provide conceptual station design plans which detail moving the train platform to eliminate the need for the train to block Route 27 and Wyman Street;

N-024-005 ▪ Provide conceptual design plans for the depression of the rail line in Stoughton Center;

N-024-006 ▪ Provide conceptual design plans for the upgrade and possible relocation of the Stoughton Station;

N-024-007 ▪ Provide conceptual mitigation plans which improve the circulation of traffic, bicyclists, and pedestrians within Downtown Stoughton;

N-024-008 ▪ Provide the town with information which demonstrates the pros and cons of Transit Oriented Development (TOD) in the vicinity of the existing train station

Easton Civic Engagement Meeting – March 3, 2009

N-024-009 ▪ Address concerns relative to the protection of Areas of Critical Environmental Concern (ACEC), wildlife corridors, and public water supplies;

N-024-010 ▪ Address safety concerns regarding the number of grade crossings and provide conceptual design plans which demonstrate public safety;

N-024-011 ▪ Provide conceptual station design plans for both proposed station sites and associated necessary mitigation;

N-024-012 ▪ Provide the town with information which demonstrates the pros and cons of Transit Oriented Development (TOD) and smart growth as it relates to the downtown village area

Again, considering the scope of the Draft EIS/EIR, I encourage the proponent to request that the public review period be extensive for this stage in the environmental review in order to provide ample time

Page 2 of 6

N-024-003

A ridership comparison is provided in DEIS/DEIR Chapter 3, Section 3.3.1.1, Ridership Demand. Detailed ridership summaries for each alternative are provided in Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results.

N-024-004

A conceptual Stoughton Station redesign, as part of the Stoughton rail alternatives, is included in DEIS/DEIR Section 3.2.5.2.8. This design includes relocated platforms. Trains stationed at these platforms would not block Route 27 or Wyman Street.

N-024-005

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

N-024-006

A conceptual Stoughton Station redesign, as part of the Stoughton rail alternatives, is included in DEIS/DEIR Section 3.2.5.2.8.

N-024-007

Table 4.1-79 in DEIS/DEIR Chapter 4.1, Section 4.1.5.1 lists the specific traffic mitigation measures at grade crossings that are proposed for downtown Stoughton. Improving the circulation of traffic, bicycles, and pedestrians in downtown Stoughton is beyond the scope of the DEIS/DEIR, however, the Commonwealth is providing the Town with technical assistance on these issues.

N-024-008

The impacts of transit-oriented development (TOD) and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. Chapter 6 of the Corridor Plan

for the permitting agencies, stakeholders, and the general public to review and comment on the proposed project. In addition, OCPC staff has identified the following topics of discussion which I ask the project proponent to address in the Draft EIS/EIR document.

Safety

N-024-013 OCPC continues to believe that safety remains a key issue that needs to be addressed in the Draft EIS/EIR, and mitigated to the satisfaction of the affected communities. For example, at-grade pedestrian crossings to access station platforms must be avoided to eliminate potential injury and/or fatalities. In addition, existing study area intersection safety problems (i.e. - high crash rates, RPA Top 100 Rank, State Top 200 Rank) must be identified and studied, and the associated mitigation plans must be included in the Draft EIS/EIR document. As such, I recommend that the project proponent continue to work closely with the study area communities, local police and fire departments, regional planning agencies, MassHighway, and the MBTA, to identify safety concerns and their associated improvements early in the design process to eliminate delays in project completion.

N-024-014

N-024-015

Public Transportation

According to the ENF, the South Coast Rail project is an initiative to bring public transportation to the South Coast region. The project will increase transit accessibility and the equitable distribution of transit services, increase transit ridership, improve regional air quality, and support opportunities for smart growth initiatives and sustainable development. Moreover, the project proponent anticipates the Rapid Bus service (Alternative #5) being operated by a private bus carrier, similar to the existing commuter bus services operating from the South Coast region to South Station. As such, the local Regional Transit Authorities (Brockton Area Transit Authority (BAT), Greater Attleboro Taunton Regional Transit Authority (GATRA), and Southeastern Regional Transit Authority (SRTA) must be involved in the fixed route interconnectivity planning efforts and analyses. In addition, private transportation providers such as Plymouth & Brockton, Bloom, and Dattco, which provide commuter services, should be considered in these planning efforts and analyses, especially considering the vision of the Rapid Bus Alternative.

N-024-016

Bicycle and Pedestrian Accommodations

N-024-017 The Draft EIR 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.

Financial Plan

N-024-018 The Draft EIS/EIR should include discussions related to the future Financial Plan, which, according to the ENF document, is not expected until after the Draft EIS/EIR publication (January 2010). At a minimum, considering the size, scope, and cost of the proposed project, it seems appropriate that the project proponent identify a conceptual financial plan that would include, but not be limited to: design costs; construction costs; capital costs; costs of operations; and sources of funding to enhance the transparency of the proposed transportation project.

N-024-019

Page 3 of 6

includes discussion and concept plans for TOD at the proposed station areas. MassDOT is providing ongoing technical assistance to further explore and refine plans for the station areas.

N-024-009

DEIS/DEIR Chapter 4.10, Section 4.10.3.2 identifies the South Coast Rail project's potential impacts to ACECs. Chapter 4.14, Section 4.14.3 describes potential impacts to wildlife corridors, and Chapter 4.17, Section 4.17.3 addresses public drinking water supplies.

N-024-010

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative. Safety measures are outlined in DEIS/DEIR Section 4.1. Safety concerns at specific grade crossings will be more thoroughly evaluated once the LEDPA has been selected.

N-024-011

Conceptual station designs are included in DEIS/DEIR Section 3.2.5.2.8. Stations were designed to avoid impacts to natural resources to the extent practicable.

N-024-012

The impacts of transit-oriented development (TOD) and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5. Chapter 6 of the Corridor Plan includes discussion and concept plans for TOD at the proposed station areas. MassDOT is providing ongoing technical assistance to Easton to further explore and refine plans for the station areas.

N-024-013

Proposed stations along the South Coast Rail project do not have any

Alternative 2A & 2B: Middleboro Full & Simple

N-024-020 In 2007, officials from West Bridgewater asked the Massachusetts Bay Transportation Authority (MBTA) to consider studying the feasibility of locating a new train station along the Middleboro/Lakeville Old Colony Line, on the East Bridgewater and West Bridgewater Town Line. Since that time, the project proponent has met with town officials and OCPC staff to discuss that request; however, the discussion is not included in the ENF document. As such, the project proponent should include a feasibility study and an addendum to the Supplemental Ridership Memorandum that describes the potential for a train station located on the Old Colony Line, near the East Bridgewater and West Bridgewater Town Line.

N-024-021 In addition, the project proponent should demonstrate how the Middleboro Full and Simple Alternatives, if chosen, would affect the potential for extending commuter rail service to Buzzards Bay and how the projected on time performance and levels of service will be maintained. Despite the non-inclusion of the Buzzards Bay extension, OCPC supports this extension of the Middleboro/Lakeville Line, as it will result in auto trip reductions; provide commuting alternatives, provide access to educational facilities such as Bridgewater State College and the Massachusetts Maritime Academy; while providing additional opportunities for Transit Oriented Developments (TOD).

Alternative 4: Stoughton

N-024-022 The Stoughton Station platform needs to be relocated to avoid the trains blocking Route 27. The MBTA should make this change in the near term regardless of which alternative is chosen as it continues to present considerable safety and congestion problems in Downtown Stoughton. At a minimum, the Draft EIS/EIR document should include conceptual design plans which remedy the aforementioned problem along with a discussion regarding how the project proponent plans on maintaining the projected on time performance and levels of service during and following construction.

N-024-023 In addition, the Stoughton Station is in need of rehabilitation in order to provide a safe and convenient place for patrons of the commuter rail to wait for the train in adverse weather conditions. I strongly encourage the project proponent to work closely with the Town of Stoughton and the MBTA to address the concerns regarding the Stoughton Station.

Alternative 5: Rapid Bus

N-024-024 According to the ENF, the project proponent has recommended that Alternative 5: Rapid Bus, be forwarded for review in the Draft EIS/EIR. I concur with that assessment as it provides the all reviewers with a full comparison of the No-Build, Bus, and Train alternatives; however, I have concerns regarding the design, construction, safety, and cost of this alternative.

Specifically, the Supplemental Ridership Memorandum states that the Rapid Bus Alternative provides the best travel times of all of the alternatives analyzed because of a dedicated bus lanes and lack of intermediate stops. In addition, according to the ENF, the Rapid Bus service would travel within the existing Route 24 right-of-way; the existing HOV Lane on Interstate 93 (I-93); and in mixed traffic from the end of the existing HOV Lane on I-93 to the South Station Exit. As such, the project proponent should demonstrate how the projected on time performance and levels of service would be maintained in the Draft EIS/EIR document considering the fact that there would not be a dedicated

Page 4 of 6

new pedestrian at-grade crossings. The existing stations at Canton Center and Stoughton would utilize existing roadway grade crossings for platform access.

N-024-014

Section 4.1 in the DEIS/DEIR discusses the analysis performed for the existing roadways and intersections. Traffic data and safety analysis is discussed Section 4.1.2.4.2.

N-024-015

MassDOT has been working with the study area communities and others, and will continue to do so.

N-024-016

Rapid Bus and the other Build alternatives are evaluated in Section 3.3. Should this alternative be selected as the the LEDPA, MassDOT is coordinating with the RTAs and private operators as the design advances.

N-024-017

South Coast Rail stations have been conceptually designed to support pedestrian and bicycle connectivity to surrounding areas. Pedestrian and bicycle accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8. These accommodations and connections will be further evaluated in Final EIS/EIR phase of the project, once the LEDPA has been selected.

N-024-018

A detailed Finance Plan for the LEDPA will describe how the project will be funded and will be released after the LEDPA is selected.

N-024-024 right of way for the bus once it exits the HOV Lane on I-93. That stretch of highway is still heavily congested, and therefore, a traffic accident would seriously inhibit the ability to provide the projected travel times.

N-024-025 In addition, Figure 5-10e in the ENF document shows the Rapid Bus Alternative route traveling northbound, on what appears to be the outside lanes of Route 24, and just north of the New Pond Street Interchange in Avon, transitioning over to the center median. The project proponent should include detailed design plans for the entire Rapid Bus route, while paying particular attention to that specific point at which some type of transition occurs.

N-024-026 The intent of the South Coast Rail Project is to provide public transportation to the residents of the South Coast region and the inclusion of the Rapid Bus Alternative provides an opportunity to discuss the Route 24 Interstate Conversion Project, which is identified and supported in the OCPC 2007 Regional Transportation Plan. In 1998, MassHighway completed a study to examine the geometric improvements necessary, along with the estimated costs, associated with the reclassification of Route 24 to an interstate highway. The study stated that Route 24 was constructed in the 1950's to the design standards of that time and although some reconstruction has occurred since then to improve deficiencies, Route 24 does not meet the stricter standards associated with an interstate highway. According to the MassHighway study, the Route 24 design deficiencies are associated with acceleration and deceleration lanes on ramp exits and entrances; shoulder widths; and vertical clearance requirements. In general, improving Route 24 to interstate standards involves reconstructing ramp entrances and exists to higher acceleration and deceleration design standards, widening shoulders for safety, and replacing the overpass bridges to accommodate higher vertical clearances. The project proponent should demonstrate, if the Rapid Bus Alternative is chosen, how its implementation will affect the future completion of the Route 24 Interstate Conversion Project and/or if additional elements recommended in the Route 24 Interstate Conversion Study could be included in the Rapid Bus Alternative.

Construction

N-024-027 The project proponent should demonstrate how the existing rail service on time performance and associated levels of service will be maintained during the construction period of the proposed project.

Conclusion

N-024-028 The ENF states (pg. 1-5) that Old Colony Planning Council (OCPC) and the Metropolitan Area Planning Council (MAPC) are not included in the Interagency Coordinating Group. As one of three Regional Planning Agencies representing communities in the project study area, I request that OCPC be included on that list and that the project proponent invite officials from MAPC if they haven't done so to date.

N-024-029 In addition, Chapter 7 of the ENF document does not include a discussion on any needed MassHighway Department Access Permits. The project proponent should clarify whether or not MHD Access Permits are required for the proposed project.

N-024-030 As the project has advanced through the joint NEPA & MEPA environmental review, I have observed many individuals whom are confused by the details and timelines of the process. OCPC staff has

Page 5 of 6

N-024-019

A detailed Finance Plan for the LEDPA will describe how the project will be funded and will be released after the LEDPA is selected.

N-024-020

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-024-021

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-024-022

A conceptual Stoughton Station redesign, as part of the Stoughton rail alternatives, is included in DEIS/DEIR Section 3.2.5.2.8. This design includes relocated platforms. Trains stationed at these platforms would not block Route 27 or Wyman Street.

N-024-023

The Stoughton Station is being considered in the Corridor Plan for the Commonwealth's technical assistance planning for downtown revitalization.

N-024-024

Chapter 3, Sections 3.2.4.3.5 and 3.2.5.3.1 of the DEIS/DEIR discusses the ridership and operations, respectively, of the Rapid Bus Alternative.

N-024-025

N-024-030 remained committed to understanding this process and sharing the details of which with our member communities and the general public. To that end, I recommend that the project proponent include a separate section of the Draft EIS/EIR document that discusses the joint review process, summarizes the associated timelines, highlights major milestones and/or delays, and discusses the possibility and affects of separate EIS and EIR documents.

N-024-031 In addition, the submittal of the Supplemental Ridership Memorandum provided interested parties with an extended project review period and the opportunity to provide additional public commentary. A project of this size and scope requires an extensive amount of work to prepare a series of environmental documents which analyze the affects to the natural environment. These environmental documents are quite voluminous and contain a great deal of information that requires a large amount of time for the permitting agencies, state agencies, regional planning agencies, communities, stakeholders, and all interested parties to review and provide comments. As such, I continue to stress the importance of providing an extensive public comment period for the Draft and Final EIS/EIR documents and ask that the project proponent request an extended public comment period both documents.

I thank you for the opportunity to comment on this project to ensure that it accomplishes its objectives with minimal environmental impacts and look forward to reviewing all future filings.

Sincerely,

Pasquale Ciaramella
Executive Director

cc: OCPC Delegates and Alternates
Federal and State Legislators
Mayor James Harrington, City of Brockton
OCPC Region Chairs, Board of Selectmen
OCPC Region Chairs, Planning Boards
Mr. James Aloisi, Jr., Secretary, EOTPW
Ms. Luisa Paiewonsky, Commissioner, MassHighway
Mr. Daniel Grabauskas, General Manager, MBTA
Mr. Paul Maloney, P.E., Metropolitan Planner, FHWA
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Mr. Joseph Cosentino, Administrator, SRTA

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A description of the Rapid Bus Alternative and conceptual designs are presented in DEIS/DEIR Chapter 3, Section 3.2.

N-024-026

The Rapid Bus Alternative is described in DEIS/DEIR Chapter 3, Section 3.2, including a detailed description of the improvements to Route 24 (and other highways) that would be required to construct the reversible lanes. If the Rapid Bus Alternative is selected as the LEDPA, the design of the required improvements would be integrated, as appropriate, with the recommendations of the Route 24 Interstate Conversion Study.

N-024-027

As described in Chapter 3, Section 3.2.5.2.13 of the DEIS/DEIR, if either of the Attleboro Alternatives is selected as the LEDPA, constructing the third track alongside the existing Northeast Corridor tracks would be scheduled for night-time work so as to avoid interfering with existing service on that route. If one of the Stoughton Alternatives (including the Whittenton variations) is selected as the LEDPA, connecting the rebuilt Stoughton Line along the abandoned segment is not expected to interfere with existing service that currently terminates at the Stoughton Station.

N-024-028

OCPC has participated in the secondary growth and greenhouse gas planning team and has been actively involved in the study, as has MAPC.

N-024-029

A MassHighway Access Permit is not required as this is a MassDOT project.

N-024-030

The combined NEPA and MEPA process documented in the DEIS/DEIR is described in Chapter 2.

N-024-031

MassDOT will request that the MEPA office allow an extended comment period for the DEIR.

SENT BY EMAIL

January 9, 2009

ATTN: Aisling Eglington
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Executive Office of Energy and Environmental Affairs
100 Cambridge Street
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RE: **EOEA #14346**/ Comments on the Environmental Notification Form; Comments on Scope for the Environmental Impact Statement for the U. S. Army Corps of Engineers

Dear Ms. Eglington and Mr. Anacheka-Nasemann,

Thank you for the opportunity to comment on the Executive Office of Transportation's (EOT) Environmental Notification Form (ENF) for the South Coast Rail project, as well as scoping comments on the proposed Environmental Impact Report (EIR) and Environmental Impact Statement (EIS). 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. PEER has been attending the Southeastern Massachusetts Commuter Rail Task Force meetings on this project since their inception.

PEER is very troubled by the way in which this environmental review process has been handled by the Commonwealth, and also by the content of the ENF. Our specific comments are set forth below.

N-025-001 **Project purpose and need.** The ENF appears to incorrectly state the Section 404 basic project purpose. On April 30, 2008, the Commonwealth's Phase 1 Final Report stated that the Basic Project Purpose was "to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, Massachusetts." However, in the November 19, 2008 Environmental Notification Form (ENF), the Commonwealth states that 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 ***to enhance regional mobility***" (emphasis added). While the addition of that phrase may seem minor, it may result in certain alternatives being rejected because they do not "enhance regional mobility." The EIR should be changed to reflect the true Basic Project Purpose.

N-025-002 In addition, PEER is troubled by the fact that the state and federal agencies have different project purposes, and believe that this will result in different practicable alternatives. Although 40 CFR Section 1506.4 allows lead federal agencies to combine agency documents to reduce duplication and paperwork, doing so in this case will almost certainly lead to conflicting preferred alternatives. Specifically, the Commonwealth's stated 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, Massachusetts ***to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities***" (emphasis added). By including the purpose of supporting smart growth, certain alternatives that do not necessarily support smart growth, but do provide transportation between Boston and Fall River/New Bedford, will be eliminated from further analysis contrary to Section 404 of the Clean Water Act. For example, the Rapid Bus alternative, which appears to be the least environmentally damaging and the least expensive, will likely be rejected by the Commonwealth because "is anticipated to have the lowest potential for smart growth opportunities of all the build alternatives."[1] PEER cautions both the Corps and the applicant that this scenario could result in the Commonwealth's preferred alternative being unpermittable. Not only is the Corps required to issue a permit for the least environmentally practicable alternative (LEDPA), which appears to be the Rapid Bus Alternative, but it cannot issue a permit for an alternative that would cause or contribute to degradation of waters of the United States. The alternative that will undoubtedly be the Commonwealth's preferred alternative, the Stoughton Alternative, or Alternative 4, is

[1] See page 6-16 of the ENF.

2

N-025-001

Chapter 2, Section 2.21 of the DEIS/DEIR provides the Corps basic project purpose statement.

N-025-002

The project purpose and need, described in DEIS/DEIR Chapter 2, Section 2.2, has been agreed upon by the Corps, MEPA Office, Secretary of the EEA, and cooperating agencies. The LEDPA has not yet been selected.

N-025-003 the most environmentally damaging, and would clearly cause or contribute to significant degradation, in violation of 40 CFR 230.10(c). Moreover, 40 CFR Section 1506.2(d) requires the EIS to "discuss any inconsistency of a proposed action with any approved State or local plan and laws ….[and] describe the extent to which the agency would reconcile its proposed action with the plan or law." The EIR/EIS should discuss the discrepancy between the two project purposes, and explain how it will be reconciled.

N-025-004 **Arbitrary thresholds must be eliminated.** The Commonwealth's arbitrary thresholds used to discard alternatives may eliminate otherwise practicable alternatives, and these should not be included in the EIR/EIS. In the ENF, the Commonwealth states that some alternatives are impracticable because they cannot be built by 2016, and therefore should be eliminated. In addition, they reject other alternatives because of longer travel times.[2] These arbitrary thresholds cannot be used to eliminate alternatives. As the basic project purpose does not include dates by which the project has to be complete, or maximum travel times, the Corps should be careful to include all these alternatives in the EIS alternatives analysis.

N-025-005 **Combined process for EIR/EIS.** PEER believes that the state process is moving more quickly than the federal process – *not* simultaneously - and is yielding results inconsistent with the federal Clean Water Act. The Commonwealth has publicly stated that it has already eliminated the Attleboro Alternative from consideration, and Governor Patrick called the bus alternative "unacceptable."[3] Furthermore, the Commonwealth has stated that the remaining Middleborough Alternative does not provide what the state considers the necessary level of service. Thus, as far as the Commonwealth is concerned, it appears that only the Stoughton Alternative remains viable. PEER firmly believes that the Stoughton Alternative is unpermittable due to the fact that it would cause or contribute to significant degradation of waters of the U.S. The Corps must ensure that all alternatives, including the no build alternative and the bus alternative, are fully and fairly considered in the EIS.

N-025-006 **Smart growth.** As stated above, PEER objects to the inclusion of smart growth in the project purpose. However, if the Commonwealth persists in including smart growth as part of its project purpose, it must account for the environmental impacts from such growth. 40 CFR Section 1508.25(a) states that an EIS must consider connected actions. Actions are connected if they will not proceed without the action being considered, or are interdependent parts of a larger action. If the Commonwealth is going to take credit for "smart growth," it must also be accountable for the negative effects of such growth.

Page 1-8 of the ENF states, "New transit service to the South Coast will bring new jobs and homes to the region. Uncontrolled, new growth can bring some unwanted changes,

[2] These stated time limits of no more than 90 minutes are also used arbitrarily. For example, the Stoughton Alternative train ride is supposed to take approximately 83 to 88 minutes. If you include the time it takes to drive to the train station, park your car, and wait for the train, the commute will certainly be more than 90 minutes. Therefore, using the 90 minute threshold, the Stoughton Alternative should be eliminated from consideration.

[3] http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20081121/NEWS/811210357

3

N-025-003

MassDOT does not believe that the use of different statements of project purpose will result in irreconcilable differences between the Commonwealth's goals and the Corps' and DEP's permitting processes. Large complex projects such as South Coast Rail typically have different statements of project purpose adopted by the project proponent and the regulatory agencies. Project proponents often develop a purpose statement that broadly defines the objectives and goals of a public infrastructure project, which may include enhancing a regional transportation system, improving public safety improving air quality, supporting smart growth, contributing to economic growth, or promoting transportation equity. The proponent's purpose statement guides the Commonwealth's transportation planning and funding decisions. The broad framework statements used by MassDOT are consistent with the MEPA requirement that an EIR discuss "the objectives and benefits of the project" (301 CMR 11.07(6)). MassDOT's project purpose statement is just that - a statement of the Commonwealth's objectives in advancing the project.

N-025-004

The thresholds established by the Commonwealth to review the alternatives considered for the South Coast Rail are not arbitrary and were approved by a range of interested parties. As described in DEIS/DEIR Chapter 3, Section 3.1.2.1, an initial range of 65 potential alternatives was identified by reviewing previous studies and soliciting input from the MBTA, the Interagency Coordinating Group, the Commuter Rail Task Force, and interested stakeholders. The alternatives screening process described in the balance of Section 3.1 and as required by the Secretary's Certificate on the ENF resulted in the alternatives subjected to the environmental review presented in the entire DEIS/DEIR.

N-025-005

eating up farms, fields and forests, and eroding historic villages and cities." Although the state claims that smart growth is part of the project for the region, it has not offered any concrete mechanisms that will help towns achieve smart growth. Specifically, while transit-oriented-development (TOD) in appropriate areas is desirable, TODs by themselves are not smart growth. Unless a municipality can preserve land elsewhere in its town, dense TODs will just speed up development – and sprawl – within that municipality. PEER understands that the Commonwealth and the regional planning councils will be offering technical assistance to affected communities. However, technical assistance will not lead to smart growth. Affected towns will need money and a legal mechanism to preserve open space in exchange for allowing dense development near the proposed train stations. The EIR/EIS must articulate precisely how this smart growth will occur, and the costs associated with it. If the Commonwealth is unable to provide details as to how open space will be preserved in each affected municipality, then the smart growth portion of the project purpose should be removed. Moreover, environmental impacts from the additional uncontrolled growth must be assessed and mitigated for.

N-025-008

Ridership and definition of service area. Ridership figures must justify the need for this project. As of the writing of this letter, the Commonwealth has not released any ridership figures, and it is difficult to understand how the process has come as far as it has. Page 2-4 of the ENF states, "The latent demand for transit (the number of daily work trips from the ***South Coast region*** to Boston), based on U.S. Census 2000 Journey-to-Work (JTW) data, is approximately 8,000" (emphasis added). According to the EOT, the "South Coast region" appears to include the following towns: Acushnet, Berkley, Dartmouth, Dighton, Easton, Fairhaven, Fall River, Freetown, Lakeville, Mattapoisett, New Bedford, Norton, Raynham, Rehoboth, Rochester, Somerset, Swansea, Taunton and Westport.[4] It is interesting to note that the Standard Times, the newspaper who coined the phrase "South Coast region," considers the towns to only include Acushnet, Dartmouth, Fairhaven, Fall River, Freetown, Marion, Mattapoisett, New Bedford, Rochester, Swansea, Somerset, Wareham, and Westport. Other entities define it differently – for example, UMass defines the South Coast to include Acushnet, Dartmouth, Fairhaven, Fall River, Freetown, Lakeville, Marion, Mattapoisett, New Bedford, Rochester, Seekonk, Somerset, Swansea, Wareham and Westport.[5] Even the Southeastern Regional Planning and Economic Development District (SRPEDD) defines the southeastern region of Massachusetts as including Acushnet, Berkley, Carver, Dartmouth, Dighton, Fairhaven, Fall River, Freetown, Lakeville, Mansfield, Marion, Mattapoisett, Middleborough, New Bedford, North Attleboro, Norton, Plainville, Raynham, Rehoboth, Rochester, Seekonk, Somerset, Swansea, Taunton, Wareham, and Westport.[6] Regardless, it is important to note three things: 1) that the "South Coast region" is not a defined area that is agreed upon by all entities; 2) Easton is not included in any of the definitions; and 3) Wareham is included in everyone's definition except for the EOT's. Therefore, the EIR/EIS should justify why the EOT has chosen the definition of "South Coast region" that it did. PEER is concerned that by including the town of

N-025-009

[4] See Table 5-24 of the ENF, page 5-73.
[5] http://www.umassd.edu/southcoast/tourism/
[6] http://www.srpedd.org/cities_towns.asp

4

N-025-005

Seven build alternatives, including the Rapid Bus Alternative, are described in Chapter 3, Section 3.2.5, and the environmental impacts of each alternative are described in the various sections of Chapter 4.

N-025-006

The potential environmental effects of smart growth are described in Section 5.3.2 of DEIS/DEIR Chapter 5.

N-025-007

South Coast Rail smart growth measures and the Economic Development and Land Use Corridor Plan (Corridor Plan) are described in DEIS/DEIR Section 5.2.1.5. Information on the Commonwealth's Smart Growth/Smart Energy Program, through which it provides supportive grant programs and technical advice, is also available in this Section. The anticipated effects of smart growth measures are described in Sections 5.3.1 and 5.3.2.

N-025-008

DEIS/DEIR Section 4.2 defined the South Coast Rail study area as including 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.

N-025-009

DEIS/DEIR Section 4.2 defined the South Coast Rail study area as including 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. The

N-025-009 Easton, but excluding towns like Wareham, the EOT and its consultant are skewing the alternatives analysis towards the Stoughton Alternative, and away from the Middleboro Alternative. Easton has far more commuters going into Boston than any other town on the EOT's list, yet Easton is already in close proximity to at least four existing train stations.

In fact, several of the towns EOT includes on its list of the South Coast region are already extremely close to train stations, and thus residents likely already commute via train. For example, the Town of Easton has 1,495 people who commute to Boston or Cambridge. Various areas of Easton are within approximately 5 miles of several train stations: Stoughton, Brockton, Sharon, and Mansfield. Moreover, many Easton people will drive to the Canton Junction Station or Route 128 to take advantage of the more frequent trains. Because these people are already serviced by rail, there is no "latent demand" for them to have a train. In other words, these would not be new riders. Similarly, people in Lakeville are only 3.3 miles from a train station. If you remove the towns that are less than 9 miles from an existing trains station (a reasonable distance to drive), you would eliminate the commuters from Easton, Lakeville, Norton, Raynham, and Rehoboth. This is a total of 3,317 people who are already close to an existing train station. Therefore, of the 8,063 people from the South Coast region who commute to the Boston area, there are 4,746 people who are currently more than 9 miles from a station.

N-025-010 It is interesting to note that the Commonwealth's consultant states on page 2-17 of the ENF, "As noted previously, the U.S. Census (2000) estimates that 8,000 people from the Fall River and New Bedford area commute to Boston." This is misleading, disingenuous, and should be removed from the EIR/EIS. It is highly unlikely that people in Easton, Norton, Raynham, etc. consider themselves part of the "Fall River and New Bedford area." Rather, these 8,000 people commute from the South Coast region, some of which are much closer to Boston than they are to New Bedford or Fall River.

N-025-011 The Journey to Work data relied upon by the EOT states that 741 people from New Bedford commute to the Boston area, and 714 commute there from Fall River. This is a total of 1,455 commuting to Boston and Cambridge. PEER believes that the real impetus behind this project, aside from the fact that it has been a longstanding political promise that has yet to be fulfilled, is that many people think the train will cure the economic woes of Fall River and New Bedford. To reiterate, Fall River and New Bedford have only 1,455 people commuting to Boston and Cambridge for work, 1.8% and 2.0%, respectively, of the total workers. A train will not suddenly enable thousands of people to get jobs in Boston. In fact, 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.[7] Similarly, 1,902 people living in New Bedford commute to Fall River, 2,145 to Fairhaven, and 3,761 to Dartmouth.[8]

[7] http://www.census.gov/population/www/cen2000/commuting/mcdworkerflow.html
[8] Id.

5

regional travel demand modeling and ridership estimating effort is described in Section 3.2.4, and reflects the proximity of the towns to the nearby train stations. Additional discussion of ridership modeling is provided in Chapter 4.1 – Transportation (Affected Environment and Environmental Consequences). Technical background information regarding ridership modeling is included in the Alternatives Appendix.

N-025-010

The referenced 8,000 riders represents commuters from the region, which includes all of the communities that would be served by the South Coast Rail project.

N-025-011

The inputs to the ridership model used for the South Coast Rail project are described in DEIS/DEIR Chapter 3, Section 3.2.4.2. Ridership demand, including 2000 Journey-to-Work data, for each alternative is described in Section 3.3.1.1.

N-025-012

Page 2-20 of the ENF concedes that, "The barriers to economic growth in the South Coast Rail corridor are access to labor, labor skill levels, quality of broadband service, and access to any intermodal freight rail yard." However, pages 2-20 to 2-21 then state:

> Improved access to employment markets in Boston would provide employment opportunities for the New Bedford and Fall River labor force that would provide economic benefits for these communities. Intercity rail service could also allow limited "reverse commutes" from area communities like Taunton to New Bedford and Fall River, which would thereby gain access to a larger labor pool within the southeastern Massachusetts region. Economic benefits are predicted based on data from other regions, which demonstrates that the introduction of commuter rail into previously unserved areas typically has a significant positive impact on residential property values.

These two statements do not seem to support one another. The EIR/EIS should clarify whether Fall River and New Bedford suffer from a lack of access to labor, which is stymieing their economic growth, or whether the train would allow them to commute to Boston for jobs. If the issue is getting people back and forth between Taunton and Fall River/New Bedford, then a much more limited rail or bus service between these communities should suffice.[9] Furthermore, the EIR/EIS should back up the statement regarding impact on residential property values with data.

N-025-013

N-025-014

At a cost of up to $3 billion, and overwhelming environmental impacts, the Corps must ensure that this project is necessary. Despite the fact that the Massachusetts Bay Transportation Authority (MBTA) currently suffers from staggering debt,[10] the Commonwealth has still not determined the ridership figures that would justify increasing this debt. If the reason for constructing this project is truly to satisfy a need for transporting people from Fall River/New Bedford to Boston, then the ridership figures should support this contention. Furthermore, the Corps should ensure that the alternatives analysis evaluates both the environmental and financial impacts of this project relative to the MBTA commuter rail system as a whole. Therefore, the analysis of the Middleboro alternative must include a consideration of how improvements to the Quincy/Braintree section of line would benefit future expansions of the commuter rail system to Cape Cod. Finally, any ridership estimates developed by the MBTA must be looked at carefully. The MBTA estimated that the Greenbush line would be used by 8,400 riders each day. However, after a year of operation, there are approximately 2,118 riders per day, and many of these have been pulled off of other MBTA methods of

[9] In fact, the Journey to Work data indicate that mass transportation between Fall River and New Bedford and Taunton might be more useful than Boston: 1,082 people commute from New Bedford to Taunton; 1,220 people commute from Fall River to Taunton, and 831 people commute from Taunton to Fall River, while 455 people commute from Taunton to New Bedford. However, this would also depend on the quality of transportation once someone arrives at their destination, as it is unlikely that everyone would work right next to the train or bus station.

[10] The deficit for fiscal year 2009 – 2010 is reported to be $142 million, and one watchdog agency says the MBTA is near bankruptcy. See http://www.boston.com/news/local/massachusetts/articles/2008/12/14/t_approaching_dire_financial_straits/

6

N-025-012

The purpose and need for the South Coast Rail project are described in DEIS/DEIR Chapter 2, Sections 2.2.1 and 2.2.2, respectively, and an indirect effect of the project would be economic development of the South Coast region. As described in Section 2.2.2.10, the South Coast Rail project would provide opportunities for the New Bedford and Fall River labor force to access Boston employment markets as well as create new economic development on the South Coast. A description of each alternative's ability to meet the project purpose is provided in Chapter 3, Section 3.3.1.

N-025-013

DEIS/DEIR Chapter 3 describes all of the alternatives considered, and Chapter 4 describes the potential environmental impacts of each build alternative. Alternative 2-- through Middleborough-- has been eliminated from further review as it does not meet the project purpose.

N-025-014

As described in Chapter 3, Section 3.2.4, and as presented in the tables in Section 3.2.4.3, the total number of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project alternative. This number presents the linked trips increase--trips that, without the project, would have been made by car.

N-025-014 commuting.[11] The correct way to analyze these ridership figures is to determine how many ***new*** riders the project will attract – riders that move from one train line to another should not be counted, particularly with regard to greenhouse gas reduction estimates.

N-025-015 It is also extremely important for the EIR/EIS to figure out where people are actually traveling. Page 2-1 of the ENF states that, "The current transportation system serving the South Coast region is inadequate to meet the current needs of the region and will not meet the future demand placed upon it, as indicated by increasing traffic congestion and accidents." However, the ENF does not accurately define where the traffic is going. Page 2-6 and 2-7 of the ENF state that:

> On Route 24, the major north-south corridor in the South Coast area, the average daily traffic ranges from 28,900 vehicles per day in Fall River to over 122,000 vehicles per day in Randolph. Traffic congestion and long delays are common on the northern segments of this highway during weekday peak commuting periods.....Traffic volumes on Route 128 are approximately 135,000 vehicles per day north of Route 24 (towards I-95) and 185,000 vehicles per day to the south (towards I-93/Route 3).

What the ENF fails to say, despite repeated requests from members of the Task Force over the past year or longer, is how many of the vehicles traveling north on Route 24 bear left towards Route 128/95 northbound, and how many bear right towards Interstate 93 northbound. It is important to determine how many cars travel north on Route 24, then merge north onto 93, then stay on 93 into Boston or Cambridge. Without these data, the state has no way of knowing whether the proposed project will alleviate traffic or reduce accidents. The data provided in the ENF indicate that 185,000 vehicles drive towards Interstate 93/Route 3, but it does not say how many of those vehicles come from Route 24. The EIR/EIS must either present these data, together with a realistic estimate of how many cars will actually come off the road due to this project, or stop claiming that the proposed project will reduce traffic congestion. However, it is highly unlikely that this project would reduce traffic congestion. Even if there is an initial reduction of traffic,[12] it would be very small. In fact, a simple telephone call to the Massachusetts Highway Department (MHW) revealed that slightly less than half of the 125,000+ cars[13] on Route 24 in Randolph go north towards Boston, and slightly more than half go the other direction on Route 128/95.[14] For example, on average in October of 2008, 62,400 went towards Boston, and 63,000 went towards Dedham. Therefore, there are roughly 62,400 vehicles per day heading up Route 24 and going towards Boston. We still do not know how many of those bear off towards Quincy, Braintree, or even drive south on Route 3.

[11] Specifically, since the Greenbush line was activated, the Hingham commuter boat (also run by the MBTA) lost 17% of its commuters, and the Quincy boat lost 22%.

[12] As will be discussed shortly, PEER believes that any traffic relief would be temporary due to induced traffic.

[13] http://www.mhd.state.ma.us/traffic.asp?f=2&C=RTE.%2024

[14] Personal communication, MHW, January 8, 2009

N-025-015

As described in DEIS/DEIR Chapter 3, Section 3.2.4, and as presented in the tables in Section 3.2.4.3, the total number of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project alternative. This number presents the linked trips increase--trips that, without the project, would have been made by car. Furthermore, as modeled in Chapter 4.9, Section 4.9.2, this reduction in traffic is expected to improve air quality in the region.

N-025-015

Regardless, for argument's sake, let's assume that all 63,000 go into Boston. Let's also assume that the ridership on the proposed South Coast rail is comparable to the Greenbush line. The MBTA predicted that there would be 8,400 riders per day on that line,[15] and they are predicting (probably incorrectly) that there is a demand for 8,000 riders in the South Coast Region. A year after operations began, Greenbush has approximately 2,100 riders per day.[16] If the proposed South Coast Rail enjoys the same success, and all these people drive alone (again, highly unlikely), 2,100 cars would come off the road. This would be a reduction of 3.4% of the cars coming off of Route 24 heading towards Boston.

This back-of-the-envelope analysis contains many assumptions, but most of the assumptions are conservative (and favor the Commonwealth's predictions). Even with these skewed assumptions, PEER does not believe that a temporary reduction of 2,100 cars per day will relieve congestion on Route 24, nor will it help prevent climate change.

N-025-016

Cost of project. The Commonwealth wants to spend no more than $1.4 billion on this project.[17] PEER is concerned not only with the cost effectiveness of this project, but also with how it will be paid for. First, the $1.4 billion is just a starting point. On June 20, 2007, Kristina Egan of the EOT acknowledged that cost of land for mitigation or the Transfer of Development Rights (TDR) is *not* included in this $1.4 billion. Given the environmental impacts associated with several of the alternatives being considered for this project, mitigation costs are likely to be quite high. If the Stoughton Alternative is ultimately selected as a preferred alternative, the cost will likely be close to $2 billion. If we assume that there will be 8,000 riders on this train (something that is highly unlikely), the construction alone would be $250,000 per person. If, as PEER suspects, the ridership would be closer to 2,000 new riders, that would be a cost of ***$1 million per person***.[18] In these times of financial uncertainty at a national, state, and municipal level, PEER does not think that this project is financially responsible.

In addition, the MBTA is in dire financial straits, and according to one watchdog group, near bankruptcy.[19] With a deficit in fiscal year 2009 – 2010 of $142 million, it is difficult to see how this project will be paid for. Recently, numerous proposals have been floated to pay for this project. One involves getting tax money from the communities who would "benefit" from the train; another involves a tax on SUVs. Neither municipalities nor commuters can afford to shoulder this astronomical bill, and the Commonwealth should not consider its construction unless and until it knows how it would be paid for. Even former Secretary of Transportation Bernard Cohen did not believe that the train could pay for itself. Media reported that, "The secretary recently was reprimanded by the governor for publicly questioning his belief that economic development could recover the cost of

[15] See http://www.mbta.com/about_the_mbta/t_projects/default.asp?id=990

[16] http://www.mbta.com/about_the_mbta/news_events/?id=16033&month=&year=. But note that these are not all new riders – many came to the Greenbush line from other existing MBTA programs.

[17] Not surprisingly, this happens to be the exact estimate for the Stoughton Alternative.

[18] Note that this is for construction costs only – not operating costs, which would be additional money.

[19] http://www.boston.com/news/local/massachusetts/articles/2008/12/14/t_approaching_dire_financial_straits/

N-025-016

Detailed information on costs can be found in Section 3.2 of the DEIS/DEIR and costs per rider data is in Section 3.3.2.1. Projected costs per rider for each alternative (including infrastructure construction, land acquisition, environmental mitigation, brownfield site remediation and other construction elements based on the more refined preliminary engineering design as well as the cost of operating and maintaining the system) are provided in Table 3.3-12.

N-025-017 the expansion of commuter rail to New Bedford."[20] If the Commonwealth were truly taking a fresh look at this project, they would ask what the project purpose really is, and whether it is worth the projected costs.

On the other hand, the Rapid Bus Alternative would cost a fraction of the $1.4 billion budget.[21] Given that the Rapid Bus Alternative would provide the fastest and cheapest commute to Boston, and has the least environmental impacts, the EIR/EIS should give this full consideration.

N-025-018 **Greenhouse gas emissions.** PEER is particularly troubled by the Commonwealth's insistence that this project will reduce greenhouse gas emissions. Over the years, PEER has challenged this contention, and so far, the Commonwealth has not presented any data to support this contention. Page 2-11 of the ENF states:

> There is currently only private bus service for South Coast commuters that would reduce the emissions of pollutants like nitrogen oxides, ozone, and carbon monoxide and greenhouse gases like carbon dioxide. A shift in travel from automobiles to rail could reduce vehicle emissions, improve regional air quality, and reduce the Commonwealth's contribution to greenhouse gases and climate change.

Of course, the best way to reduce greenhouse gas emissions is to live where you work. Therefore, creating livable cities with employment opportunities would be a better way to reduce greenhouse gas emissions. Since the Commonwealth insists that this is a transportation project, and not an economic redevelopment project, that alternative will not be explored. However, before the EOT can claim that air quality would be improved, it must demonstrate that this is true. PEER believes that any relief of traffic congestion would be short-lived. The phenomenon of induced traffic shows that when cars do get diverted off a highway, within a relatively short time frame, more cars move in to take their place. Therefore, it appears that a diesel train will, after only a year or two, actually contribute ***more*** to greenhouse gas emissions than no train at all. The EIR/EIS must address this.

N-025-019 Even more troubling is the idea that this project would be so beneficial to air quality and reducing greenhouse gases that this project ought to receive credit for saving wetlands elsewhere, and perhaps even be forgiven the wetland fills associated with it. For example, at the December 10, 2008 Task Force meeting, Chairman John Bullard said:

> [T]here is a tendency to measure projects by themselves, with the assumption that the status quo circumstances will continue, when they will not. Sea level rise will cause a loss of wetlands and there should be a focus on the significant contributors such as people driving cars; yet, there is no way to put the benefit of removing cars into the equation.[22]

[20] http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20081216/NEWS/812160334
[21] See Table 4-34 on page 4-66 of the ENF.
[22] See minutes of 12/10/08 Task Force meeting.

9

N-025-017

The Rapid Bus Alternative is described in Chapter 3, Section 3.2.1.5, and potential environmental impacts to various resources are described throughout Chapter 4.

N-025-018

Traffic modeling indicates that 133,778,821 vehicle miles would be traveled on an average workday in 2030 under the No-Build Alternative. DEIS/DEIR Chapter 4.9, Section 4.9.4.1 explains that all of the Build Alternatives would result in fewer VMT and lower CO_2 emissions. An evaluation of traffic impacts from induced growth in provided in Chapter 5, Section 5.3.2.8.

N-025-019

DEIS/DEIR Chapter 4.9, Section 4.9.4 presents the results of the mesoscale and microscale modeling, demonstrating that the project would result in an improvement in demonstrates that all alternatives for the proposed the South Coast Rail project would result in a decrease of VOC, NOx, CO, CO_2, PM2.5, and PM10 emissions, as compared to the No-Build Alternative.

N-025-019 PEER does not believe that there will be ***any*** measurable reduction in greenhouse gases associated with this project. If the Commonwealth is going to continue to assert that this project would reduce greenhouse gas emissions – or prevent sea level rise – it must present hard data to back up that claim.

N-025-020 The Commonwealth's consultant states on page 2-10 of the ENF that, "Globally, an estimated 36 percent of carbon dioxide emissions come from gasoline combustion, and an estimated 14 percent of the total greenhouse gas emissions come from transportation fuels."[23] The EIR/EIS should directly compare diesel train emissions with car emissions once realistic ridership figures are determined. It is important to keep in mind that diesel trains are not innocuous. The Clean Air Task Force estimates that Diesel locomotives released almost 900,000 tons of NOx in the year 2002, which comprises 8% of all mobile source emissions.[24]

N-025-021 PEER is also troubled by the fact that the Commonwealth is contemplating investing $1.4 billion – or more – on a fossil fuel technology. Given that burning fossil fuels contributes to global warming, it seems that all diesel alternatives should be eliminated. We do not know how many more years we have of readily available fossil fuels, but we do not that combustion of them is problematic. Therefore, considering the monetary investment is so large, it makes sense to build a system that can accommodate flexible fuels. The EIR/EIS should address this issue.

N-025-022 **Alternatives.** The Commonwealth constantly reiterates that it is giving all the alternatives a "fresh look," and claims it will not be biased by the previous flawed work done on this project. On page 1-3 of the ENF, the Commonwealth states:

> In 2002, a Final EIR, submitted by the MBTA, concluded that extending the Stoughton Line was the most practicable and feasible of the alternatives and EOT received state-level approval from the Secretary of Environmental Affairs to proceed with planning for the South Coast Rail project as an extension of the existing Stoughton Line.

What the ENF fails to state is that the 1995 ENF preferred the Attleboro Alternative. It was not until area legislators stepped in and mandated that the MBTA use the Stoughton Alternative that Stoughton became the favored route. Specifically, on June 30, 2000, the transportation bond bill contained the following language:

[23] Please note that the citation for this statistic is Wikipedia. Middle school children in Massachusetts are not allowed to cite to Wikipedia in school because of all the errors contained therein. See, e.g., http://www.nature.com/nature/journal/v438/n7070/full/438900a.html. PEER is flabbergasted that the consultant on this case is relying on Wikipedia for its science.

[24] http://www.catf.us/publications/factsheets/Diesel_Sources_and_Regulations.pdf

N-025-020

DEIS/DEIR Chapter 4.9, Section 4.9.4 provides a comparison of the air quality in the region that would result from each alternative; these results include emissions from diesel-powered trains, off-site generation sources for electric-powered trains, and automobile emissions.

N-025-021

Air quality for the Alternatives are compared in Section 4.9 of the DEIS/DEIR. At this time, the rail comparisons assume either electric or diesel alternatives, and the Rapid Bus alternative assumes diesel fuel. Hybrid diesel fuels would be analyzed after a LEDPA has been selected. There are no transit alternatives that do not use, directly or indirectly, fossil fuels.

N-025-022

The Commonwealth took a fresh look at all alternatives, which is documented in the extensive Phase 1 review of 65 alternatives, detailed in Chapter 3. Some previous work on the Stoughton Alternative could be used if selected as the LEDPA, and would reduce the cost and time needed for the design phase.

N-025-022

> The Massachusetts Bay Transportation Authority ***shall*** use an extension of the Stoughton commuter rail route through the municipalities of Stoughton, Easton, Raynham and Taunton in order to provide commuter rail service to New Bedford and Fall River (emphasis added).

This legislation succeeded in bypassing all the environmental laws and mandating a specific route. Since that time, the Commonwealth has done nothing but justify a decision that has already been made. In fact, the ENF blatantly uses the past decision as a reason to choose the Stoughton Alternative again. For example, page 4-52 of the ENF states:

> The design and permitting schedule for … [the Stoughton] alternative is approximately six months to a year shorter than other alternatives due to the benefit of using some of the design concepts completed during the Final EIR phase in 2002.

N-025-023

In addition, the ENF touts the benefits of building through greenspaces as opposed to already developed areas. Specifically, page 6-12 states, "The majority of construction activities for this alternative would occur on rights-of-way with limited or no train activity. This will allow for a more expedient construction schedule." If the Commonwealth truly wants to encourage smart growth, it should start by avoiding those easy to build on green spaces, and think more about developing brownfields. Moreover, if the Commonwealth were truly taking a fresh look at alternatives, it would have used a new consultant,[25] and it would not rely on the fact that previous flawed analysis chose the Stoughton Alternative. In fact, until a few months ago, the MBTA's website contained a map showing the new rail line going through Stoughton to Fall River and New Bedford. It was only after PEER complained that this map was removed.

N-025-024

The current alternatives analysis is just as flawed as the one in the 2002 EIR. For example, page 3-3 of the ENF states that the applicant screened out alternatives by first evaluating whether an alternative met the project purpose. The ENF states, "Alternatives that did not meet the Step 1 criteria were dismissed from further consideration." Unfortunately, the Commonwealth used the state's project purpose, not the federal Basic Project Purpose. Since the federal project purpose is narrower than the state's, it would seem logical to use the federal project purpose to avoid eliminating an alternative from consideration that may end up being the least environmentally damaging practicable alternative (LEDPA) for the federal agencies.

Step 2 of the process evaluated those alternatives surviving the flawed Step 1. The ENF states:

> In Step 2, "practicable" was defined as capable of being constructed and operated after taking into consideration cost, ***ridership***, construction impacts, existing technology, and logistics in light of the overall project purpose.

[25] For a description of the consultant's errors on the last EIR, see http://www.peer.org/pubs/whitepapers/Science_Derailed.pdf

N-025-023

Developing around transit nodes is one of the central activities of the Commonwealth's smart growth Corridor Plan. Encouraging development around stations is not the same as encouraging development in the open space between stations.

N-025-024

On February 17, 2009, MassDOT issued supplemental analysis to the ENF that provided South Coast Travel Demand Analysis Results. These results were used to evaluate the ENF alternatives. The Interagency Coordinating Group approved each stage of this analysis.

MassDOT does not believe that the use of different statements of project purpose will result in irreconcilable differences between the Commonwealth's goals and the Corps' and DEP's permitting processes. The broad framework statements used by MassDOT are consistent with the MEPA requirement that an EIR discuss "the objectives and benefits of the project" (301 CMR 11.07(6)). MassDOT's project purpose statement is just that - a statement of the Commonwealth's objectives in advancing the project.

The Corps' Basic Project Purpose, as defined in the Section 404(b)(1) Guidelines, is intended to establish whether the project is water dependent.

N-025-024

Alternatives that were not practicable were dismissed from further consideration (emphasis added).

N-025-025

The Commonwealth has not yet developed ridership figures. How then, could they have eliminated alternatives based on ridership?

N-025-026

Finally, the applicant asked whether the alternative "could be constructed without substantial impacts to the existing system and in a reasonable (four-year) timeframe." As stated above, this four year time frame is arbitrary and should be removed.

N-025-027

One alternative aside from the Rapid Bus Alternative which appears to be the most promising is the Middleboro Simple alternative. The ENF makes numerous statements that indicate that the Middleboro simple is not sufficient. For example, page 4-38 of the ENF states that, "Additional trains cannot be added to the Old Colony Main Line without significant infrastructure improvements." However, one thing the ENF did not contemplate is adding cars to existing trains. Currently, MBTA designs lines to accommodate nine cars per locomotive.[26] However, many locomotives pull only 5 to 6 cars. If the MBTA were to replace the cars on the Middleboro line with double-deckers, and pull as many cars as possible, the capacity of that line could be increased. New cars just purchased by MBTA hold approximately 158 people per car.[27] By adding three cars per locomotive, the MBTA could add 474 seats per train. The Middleboro line currently has four morning rush hour trains that stop at Middleboro/Lakeville, and another four during rush hour for the return trip. By adding three cars to each of the four trains, the MBTA could add 1,896 seats ***to existing trains***. Since the line can accommodate one more (new) train, this could add another 1,422 seats, for a total of 3,318 new seats. If the platforms were not big enough to handle the increased number of cars, the platforms could be extended. The EIR/EIS should examine this alternative.

N-025-028

Cape Rail, Inc., a company currently running freight and passenger trains in south coast Massachusetts, owns and/or operates existing rail lines from Fall River and New Bedford.[28] Cape Rail has offered to enter a private public partnership with the Commonwealth, whereby the existing freight tracks are upgraded to accommodate passenger trains. Since the tracks from Fall River/New Bedford to Boston (via Middleboro) already exist, this alternative would be much cheaper than building new tracks through undisturbed landscapes, and would be less environmentally damaging.[29] Cape Rail has determined a method of easily bringing the train to the existing Middleboro/Lakeville station, - without the 15 minute delay contemplated by the ENF[30] – and adding another station in downtown Middleboro. This alternative also utilizes the suggestion stated above; that is, adding cars to the existing locomotives to increase

[26] http://www.mbta.com/about_the_mbta/?id=13749
[27] http://www.highbeam.com/doc/1P2-8110311.html
[28] http://www.masscoastal.com/map.php
[29] See ENF page 5-14, which states that the Middleboro simple alternative would result in wetland fill of 3.6 acres, with no wetland fill in an ACEC, no work in proximity to certified vernal pools, no new stream/river crossings, and low indirect impacts to wetlands.

[30] See page 4-38 of the ENF.

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N-025-025

The February 17, 2009 "South Coast Rail Travel Demand Analysis Results" memorandum summarized the ridership projections for each of the ENF alternatives, which was used to determine how well the alternatives would meet the project purpose. Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-025-026

The 4-year time-frame was established by Governor Patrick's South Coast Rail, A Plan for Action, and is a reasonable construction.

N-025-027

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-025-028

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-025-029 capacity. This alternative could be implemented quickly and more cheaply than other alternatives. The EIR/EIS should examine this alternative in detail. Once realistic ridership figures are determined, if this modified Middleboro Alternative does not provide enough capacity, it could perhaps be combined with a Rapid Bus alternative. By offering several different modes of transportation in this way, the Commonwealth may have an opportunity to increase commuting via mass transportation.

N-025-030 PEER also urges the Corps to consider retaining the Middleboro Full alternative in its analysis. It is unfair to assign the full cost of this alternative to this particular project. The bottleneck at Quincy/Braintree will need to be broken in the near future. For example, the Commonwealth claims that it wants to extend rail to Wareham and Cape Cod. There has also been talk of using rail to get people to the proposed casino in Middleboro. If any meaningful rail traffic is to be added to this line, the bottleneck must be broken. Therefore, the EIR/EIS should examine the possibility of starting with the Middleboro simple alternative, and leaving the door open for the Middleboro full in the future.

N-025-031 Finally, PEER urges the Corps to look at the No Build Alternative very closely. As stated in the ENF, there is existing bus service to Boston. The EIR/EIS should examine enhancement of these buses, and buses to the nearest rail station.

Environmental impacts. PEER is extremely concerned about the environmental impacts associated with the Stoughton Alternative. Specifically, we are concerned with direct and indirect impacts to wetlands, degradation of municipal water supplies, stream crossings, fragmentation of the Hockomock Swamp, and impacts to vernal pools and rare species. The ENF states that the loss of wetlands associated with the various alternatives ranges from "1.3 acres for Alternative 5, to 9.9 acres for Alternative 3." (However, page 1-4 of the ENF states that "up to 14 acres of fill material" will occur as a result of the proposed project. The EIR/EIS should use consistent numbers.) In order to construct this project, then, the Commonwealth must issue itself a variance. In order to properly obtain a variance, the Commonwealth must demonstrate that there are no reasonable alternatives that would comply with the Wetlands Protection Act regulations; that mitigation would result in protection of interests of the Act; and that the variance is necessary to "accommodate an overriding community, regional, state or national public interest." 310 CMR 10.05(10). Moreover, the project must comply with the 404(b)(1) guidelines, the federal regulations pursuant to Section 404 of the Clean Water Act. Specifically, the Corps of Engineers can only permit the least environmentally damaging practicable alternative (LEDPA), and that LEDPA cannot cause or contribute to significant degradation of waters of the Untied States.

N-025-032 PEER believes that the Stoughton Alternative, due to the high impacts to the Hockomock Swamp and drinking water supplies, together with the existence of less environmentally damaging practicable alternatives, cannot possibly be issued a variance or a Section 404 permit. It will also be impossible for the Commonwealth to mitigate for impacts associated with bisecting the state's largest freshwater wetland.

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N-025-029

Alternative 2-- through Middleborough-- has been eliminated from further review as it does not meet the project purpose. MassDOT also evaluated an alternative that combines Middleborough Simple and the Rapid Bus, which is presented in DEIS/DEIR Chapter 3, Section 3.1.8.

N-025-030

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-025-031

The "No Build" Alternative was included as part of the evaluation of South Coast Rail alternatives and is described in DEIS/DEIR Section 3.2.

N-025-032

Potential impacts to the Hockomock Swamp from the Stoughton Alternatives electric and diesel-powered options are discussed in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.5 and 4.16.3.3.6, respectively. Potential mitigation measures, including the 1.8-mile long trestle, are discussed in Section 4.16.3.6 and Chapter 7.

N-025-033

Water quality. Page 5-44 of the ENF states that, "All of the municipalities in and along the project alternatives have public drinking water supply wells that could be affected by future ground water contamination." However, page 5-46 of the ENF goes on to say that "The *Massachusetts Drinking Water Program* classifies Transportation Corridors as a Lower Risk activity in an assessment of potential sources of ground water contamination." However, when you look at page 23 of the document cited by the consultant, it actually defines transportation corridors as "road de-icing and materials transport."[31] Since rail lines are not "road de-icing and materials transport," we do not believe this conclusion is warranted. Rather, a better source would be the Massachusetts Department of Environmental Protection Source Water Assessment Program (January 1999), which provides a "Land Use Pollution Potential Matrix." EPA requires states to "create an inventory of potential contamination sources and evaluate their likelihood to adversely impact source waters of public water supplies." The table in the report lists "land uses and activities considered to be significant potential sources of contamination to drinking water. Each land use has been ranked relative to its threat to the water quality (high, moderate, low), considering the type of drinking water source (groundwater or surface water)." In this table, railroad tracks and yards are given "high" potential for both groundwater and surface water contamination.[32] The EIR/EIS should be changed to reflect this.

N-025-034

The ENF also incorrectly states:

> Normal operation of rail or rapid bus does not result in impacts to water resources. Potential pollutants deposited on the railbed or on a dedicated bus lane are deposited in low concentrations because the vehicles are not stationary sources. Any pollutants deposited on railbed are trapped in the ballast… and do not migrate to surface or ground water.[33]

The purpose of ballast is to *drain* water. According to experts, "The granular material that supports crossties vertically and restrains them laterally is known as ballast. Ideal ballast is made up of hard, sharp, angular interlocking pieces ***that drain well*** and yet permit adjustments to vertical and horizontal alignment" (emphasis added).[34] Therefore, any pollutants that deposit on the ballast are not "trapped" – rather, they drain away with the water from precipitation.

N-025-035

The Stoughton Alternative would result in impacts to two Zone I municipal drinking water areas (in Easton and Raynham), and numerous acres of Zone II. Clean water will likely become a scarce commodity in the near future. Changing weather patterns, together with increased contamination of drinking water supplies, will undoubtedly lead to a scarcity of clean drinking water. PEER is particularly concerned about the potential impacts to the Hockomock Swamp, which was designated as an Area of Critical Environmental Concern (ACEC) partially because of its contribution to public water

[31] http://www.mass.gov/dep/water/drinking/whpguide.pdf
[32] Id., page 2.
[33] ENF, page 5-46.
[34] McGraw-Hill Concise Encyclopedia of Engineering. © 2002 by The McGraw-Hill Companies, Inc.

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N-025-033

The DEIS/DEIR, consistent with the MassDEP reference cited, considers train layover and maintenance facilities to be a land use with a high potential for pollutant loading.

N-025-034

Most pollutants generated by train operations would be adsorbed (attached) to the surface of the stone ballast supporting the rail ties.

N-025-035

As described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.5, the Zone II areas crossed by the Stoughton Line already contain developed areas and residential neighborhoods that are likely to have much larger impacts on water quality than a rail corridor. No Zone I areas would be affected by the construction on this line. This section also describes the potential risk that the Stoughton Alternatives present to the drinking water supply provided by the Hockomock Swamp. 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.

N-025-035 supplies. Specifically, the Commonwealth's ACEC designation document states that "The value of the Hockomock Swamp resource area for public water supply is critical. …. the original area nominated for ACEC designation contains over one trillion gallons of water in groundwater storage….[DEP states that] the natural resources in these towns are of unquestionable value… Inappropriate development could threaten this critical public health and safety function of the ACEC."[35] The EIR/EIS must assess the risk to this drinking water resource and balance it against other alternatives. The fact that the Commonwealth is considering not only passenger trains on this line, but also freight, is of particular concern in these sensitive areas. The EIR/EIS must discuss the types of freight that would be carried, the potential impacts to all of these drinking water supplies, and emergency management in case of a spill or accident.

N-025-036 Moreover, as PEER commented in 2002, we conducted a water quality study comparing the water quality of vernal pools adjacent to the proposed rail line through the Hockomock Swamp with that of the pools adjacent to the existing active Attleboro line. The results showed that the dissolved oxygen in the vernal pools adjacent to the active rail line was significantly lower than undisturbed pools in the Hockomock. Since dissolved oxygen is necessary to support aquatic life, this is of great concern. The EIR/EIS should re-evaluate all blanket statements in the ENF claiming that trains do not lead to water quality degradation.

N-025-037 The ENF states that herbicides will be applied along the right-of-way.[36] This is also of concern to PEER, particularly in the Hockomock Swamp, the Assonet Cedar Swamp, near water supplies, and other sensitive areas. The EIR/EIS should discuss the impacts associated with this herbicide application.

N-025-038 **Wetlands.** The Stoughton Alternative proposes bisecting the Commonwealth's largest freshwater wetland, the Hockomock Swamp. The Hockomock was touted in its ACEC designation by the Commonwealth as "unique in all of Massachusetts…[its] uniqueness cannot be overstated …the resource value of this area is immense…." The Commonwealth also stated that the Hockomcok provides "the mass so necessary and essential to the protection and perpetuation of various plant and animal species …. as fragmentation occurs elsewhere, the 'Hock' will become one of the few places in eastern Massachusetts with relatively large and contiguous habitat." In addition, the Nature Conservancy states that the Hockomock is of "national importance based on its relatively undisturbed natural conditions." Finally, the Massachusetts Department of Environmental Management stated that "there is no other ecological area like it in southeastern Massachusetts, or in the rest of the Commonwealth. It is impossible to overemphasize the uniqueness or ecological value of the area."

Given these accolades, it is mind-boggling to PEER how the Commonwealth could now be contemplating running a train line through the middle of this ACEC. Given its uniqueness, mitigation will be impossible. Members of the Task Force claim that since a train ran through the Hockomock in the past, and it survived, then a train can run through

[35] http://www.mass.gov/dcr/stewardship/acec/acecs/designations/hock_des.pdf
[36] ENF page 5-47.

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N-025-036

Potential impacts to surface water and groundwater quality from the rail alternatives are described in DEIS/DEIR Chapter 4.17, Sections 4.17.3.3.2 through 4.17.3.3.8. Water quality monitoring in vernal pools along the Greenbush Line has shown little variation between vernal pools located along the right-of-way and control sites (Woodlot Alternatives, Inc. 2006. Massachusetts Bay Transportation Authority, Greenbush Rail Line, 2005 Vernal Pool and Spotted Turtle Monitoring Report).

N-025-037

As described in DEIS/DEIR Chapter 4.14, Section 4.41.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources. Specifics of the Vegetation Monitoring Plan will be developed for the LEDPA, when selected. If one of the Stoughton Alternatives is selected as the LEDPA, MassDOT has committed to establishing "no-spray" zones within the Hockomock Swamp.

N-025-038

The potential impacts to Hockomock Swamp wetlands from the Stoughton Alternatives' electric- and diesel-powered options are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.5 and 4.16.3.3.6, respectively.

N-025-039 it again without any deleterious effects. This is non-sensical. The trains that used to run through the Hockomock almost 50 years ago probably did have an impact on the resource. Unfortunately, there are no data from what the Hockomock was like before the train bisected it. One can just as easily postulate that the reason there are so many state-listed species in the Hockomock is that the old train endangered the species that were there. Because we have no data, we cannot speculate that there was no harm from that train. However, it is absolutely certain that bisecting the Hockomock today would have severe deleterious effects.

Moreover, contrary to what many people believe, there is only a flooded dirt path that runs along the right-of-way today. There is no ballast, no tracks, no ties. The Stoughton Alternative would not be a "reconstruction" or "rehabilitation" – it would be construction through a wilderness area.

N-025-040 Finally, PEER takes issue with the oft-repeated sentiment that the rail through the Hockomock would be mitigation in and of itself, because it would prevent ATVs from riding through the swamp.[37] This is analogous to amputating someone's leg because they need stitches. PEER acknowledges that the illegal ATVs are problematic, but there are less drastic ways to deal with the situation than replacing the ATV trail with a railroad. In fact, PEER is working with other NGOs, the state, and the Town of Easton to address the ATV issue.

N-025-041 The ENF states that the wetland/water impacts associated with the Stoughton Alternative are: 6.7 acres of wetland fill; ten stream or river crossings; work in proximity to nine certified vernal pools (17 potential vernal pools); 6,400 linear feet of indirect impacts.[38] PEER believes that these impacts are severely underestimated. Specifically, the 6,400 linear feet of indirect impacts is ludicrous. Bisecting a forested wetland results in fragmentation and edge effects that can extend hundreds of meters on either side of the direct impact. The EIR/EIS must discuss these indirect impacts, and also look beyond the mere numbers of acres impacted to evaluate the functions and values of all the wetlands that would be affected.

N-025-042 Moreover, the assessment of impacts does not even mention impacts to riverfront areas, impacts to bank, or land subject to flooding. All of these impacts must be included in the EIR/EIS. Finally, as PEER pointed out in 2002,[39] a stream has relocated itself on the abandoned rail bed in the Hockomock Swamp. This stream flows much of the year, and
N-025-043 is approximately a foot in depth. Impacts to this stream must be addressed in the EIR/EIS.

[37] Even NHESP is starting to buy into this absurd concept. The minutes of the December 10, 2008 Task Force meeting state, " Mr. Regosin admitted that reduced ATV use could benefit species and this benefit could be weighed."

[38] ENF page 5-15.

[39] Our comments were ignored in 2002, and we hope this time the Commonwealth and its consultant will take the time to investigate this matter.

N-025-039

As described in DEIS/DEIR Chapter 4.15, Section 4.15.2.2, the state-listed species are rare state-wide, not just in the Hockomock Swamp. Additionally, the CAPS analysis did not show that the Stoughton Alternatives would have severe deleterious effects on the Hockomock Swamp. Finally, as described in Section 4.14.2.2.3, the existing, abandoned Stoughton Line alignment is an elevated landform comprised of railroad ballast and sand; it is not a flooded dirt path.

N-025-040

Comment noted.

N-025-041

The potential wetlands impacts from the Stoughton Electric Alternative and Stoughton Diesel Alternative are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.5.4 and 4.16.3.5.5, respectively. Wetland functions and values are described in Chapter 4.16, Section 4.16.2.2 of the DEIS/DEIR, including the Hockomock Swamp. Potential impacts to biodiversity, including habitat fragmentation and edge effects, are described in Chapter 4.14, Sections 4.14.3.2.5 and 4.14.3.4.

N-025-042

Potential impacts from each South Coast Rail alternative to all regulatory classifications of wetlands, based on the current level of design, are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.

N-025-043

The perennial stream along the Stoughton Line railroad bed in the Hockomock Swamp is described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.4.

N-025-044 PEER is extremely concerned that the method proposed by the Commonwealth and its consultant for wetland impact determination is flawed. Specifically, Section 8-3 of the ENF states that the Commonwealth will rely on aerial photographs and mapping from such photographs in order to determine wetland resources and impacts. This is unacceptable, as it will likely underestimate the impacts associated with each alternative. The consultant should be required to do on the ground confirmations of any delineation form the air.

N-025-045 We note that the ENF states several times that the Rapid Bus Alternative would impact the Hockomock, and this is a detriment to that alternative.[40] Adding a lane along Route 24, even if it does impact the Hockomock, would be far less damaging than bisecting the contiguous, unfragmented part of the swamp. In fact, the Rapid Bus Alternative would have the least environmental impacts of all the alternatives. Specifically, page 5-16 of the ENF states that the Rapid Bus Alternative would have the following impacts: an estimated 1.3 acres of wetland fill; no wetland fill in the Fowl Meadow ACEC; no work in proximity to certified or potential vernal pools; no indirect impacts to wetlands; and no new stream/river crossings. Therefore, the EIR/EIS should explain the difference between the impacts to the Hockomock associated with the Rapid Bus Alternative versus the Stoughton Alternative.

N-025-046 Finally, we note that very little attention has been given to the Assonet Cedar Swamp. Like the Hockomock, this area is extremely valuable, of regional importance, and contains a number of rare species. The same attention given to the Hockomock must also be given to the Assonet.

N-025-047 **Wildlife impacts**. The Hockomock Swamp ACEC provides habitat for at least 13 species of state-listed rare wildlife. As conceded in the ENF, much of the ACEC is designated as BioMap Core Habitat. However, the ENF also states that the Stoughton Alternative would result in the loss of habitat for only three state-listed species.[41] The EIR/EIS should explain why the other 10 species would not be impacted by the proposed project. Moreover, the ENF discusses building a trestle through one mile of the Hockomock Swamp.[42] However, in 2002, the Commonwealth was required to build a two-mile trestle. The EIR/EIS should articulate why a one-mile trestle is sufficient for wildlife migration and passage, and precisely where this trestle would be located.

N-025-048

N-025-049 Finally, the EIR/EIS must discuss impacts to other species of wildlife, including neotropical migrants, forest interior species, and breeding birds.

N-025-050 **Mitigation.** As stated above, PEER believes that it will be impossible to mitigate for some of the proposed impacts, particularly to areas like the Hockomcok Swamp. Moreover, we are concerned that the current budget does not include any money for such mitigation. We also note that today, the deadline for comments on the ENF and scoping, the Commonwealth posted the "Regional Priority Preservation Areas and Priority

[40] See, e.g., page 5-28 of the ENF, which states, "A portion of the Route 24 construction would be within the Hockomock Swamp ACEC."
[41] ENF page 5-42.
[42] ENF page 4-51.

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N-025-044

Potential wetland impacts for each of the South Coast Rail alternatives are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3. The figures provided in Chapter 4.16 depict the wetlands and potential impacts from each of the alternatives based on existing information, GIS mapping and the current level of project design. Field verification was used in areas where aerial photographs and topographic maps provided inconclusive results. Field delineations will be conducted for the LEDPA, when selected, to refine the impact analyses. The methodology for calculating wetland impacts was agreed upon by the Corps and MEPA.

N-025-045

Wetland impacts that would result from each of the South Coast Rail alternatives are discussed in Chapter 4.16, Section 4.16.2.2 of the DEIS/DEIR. Wildlife habitat impacts in the Hockomock Swamp that would result from the Stoughton Alternatives are described in Chapter 4.14, Section 4.14.3.2.5.

N-025-046

Figure 4.10-3 of DEIS/DEIR Chapter 4.10, Section 4.10.2, depicts the Assonet Cedar Swamp Wildlife Sanctuary and the existing New Bedford Main Line alignment. Some vegetation along the track may be removed and some culverts replaced to accommodate the planned railroad upgrades. Removing vegetation along the existing railroad bed would not create a barrier to wildlife movement or affect the wildlife habitat function of the swamp, and replacing the culverts would not impact the waterways. Based on GIS-level wetland mapping and the current conceptual design, wetland impacts within the swamp have been limited to 0.5 acre.

N-025-047

The Stoughton Line would potentially impact habitat for five rare species

N-025-050 Development Areas."[43] The Task Force was informed that the Rail Corridor Plan would identify Priority Protection Areas (PPAs) and Priority Development Areas (PDAs), and that this map would be used for determining mitigation sites. In fact, PEER was involved in one of the meetings where we identified those areas of concern fro preservation. Therefore, we were disturbed to see that the proposed map does not even include the Hockomock ACEC as a PPA. By omitting such an obvious area for protection, the Commonwealth is once again demonstrating that it has already determined that the Stoughton Alternative will be its preferred route, and that this "fresh look" at alternatives is simply a façade. If the Commonwealth truly wants to conduct this analysis properly – and legally – it should include data that both supports and refutes its preferred alternative. To do otherwise is to make a sham of the whole process.

N-025-051 **Conclusion.** Page 2-2 of the ENF states, "There has been a repeated mandate from the Massachusetts Legislature to design and construct commuter rail extension to New Bedford and Fall River." Unfortunately, this "mandate" has occurred without the demonstrated need for the project. In fact, pages 5-73 to 5-74 of the ENF state that:

> The beneficial effects of the project can generally be characterized as: improved accessibility to jobs and educational opportunities; enhanced property values; increased population; increased attractiveness to employers (with increased tax revenues for communities); transit-oriented development opportunities and communities; controlled and managed growth in accordance with Smart Growth planning.

PEER takes issue with many facets of this statement, as some of these are not necessarily "benefits" (e.g., increased population); others can occur without a train (e.g., enhanced property values or increased attractiveness to employers); while still others have not been demonstrated results of a project such as this (controlled and managed growth in accordance with Smart Growth planning).

Given the huge costs of this project, together with estimated natural resource impacts, the Corps should carefully evaluate the purpose and need for the project, the alternatives, the true impacts, and any proposed mitigation. Moreover, we urge the Corps to steer the applicant away from any alternative that appears to be unpermittable pursuant to the Section 404(b)(1) guidelines as soon as possible. Thank you.

Please feel free to contact me if you have any questions.

[43] See http://www.southcoastrail.com/documentframeset.asp?docname=https://www.commentmgr.com/projects/1212/docs/regional%20map_1alt.jpg

within the Hockomock Swamp ACEC as determined by NHESP. Other state-listed rare species would not be impacted for a variety of reasons, including lack of habitat in the vicinity of the rail alignment.

N-025-048

The proposed trestle length is approximately 1.8 miles, increased from the approximate 1-mile length proposed in the ENF. The trestle would elevate the tracks above the abandoned railroad bed 4 to 6 feet, allowing for passage of animals underneath the tracks. The proposed trestle location is depicted in Figures 4.15-24a and 4.15-24b of DEIS/DEIR Chapter 4.15.

N-025-049

Potential wildlife impacts associated with the South Coast Rail alternatives, including neotropical migrants, forest interior species, and breeding birds, are described in Section 4.14.3 of the DEIS/DEIR.

N-025-050

The Hockomock Swamp is identified as a PPA in the Corridor Plan (pg 45). MassDOT did not designate the PPAs. As described in the various resource sections of DEIS/DEIR Chapter 4, impacts to the environment that would result from the South Coast Rail project would be mitigated in accordance with regulatory requirements.

N-025-051

Chapter 5 of the *South Coast Rail Economic Development and Land Use Corridor Plan* (Corridor Plan), published in July 2009, quantifies the expected economic effects of the South Coat Rail project. Chapter 6 of the Corridor Plan explores the potential for transit-oriented development and smart growth implementation.

Chapter 2 of the DEIS/DEIR provides a description of the purpose of,

Sincerely,

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and need for, the proposed project. Chapter 3 of the DEIS/DEIR describes all components of the project alternatives.

Please note that the Corps will not identify a Least Environmentally Damaging Practicable Alternative (LEDPA) until after reviewing and considering all public comments on the DEIS.

PEER

SENT BY EMAIL

March 17, 2009

ATTN: Aisling Eglington
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RE: **EOEA #14346/** Comments on the South Coast Rail Travel Demand Analysis Results

Dear Ms. Eglington and Mr. Anacheka-Nasemann,

Thank you for the opportunity to comment on the South Coast Rail Travel Demand Analysis that was issued on February 13, 2009. Public Employees for Environmental Responsibility (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). Please read these comments in conjunction with our previous letter dated January 9, 2009.

Background. Although PEER commented on most aspects of the proposed project in our January 9, 2009 letter, we believe that some of these issues deserve further consideration in light of the newly released ridership estimates. Therefore, we will be commenting on not only the ridership figures themselves, but also on the purpose and need for the project, the travel times, alternatives analysis, and economics/cost of the project in light of these ridership figures.

Need for the project. PEER has often questioned the real need for this project, and over the years, has received a variety of responses from different people. Some of these responses have been:

- To provide better job opportunities for the people of Fall River and New Bedford in Boston.
- To allow people who work in Boston to take advantage of the cheap housing in Fall River/New Bedford.
- To allow a way for tourists to get to Fall River/New Bedford by mass transportation.
- To spur economic growth.
- To reduce congestion on the highways.
- To improve air quality.
- To spur smart growth.
- Increase housing value in Fall River and New Bedford.
- To bring "equity" to the people of Fall River/New Bedford, as they are the only cities within 50 miles of Boston that do not have commuter rail.

Providing job opportunities. Now that we have the 2030 ridership estimates available, it appears clear – at least to us – that providing transportation to Boston for workers in Fall River and New Bedford cannot possibly be the problem we are trying to solve. As so eloquently stated in Jonathan Richmond's book:

> Questions of transportation are therefore also questions of urban form and the environment, of the history and identity of the community, of its distribution of resources, of employment, education, and race. What is the use, for example, of studying how to provide transportation "access" to a particular employment site if barriers to attaining employment are related to inadequate education or racial prejudice? Our role as planners should not be to take a "transportation problem" as given, but to reflect on its definition and open up inquiry to reach the root causes of social problems which may lie far beyond the scope of the initial simple problem formulation.[1]

[1] Richmond, J., "Transport of Delight: The Mythical Conception of Rail Transit in Los Angeles." 2005, University of Akron Press, p. 9 (note that despite the title of this book, the author discusses rail in cities all over the world, including Boston. Moreover, although the book and other references cited in this letter

If the real problem we are trying to solve is that the cities of Fall River and New Bedford are suffering high unemployment and economic woes, we should address that problem, not force a transportation solution on them. Why is there high unemployment there? Do they lack the necessary skills? Do they not have appropriate childcare facilities such that they can work? Are they unable to get to their jobs? If so, where are those jobs?[2] Unfortunately, because the applicant in this case is the Executive Office of Transportation (EOT), the only solutions will be transportation related. Providing transportation to people when there are no jobs available in the destination city will not make jobs miraculously appear. There are other barriers to employment, and these must be examined before EOT can claim that this project will create jobs for the residents of Fall River and New Bedford.

Moreover, even if access to employment was the only obstacle faced by the residents of Fall River and New Bedford, researchers believe that new transport infrastructure does not lead to increased employment.

> With inelastic supply of housing, the potential for new transport infrastructure to pull large numbers out of inactivity and into employment or to increase work hours may be very limited, because local reductions in transport costs raise housing costs and are not necessarily fed through to workers in terms of real wages in the long run.....it is true that those without work tend to live in areas with poor access to transport and jobs. On that basis, it is often tempting to propose better transport as a policy lever for moving people back to work....without acknowledging that the housing market will tend to sort individuals who are less employable (for whatever reason) into less accessible, low housing cost residential locations.[3]

N-026-001 The DEIR/S must determine what the barriers to employment are for the residents of these two cities if it is going to claim that employment will be one of the benefits of the project.

Affordable housing. People choose where to live on many factors, including housing prices. But equally, if not more important, are factors such as school quality, crime rates, and quality of life. If commuter rail stations are constructed in Fall River and New Bedford, it does not necessarily mean that people will flock to those cities to live. N-026-002 The DEIR/S must support the assumption that a new rail line will bring people to these cities.

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often discuss light rail, the obstacles facing commuter rail are similar to, if not identical to, those facing light rail. Personal communication, Ted Balaker and Bob Poole, www.reason.org, 3/2/09.).

[2] We note that JTW data show in no uncertain terms that there are far more people living in New Bedford and working in Fall River, and vice versa, than there are people living in New Bedford and Fall River and working in Boston.

[3] Gibbons, S. and S. Machin, "Valuing School Quality, Better Transport and Lower Crime: Evidence from House Prices," London School of Economics, December, 2007, p. 23.

3

N-026-001

As provided in DEIS/DEIR Chapter 2, Section 2.2.1, MassDOT's stated purpose for 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, MA, and to enhance regional mobility, while supporting smart growth planning and development strategies in the affected communities." Employment benefits from the project include increased access to jobs in the Boston metropolitan area, based on reduced travel time and increased mobility, as described for each alternative in Chapter 3, Section 3.3.3.1.1 and analyzed in the 2009 South Coast Rail Economic Development and Land Use Corridor Plan.

N-026-002

The South Coast Rail project will improve mobility for residents of the South Coast region and provide choices for more affordable housing markets to Greater Boston residents. As described in DEIS/DEIR Chapter 5, Section 5.3, an indirect effect of the project is expected to be induced population growth, particularly in New Bedford and Fall River.

Spurring economic growth/development. The EOT justifies the huge expenditure of funds on this project by claiming that the proposed project would spur economic development. Apparently, this is common: "Often researchers and public officials justify rail projects, at least in part, on grounds that they spur economic development."[4] However, one study found that "In all cities, mean real household income in new rail transit-accessible areas is below that in other areas, with the gap widening between 1970 and 2000 in all cities except Atlanta and Miami. This widening of the income gap occurs after the new rail lines opened…"[5] In addition, Two researchers found that commercial properties do increase in value within ¼ mile of a train station, but the same was not true for retail properties or industrial properties.[6] In order to claim economic benefits from the proposed project, EOT must demonstrate that this economic benefit will actually take place.

N-026-003

Reducing highway congestion. Another myth that exists is that trains will relieve highway congestion. Highway congestion "signifies the existence of a great deal of latent highway travel demand, ready to be expressed as and when additional highway capacity becomes available."[7] PEER has repeatedly requested that the phenomenon of induced travel be taken into account when claims of traffic congestion relief are being made. The DEIR/S must include this information before any claims are made about easing of traffic congestion due to this project.

N-026-004

N-026-005

Moreover, EOT must take into consideration new trips generated by any development the project spurs. PEER and others have been saying this repeatedly, and it seems as though experts agree. Richmond states, "If new developments are induced, a certain proportion of trips will be served by the new transit system, but there will also be new trips generated by people who choose to gain access to the development by automobile, resulting in a worsening of highway congestion."[8] As difficult as it may be to calculate, EOT must attempt to address this before it makes blanket statements about relieving congestion.

In fact, other studies show that rail does not reduce highway congestion. For example, one study states, "There is no evidence that new fixed-rail public transit systems in Washington and San Francisco Bay areas have diminished peak-period congestion on any expressways there."[9] A study by economists states, "the increase in transit ridership in general….relative to the increase in roadway travel tends to be too small to affect

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[4] Balaker, T. and C.J. Kim, "Do Economist Reach a Conclusion on Rail Transit?" Econ. Journal Watch. Volume 3, No. 3, September 2006, p. 571.
[5] Baum-Snow, N. and M.E. Kahn, "Effects of Urban Rail Transit Expansions: Evidence from Sixteen Cities, 1970--2000."
[6] http://www.apta.com/research/info/briefings/documents/dart2002.pdf
[7] Altshuler, A.., J. P. Womack, J. R. Pucher, "The Urban Transportation System: Politics and Policy Innovation," Joint Center for Urban Studies, Published by MIT Press, 1981, p. 434.

[8] Richmond, p. 70.
[9] Downs, Anthony. 1992. *Stuck in Traffic.* Washington, DC: The Brookings Institution, p29.

4

N-026-003

The Corridor Plan provides an analysis of the economic benefits of the project. The potential socioeconomic impacts of the project, both adverse and beneficial, are described for each alternative in DEIS/DEIR Chapter 4.3, Section 4.3.4. The indirect and cumulative effects to socioeconomic resources are described in Chapter 5, Sections 5.3.2.9 and 5.4.3, respectively.

N-026-004

As described in Chapter 3, Section 3.2.4, and as presented in the tables in Section 3.2.4.3, the total number of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project alternative. This number presents the linked trips increase--trips that, without the project, would have been made by car.

N-026-005

Indirect and cumulative impacts of the South Coast Rail alternatives, including anticipated traffic growth, are described in DEIS/DEIR Chapter 5.

N-026-006

congestion."[10] Moreover, others state that if ***everyone*** lived within ¼ mile of a rail transit stop, automobile trips might fall substantially. However, because the percentage of people actually living within ¼ mile of the train stops is relatively small, "[c]ompact and higher density development becomes congestion-inducing development."[11] This topic is summed up succinctly by one researcher who states, "…in the U.S., investment in rail transit has proven to be a terribly inefficient way to divert trips from automobiles."[12] The DEIR/S must support EOT's contention that traffic congestion will ease once this project is built.

Improving air quality. Thirty years ago, an article called "The Mass Transit Panacea and Other Fallacies About Energy" was published.[13] Although 30 years old, the information contained in the article is extremely relevant. Although the article discusses energy consumption, this is directly related to air quality. The author stated:

> The fact is that transit's potential contribution to solving the energy problem was always insignificant. To understand why this is necessarily so, we must understand a generalization which I call the Law of Large Proportions. In its briefest form, this law states: *"The biggest components matter most."*
>
> To change something (such as energy consumption) inside a system, we must concentrate our attention on its largest components. A small improvement in a major component makes more difference than a large improvement in a minor component. The application of this law in transportation is particularly striking because of the enormous difference in the relative size of the two components: only 3 percent of passenger trips are made via public transportation. That is, cars use most of the energy, and we ought to concentrate on improving their efficiency. Instead, public policy has been totally preoccupied with transit: policy planners count it a major victory for energy conservation when some heroic set of policies increases transit patronage by 30 to 40 percent. But this ignores the fact that even a 100 percent increase would not make a noticeable dent in the energy consumption picture.
>
> Alternatively stated, if we increase the fuel efficiency of the average car from 15.0 mpg to 15.2 mpg, we save more energy than we do by doubling transit patronage. Public transportation cannot make any significant contribution to energy conservation in the near term, and even in the long term its contribution is likely to be insignificant.

[10] Balaker, T. and C.J. Kim, "Do Economist Reach a Conclusion on Rail Transit?" Econ. Journal Watch. Volume 3, No. 3, September 2006, p. 565.
[11] Staley, www.reason.org.
[12] Giuliano, G. and K.A. Small, "Alternative Strategies for Coping with Traffic Congestion," Univ. of California Transportation Center, UCTC No. 188, 1995.
[13] http://www.theatlantic.com/doc/197910/197910

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N-026-006

As described in Chapter 3, Section 3.2.4, and as presented in the tables in Section 3.2.4.3, the total number of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project alternative. This number presents the linked trips increase--trips that, without the project, would have been made by car.

Why, then, our continued preoccupation with transit, and our spending of billions of dollars to increase transit patronage?[14]

Why, indeed? In this case, as seen below, the truly new riders on the Stoughton diesel alternative are only 1,000 per day.[15] Given that Massachusetts Highway Department (MHW) revealed that slightly less than half of the 125,000+ cars[16] on Route 24 in Randolph go north towards Boston, and slightly more than half go the other direction on Route 128/95,[17] the proposed train would take 1,000/62,500 cars off the road, assuming everyone was driving alone. This means that, if the ridership figures are correct, and every person is assumed to be driving alone, the Stoughton Diesel would take 1.6% of the cars off the road. The DEIR/S should explain how this tiny reduction of vehicles will improve air quality, particularly in light of emissions from the train, and emissions from induced travel. N-026-007

Other studies have found that rail neither reduces congestion nor pollution: There is "scant evidence that rail lines have reduced pollution and congestion externalities;"[18] "there is little evidence that rail transit has reduced the number of vehicles on the roadways;"[19] "[i]n no case has new rail service been shown to have had a noticeable impact upon highway congestion or air quality."[20] Moreover, some even suggest that rail systems are net users of energy, because of the huge amount of energy it takes to construct them.[21] The EOT should therefore take into account the energy costs and emissions associated with *construction* of the various alternatives. N-026-008

Spurring smart growth. The EOT claims that the proposed rail project would promote smart growth and decrease sprawl. In fact, the Commonwealth has this as part of its project purpose (although the Corps does not). The extent to which this project will indeed result in smart growth remains to be seen. An economist stated, "Rail is often seen as a valuable tool for encouraging more concentrated development patterns. Toronto is frequently held to be a city where a new rail transit system precipitated central-area development."[22] However, other researchers found that similar Canadian cities without rail had similar growth rates and patterns, and that the transit system did not result in the growth.[23] As EOT well knows, land development patterns are not the result of mass transportation availability alone. Given the speculative nature of EOT's implementation of the Smart Growth Corridor Plan, it is premature to claim that this

[14] Id.
[15] See PEER's analysis on ridership, below.
[16] http://www.mhd.state.ma.us/traffic.asp?f=2&C=RTE.%2024

[17] Personal communication, MHW, January 8, 2009
[18] Baum-Snow, N. and M.E. Kahn, "Effects of Urban Rail Transit Expansions: Evidence from Sixteen Cities, 1970–2000," http://www.econ.brown.edu/fac/nathaniel_baum-snow/brook_final.pdf.

[19] http://www.stlouisfed.org/publications/br/2003/d/pages/2-article.html
[20] http://www.hks.harvard.edu/taubmancenter/pdfs/working_papers/richmond_99_systems.pdf
[21] Lave, cited in Balaker, T. and C.J. Kim, "Do Economist Reach a Conclusion on Rail Transit?" Econ. Journal Watch. Volume 3, No. 3, September 2006, p. 570.
[22] Richmond, p. 67.
[23] Id.

6

N-026-007

Qualitative analyses of the secondary and cumulative effects of the project on air quality are provided in DEIS/DEIR Chapter 5, Sections 5.3.2.7 and 5.4.1, respectively. This analysis was completed for the electric train options for the Attleboro and Stoughton Alternatives, as well as the diesel-powered Rapid Bus Alternative, comparing the baseline, build with mitigation, and build without mitigation scenarios. The train alternatives would result in an improvement in ambient air quality (based on concentrations of the "criteria pollutants") and CO2, while the Rapid Bus Alternative would result in an improvement in regional air quality but a nominal increase of CO2 emissions, under the two build scenarios.

N-026-008

Federal conformity rules require evaluation of construction-period emissions for projects over 5 years in duration. The Stoughton, Whittenton, and Rapid Bus Alternatives would require an estimated 4 to 4.5 years to construct, while the Attleboro Alternatives would require an estimated 7 years. If the Attleboro Alternative is selected as the LEDPA an analysis of construction-period emissions would be conducted. As described in DEIS/DEIR Chapter 4.9, Section 4.9.3.2, MassDOT would require construction contractors to adhere to all applicable regulations regarding control of construction vehicle emissions.

project would result in smart growth and prevent sprawl. Unless and until EOT can develop legal mechanisms to ensure smart growth and protection of Priority Protection Areas, and find the money to fund such a venture, it cannot claim the benefits from it. (In fact, we note a *Boston Globe* article from March 15, 2009, entitled "Spotted turtle at risk," which states, "If the MBTA does not get a bailout, the spotted turtle better watch its back…Transportation Secretary James A. Aloisi, Jr.…issued a warning to the [Greenbush] project manager: 'If I am forced to cut service and raise fares, I may want to come back to you and not be so kind to the spotted turtle.'" If the EOT is threatening to cut mitigation that was a permit condition, it is unlikely it will be able to fund such a vast mitigation package as the Smart Growth Corridor Plan warrants.)

Transit-oriented developments are also not necessarily the answer for cities such as Fall River and New Bedford.

> The presumption of transit-induced development – deeply rooted in many planners' visions of ideal community form ….does not seem to apply to inner-city neighborhoods….A transit system cannot by its mere presence catalyze miracles in the inner city.[24]

Moreover, another researcher states that "there is reason to doubt that the hoped for land-use changes will take place as a result of investment in rail transit investment. High-density compact cities developed before the automobile….economic activity will be even less "place dependent" in the future."[25] Yet another suggests:

> Before embarking on TOD as a means for promoting economic development, city officials should address a fundamental question: Why is little or no economic development occurring in a given area? Crime, tax rates, regulations and demographics are all factors that businesses consider when deciding where to locate. Unless there is a favorable business climate in a given area, it is unlikely that businesses will choose to locate to that area on their own.[26]

N-026-009 The DEIR/S should give concrete example of where TODs have worked, and their effects on the local communities, particularly in economically depressed areas.

Increase housing value in Fall River and New Bedford. While it may be true that the value of real estate immediately around a train station will increase, "proximity to commuter rail right-of-way has a significant ***negative*** effect on property values" once you are more than ½ mile away (emphasis added).[27] Another researcher found that the positive influence on real estate values "will diminish rapidly beyond the quarter-mile

[24] http://www.uctc.net/access/access09lite.pdf
[25] Giuliano, G. and K.A. Small, "Alternative Strategies for Coping with Traffic Congestion," Univ. of California Transportation Center, UCTC No. 188, 1995.
[26] Garrett, T.A. Light-Rail Transit in America: Policy Issues and Prospects for Economic Development," Federal Reserve Bank of St. Louis, August 2004.
[27] Armstrong, R., and D. Rodriguez, "An Evaluation of the Accessibility Benefits of Commuter Rail in Eastern Massachusetts using Spatial Hedonic Price Functions," Transportation (Vol. 33, No. 1), January, 2006, pp. 21-43.

N-026-009

An analysis of TODs in other communities was not required by the Secretary's Certificate on the ENF and is not normally part of the Corps' environmental review under NEPA.

N-026-010 radius."[28] Therefore, if EOT is going to claim that the increase in real estate values within ¼ to ½ mile of train stations is an economic benefit, they must also take into account the decrease in value of property farther from the stations.

Equity. At the last Commuter Rail task force meeting, Secretary Aloisi stated that bringing rail to the people of Fall River and New Bedford was a matter of equity. He admitted that we could debate the issue, but that there was no real need to do so. While it is true that Fall River and new Bedford are the only cities within a 50 mile radius of Boston that do not have a commuter rail, this fact by itself should not be the basis for a $2+ billion, environmentally damaging project. In fact, there is even some evidence which suggests that rail transit expansion results in a deterioration of bus service, which is the type of transportation that the poor are more likely to take. If this is true, they argue, then transit expansion "could be a regressive public policy."[29] Other researchers are skeptical of any equity benefits of rail. They state:

> …the median income of rail transit users exceeds the median income in the general population. In addition, rail transit systems have difficulty keeping up with and responding to changes in job growth; thus, they are unable to provide the poorest residents access to employment opportunities in outlying suburbs.[30]

N-026-011 EOT should hire an impartial and unbiased economist to examine the real effects of commuter rail on the cities of Fall River and New Bedford.

Service Assumptions are inconsistently applied. The Travel Demand Analysis (TDA) uses a forecast year of 2030 for ridership estimates and travel times. However, the forecast year does not appear to be used consistently throughout the analysis.
N-026-012 Specifically, if the EOT is going to use year 2030 to estimate ridership, reduction in Vehicle Miles Traveled (VMT), and travel times, it must also use the 2030 forecast year for cost of the tickets and maintenance and operation for each alternative. The Draft Environmental Impact Report/Statement (DEIR/S) should include this analysis.

N-026-013 In addition, the TDA states that "Rail travel times were based on the 2030 operations simulations and reflect future improvements along the corridors" (TDA, p. 5). The DEIR/S must articulate where these improvements are, how much they cost, whether they are included in the cost estimates for the proposed project, and an estimate of travel times without these improvements. The DEIR/s must also show ridership figures and travel times from the years 2016, which is the estimated date of the line opening, through the forecast year of 2030.

[28] http://www.apta.com/research/info/briefings/documents/dart2002.pdf
[29] Baum-Snow, N. and M.E. Kahn, "Effects of Urban Rail Transit Expansions: Evidence from Sixteen Cities, 1970–2000."
[30] Winston, C. and V. Maheshri, 2006. "On the Social Desirability of Urban Rail Transit Systems," Journal of Urban Economics, p. 17.

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N-026-010

The potential economic impacts of the project on property values, both positive and negative, are discussed in DEIS/DEIR Chapter 5, Section 5.4.3.3.

N-026-011

The Corridor Plan includes an economic analysis developed by a firm with recognized economic expertise. Socioeconomic impacts to Fall River and New Bedford, along with the other communities within the South Coast Rail study area, are described in Chapter 4.3, Section 4.3.3 of the DEIS/DEIR.

N-026-012

As summarized in DEIS/DEIR Chapter 3, Section 3.2.4.2.4, the travel demand model compared the economics of using the proposed transit system to the economics of driving or using existing commuter bus service. Fares for the "No Build" Alternative were based on the existing commuter bus monthly fare structure. Fares for the Build Alternatives, including both rail and Rapid Bus alternatives, were based on the current MBTA commuter rail monthly fare structure. Should fares increase, they would increase similarly for each alternative and would not differentiate the alternatives. Therefore, fare increases were not considered in the evaluation of alternatives.

N-026-013

Future transportation improvement are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, Regional Plan. Transportation improvements included in the modeling for the South Coast Rail alternatives are those highway improvement projects most likely to be built by 2030 and which are included in the most recent Regional Transportation Plans. Table 3.2-2 summarizes the transportation projects assumed in the analysis, based on the SRPEDD and OCPC RTPs.

N-026-014

Rapid Bus Alternative cannot be excluded from consideration. Both Governor Patrick and Secretary of Transportation James Aloisi have stated, again and again, that the bus option is "unacceptable," or that "the best solution is not a bus solution."[31] Yet Kristina Egan of EOT repeatedly says that the Commonwealth is taking a "fresh look" and has an "open mind" about the alternatives. To be blunt, publicly stating that the rapid bus option has already been rejected flies in the face of the alternatives analyses ***mandated*** by state and federal environmental laws. The U.S. Army Corps of Engineers (Corps) is the decision maker regarding the least environmentally damaging practicable alternative (LEDPA), the ***only*** alternative that can legally be permitted. Neither the Governor nor Secretary Aloisi has a say in the matter. By repeatedly stating that the bus is not a viable alternative, the Commonwealth is confirming PEER's suspicions that indeed, this is ***not*** an unbiased alternatives analysis. From the start of this "fresh look," PEER has cautioned that this project is merely a solution looking for a problem, and that the Commonwealth will undoubtedly resort to choosing the Stoughton Alternative as its preferred alternative. Every step along this tortuous journey has indicated that the process is skewed: from choosing the same consultant from the last flawed "environmental review," to prematurely including a map on the MBTA's website showing the Stoughton Alternative as the one to be built, the Commonwealth is showing its hand. The Governor and the Administration must stop rejecting the Rapid Bus Alternative, particularly in light of its alleged desire to meld the state and federal processes. This problem is not restricted to Massachusetts' EOT; it appears that other governments use politics to influence decision-making: "…if leading politicians wish a particular project to proceed, it is tempting to go for optimistic assumptions which will make that project appear attractive."[32] In this case, PEER believes that this project has taken on a life of its own. EOT, the Secretary of Transportation, and the Governor should all take a hard look at the problem they are trying to solve, and come up with an answer that will actually address the problem.

PEER believes that there is a myth that buses do not provide equivalent transportation to rail. In fact, studies show that this is not true. In 1995, across the country, eight times as many people used buses than trains.[33] In fact, buses "have demonstrated the capability to attract substantial ridership, including higher-income travelers who can more typically be expected to drive to work."[34] The oft-stated sentiment that people "deserve" trains over buses, or that buses are somehow inferior, are a myth.

One of the most obvious advantages that bus has over rail is the fact that it can be flexible, and provide service where it is needed.[35] A train is built on a fixed track, and it cannot deviate from that track. A bus, however, can be driven to where it needs to go. For example, if people from Fall River/New Bedford have a multitude of job opportunities in the new Westwood TOD, the bus route can be altered easily to take them

[31] http://www.enterprisenews.com/archive/x1973549546/State-transportation-chief-rules-out-bus-express-as-option-in-providing-transit-service-in-southeastern-Massachusetts
[32] Richmond, p. 92.
[33] Richmond, p. 40.
[34] Richmond, pp. 55-56.
[35] Richmond, p. 50.

N-026-014

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA/NEPA process, along with the Attleboro and Stoughton Alternatives (including the Whittenton variation).

there.[36] As succinctly stated by Richmond, "…there is no justification for the claim that comparable-quality rail service will attract more passengers than buses."[37] The bus alternative cannot be rejected because of the myth that it will not provide equivalent transportation to rail. Indeed, the travel times are almost one-half hour quicker than rail.

Travel Times: EOT states that the travel time for the preferred alternative should be less than the time it takes someone to drive from Fall River/New Bedford to Boston, which is estimated to be 90 minutes.[38] However, studies show that:

> Travelers do not select means of transportation merely on the basis of total journey time but, rather, put extra weight on time they must spend walking and waiting, either to gain access to a mode of transportation or to transfer between modes.[39]

Moreover, what makes the automobile so attractive to commuters is the door-to-door travel, no waiting in the elements, and the privacy and comfort of your own space. In fact, others have noted that "A key problem is failure to weight access and waiting time more heavily than on-vehicle time…"[40] Therefore, the DEIR/S must estimate driving, parking, walking, and waiting times into all of its alternatives in order to calculate the real travel time. Finally, the DEIR/S should include the percent of trains that are on-time now, and estimate what percentage of the new trains would be on-time. Given the poor performance record of the commuter rail today, EOT must articulate how they will fix the poor record, or build in the inefficiencies to the total travel time.

N-026-015

N-026-016

Cost: Similar to the case of ridership, studies have found that capital cost overruns occur in rail projects in nine out of ten cases.[41] Given the already astronomical cost associated with the rail alternatives, EOT should build in a cost overrun figure for each alternative in the DEIR/S.

N-026-017

The DEIR/S should also delve more deeply into the cost comparisons and efficiencies of each alternative. Economist after economist writes about how buses, particularly rapid bus with a dedicated lane, are far more efficient than a fixed rail system:

N-026-018

> With few exceptions, academic studies of the cost-effectiveness of alternative modes have found that some form of express bus service, operating on either an exclusive right-of-way or a shared facility, would have lower costs and higher

[36] We acknowledge that the Rapid Bus alternative as proposed does not foresee a dedicated lane going up Route 128, but should demand require this change, it can be proposed in the future far more easily than a new rail line.
[37] Richmond, p. 71
[38] See ENF, p. 4-60.
[39] Richmond, p. 47.
[40] Richmond, p. 116.
[41] Richmond, p. 39

N-026-015

Travel time input parameters are described in DEIS/DEIR Chapter 4.1, Section 4.1.4.2.1. Inputs such as transportation time to or waiting time at stations are not included, consistent with other ridership and transit modeling in eastern Massachusetts.

N-026-016

The projected on-time performance of each alternative is described in DEIS/DEIR Chapter 3, Section 3.3.2.3. The MBTA System Wide Commuter Rail On-Time Performance for calendar year 2008 ranged from 78 to 95 percent.

N-026-017

A summary of capital costs for the alternatives, which includes contingencies, is provided in Section 3.2.5.2.12 of the DEIS/DEIR.

N-026-018

The capital costs of the alternatives can be found in Section 3.2.5.2.12 of the DEIS/DEIR and comparisons of cost per rider in Section 3.3.2.1.

performance than either light or heavy rail systems in nearly all, if not all U.S. cities.[42]

Conclusions drawn by economists studying the rail in Dulles state:

> Our conclusion suggests that building rail as planned would be a significant misallocation of resources. It fails to maximize the number of new transit trips that can be generated, because too much is being spent to attract each new transit rider. It also takes resources away from other potential transit projects that could better serve the region.[43]

N-026-019

The DEIR/S must include a cost per passenger mile for each alternative, and a farebox recovery estimate. In other words, in order to make an educated decision, the public and the regulatory agencies should know how much of the cost of each alternative would be subsidized by our taxes.

EOT appears to take issue with PEER's cost per rider analysis, calling them simplistic. However, economists do similar analyses: for example, in the article "Light Rail: Boon or Boondoggle?" about light rail in St. Louis, the authors state:

> Based solely on dollar cost, the annual light-rail subsidies could instead be used to buy an environmentally friendly hybrid Toyota Prius every five years for each poor rider and even to pay annual maintenance costs of $6,000. Increases in pollution would be minimal with the hybrid vehicle, and 7,700 new vehicles on the roadway would result in only 0.5 percent increase in traffic congestion. And there would still be funds left over – about $49 million per year. These funds could be given to all other MetroLink riders…and be used for cab fare, bus fare, etc….instead of building light rail systems to provide transportation for the poor, communities could expand bus service, offer more express bus routes…these would still realize the benefits of providing public transportation…"[44]

The extremely high costs associated with the rail options, together with the low ridership figures, beg some kind of explanation as to how this can possibly be fiscally responsible, particularly in this economic climate.

Ridership: PEER is extremely concerned that the ridership figures estimated for 2030 are an overestimate. As we stated in our January 9, 2009 letter, the ridership for Greenbush line appears have been inflated. Moreover, in a study conducted of ridership on federally funded new rail transit systems across the country, only in Washington D.C.

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[42] Kain, cited in Balaker, T. and C.J. Kim, "Do Economist Reach a Conclusion on Rail Transit?" Econ. Journal Watch. Volume 3, No. 3, September 2006, p. 578.

[43] Vincent, W., and G. Roth, "Rail at Any Cost: Options that Could Provide Better Service than Dulles Rail At a Third of the Cost," The Thomas Jefferson Institute for Public Policy, December, 2005, p. 23.

[44] Castelazo, M.D., and T.A. Garrett, "Light Rail: Boon or Boondoggle?" The Regional Economist, July, 2004, pp. 12-13.

N-026-019

A detailed Finance Plan for the LEDPA will describe how the project will be funded and will be released after the LEDPA is selected. Chapter 3, Section 3.3.2.1 of the DEIS/DEIR discusses the projected operating costs, on a per-rider basis, of the South Coast Rail project alternatives.

was "rail patronage more than half of that forecast and, even in that case, ridership was 28 percent lower than anticipated."[45] Some economists caution that carrying capacity should not be confused with actual use;[46] empty seats drive operating costs per passenger up, and decrease perceived air quality benefits.

N-026-020

The 2009 ridership figures appear to be lower than ridership estimates in 2002. The current ridership figures are also misleading. The DEIR/S should provide a table showing the new riders associated with each alternative, not total boardings. In fact, the new riders on the Stoughton diesel line are only 2,500; when one subtracts the people who are already using private bus service to Boston, you are left with only 1,000 new riders.[47] The DEIR/S must disclose the actual number of new riders (people leaving cars to take public transit), and conduct air quality analyses, cost efficiency analyses, and traffic congestion analyses based on these figures.

Conclusion. PEER is extremely concerned about the proposal to expend such a vast amount of tax dollars on a project with so few apparent benefits. Economists have summed it up better than I am able to:

> Rail transit's fundamental problem is its failure to attract sufficient patronage to reduce its high (and increasing) average costs. This problem has been complicated enormously by new patterns of urban development. Rail operations, unfortunately, are best suited for yesterday's concentrated central city residential developments and employment opportunities; they are decidedly not suited for today's geographically dispersed residences and jobs.[48]

And:

> The truth is that for almost all cities and communities, the economics of rail-based transit just don't make sense. State and local governments should accept this and free their constituents from transit's burdensome subsidies. And the federal government should put an end to policies that make the problem worse.[49]

PEER remains extremely concerned about this project. All the rail alternatives appear fiscally irresponsible, and have the potential to cause extreme environmental harm. Because alternatives analyses should be commensurate with the environmental damage, PEER believes that the DEIR/S should include a detailed and comprehensive review of

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[45] Richmond, p. 39.
[46] Balaker, T. and C.J. Kim, "Do Economist Reach a Conclusion on Rail Transit?" Econ. Journal Watch. Volume 3, No. 3, September 2006, p. 564.
[47] Email from Scott Peterson, which states, "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 todays (sic) 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."
[48] http://www.brookings.edu/papers/2006/08_rail_systems_winston.aspx
[49] R.D. Utt, "Getting urban transit systems focused on cost and service," The Heritage Foundation, April 11, 2005.

N-026-020

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. As described in Chapter 3, Section 3.2.4, and as presented in the tables in Section 3.2.4.3, the total number of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project alternative. This number presents the linked trips increase--trips that, without the project, would have been made by car.

the true costs and benefits of the project. Moreover, the Rapid Bus alternative should remain as a viable alternative, as it is probably the only one that is permittable.

Please feel free to contact me if you have any questions.

Sincerely,

Kyla Bennett

Kyla Bennett, Director
New England PEER

13

SOUTH COAST
CEO COUNCIL

January 7, 2009

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

RECEIVED
JAN 29 2009
MEPA

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2524

Dear Secretary Ian Bowles and Mr. Anacheka-Nasemann:

N-027-001 The intent of this letter from the New Bedford CEO Council is to express our unanimous support for the rail project to connect New Bedford/Fall River and Boston.

Our group represents both public and private companies that employ well over 10,000 people, academia, as well as representatives of industrial development, etc. within the greater New Bedford area.

We believe that once completed, this rail project would provide economic stimulus for our region while benefiting the environment overall.

Respectfully,

Scott W. Costa
Chairman
New Bedford CEO Council

N-027-001

Thank you for your support of the South Coast Rail project.

SouthCoast Media Group

AE

The Standard-Times • SouthCoastToday.com • SouthCoast Printing
The Advocate • The Chronicle • Fall River Spirit • Middleboro Gazette • The Spectator
The New England Business Bulletin • The Gateway

25 Elm Street, New Bedford, MA 02740 • Tel: 508-997-7411

January 2, 2009

RECEIVED
JAN 5 2009
MEPA

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

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2524.

Dear Secretary Ian Bowles and Mr. Anacheka-Nasemann:

N-028-001

Time after time, South Coast's region major editorial voice, The Standard-Times of New Bedford, has set out in its opinion pages its unwavering support for establishment of a rail connection between New Bedford/Fall River and Boston. This letter is intended to enter that support into the U.S. Army Corps of Engineers' record as options for that connection are being reviewed, and to emphasize directly to the Energy and Environmental Secretariat and to the Corps our media group's long history of endorsing a rail link to South Coast on its Editorial pages.

That support has only grown as our region faces the challenges of an uncertain economy just as the momentum for positive change has gained new speed for us.

South Coast has patiently participated in 15 years of review of the viability of a rail link to Boston. We have heard the arguments, and as a newspaper outlined the pros and cons for this connection for our readers in print and on line. In our opinion columns, we have routinely and definitively endorsed plans to establish a rail connection to our state's capital city. Those editorials cite that linkage's potential to broaden the economic opportunities of South Coast residents – and, we believe, others in the state – at what is now a uniquely challenging moment in time.

SouthCoastTODAY.com

N-028-001

Thank you for your support of the South Coast Rail project.

As our reporting has shown, that rail line will not only provide access to Boston, but provide alternative transportation to students heading to college campuses along the route and to workers bound for jobs in the communities along the stops along the way – before they reach Boston. And residents of those Greater Boston communities may just want to hop a train to work down in New Bedford or Fall River, come to our rich array of festivals, shop our downtown specialty stores, or take a fast ferry out to the islands.

The Fall River and New Bedford region has a long history grounded in rail. It was the method of transportation of choice from the middle of the 19th to the middle of the 20th centuries.

We have been patient waiting for its return. The need is now.

We sincerely ask that the process which you are shepherding now come to the only logical conclusion: Boston and, yes, SouthCoast can help to enhance each other's future, and the key will be literally tying the two irrevocably together, laying the tracks of a long-awaited rail line. Ultimately it will be on those rails that nothing less than hard-driving economic engines will run – and they could very well run in both directions.

Sincerely,

Mary Wessling Harrington
Publisher

Cc. Aisling Eglington, Analyst
Executive Office of Environmental Affairs
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114-2524.

OUR VIEW: Rail plan promising; more details needed

April 05, 2007 6:00 AM

After so many broken promises, only a fool would accept Gov. Deval Patrick's $1.4 billion commuter rail plan without looking at it critically. It faces a lot of hurdles, including convincing the bond rating agencies that economic development around the rail line justifies the debt.

But so far, we like what we see. Gov. Patrick and Secretary of Transportation Bernard Cohen have pledged to hire a solid project manager in the next few months. They have created a rough timeline of events: Design and permitting should be done by April 2012, when construction is scheduled to begin.

Asked repeatedly about the funding plan, Gov. Patrick said getting the bonding is a straightforward process. Thankfully, he seems to have the intent and the wherewithal to get it done. His plan is far better than former Gov. Mitt Romney's waiting game.

Some SouthCoast officials have said New Bedford and Fall River deserve a rail line funded with existing revenue, as other rail extensions have been. But at a time when the state is facing a $19 billion deficit just to maintain its highways, bridges and rail system, that goal is not realistic.

A substantial amount of self-funding, tying the project to the economic benefit it will bring, is necessary and wise. But 100 percent dependence on self-funding should not be required, since the rail line's benefits to the region and to the public good, through fewer greenhouse gas emissions and less burden on the highway system, go beyond direct economic development.

Whether the administration's growth projections hold up to further economic review also remains to be seen.

Perhaps more troubling is Gov. Patrick's uncertain future. As a former assistant attorney general in the Clinton administration, he might be offered a tempting post in Washington if Democrats retake the presidency.

Were he to leave in 2010, or even sooner, what would happen then? Only minimal planning and right-of-way acquisition are expected to be done by then.

If Gov. Patrick does not run for a second term, a new governor could put off the rail extension well beyond his goal of 2016.

The governor says "institutional momentum" will carry the project forward. His administration should start building that momentum now by issuing a detailed action plan by the end of the year.

undefined

OUR VIEW: Bond fulfills first part of rail plan

November 30, 2007 6:00 AM

Any move forward on SouthCoast rail, no matter how small, is good.

The transportation bond bill unveiled by Gov. Deval Patrick yesterday does not make commuter rail to New Bedford and Fall River a sure thing. Nor does it mean the rail line will come quickly or easily, nor that the lengthy process — which would conclude only after Gov. Patrick leaves office, even if he wins a second term — could not become derailed, so to speak, under the unknown quantity that is the next governor of Massachusetts.

But the bond does include $100 million to clear one of the major hurdles facing the Fall River-New Bedford line: acquiring the right-of-way from CSX Corp. to a section of rail crucial to the project. The bond also includes $18.2 million for essential preliminary work, including environmental permits, design, public outreach, and economic and land use studies.

The bonding fulfills the initial part of Gov. Patrick's plan for SouthCoast rail announced seven months ago.

As longtime supporters of SouthCoast rail, we have been disappointed before. Yet we continue to hope, despite years of unfilled promises from Beacon Hill, that New Bedford and Fall River will regain access to rail service — service they enjoyed for decades from the Old Colony Railroad, which operated from the middle of the 19th century to the middle of the 20th.

Bringing trains to SouthCoast need not be a symptom of the outward march of urbanization from Boston. Rather, it is sound public policy, taking carbon-spewing cars off the road and promoting concentrated business districts that leave more room for outlying open space.

As Lakeville has seen since the train arrived in the 1990s, rail access makes a community more attractive as a residential location for commuters, raises property values and encourages new business. Although rural communities sometimes fight growth that comes with commuter rail, New Bedford and Fall River need that infusion of life and investment.

With many of the state's roads and bridges in desperate need of repair, securing full funding to open the Fall River-New Bedford line in time for the governor's 2016 goal could prove impossible, especially in light of the $19 billion shortfall the state must overcome just to maintain existing transportation infrastructure over the next 20 years.

Still, the bond bill represents progress, and for that we are grateful.

As the governor said when he first revealed his plan in April, each step adds "institutional momentum" that should carry the project forward after he leaves office.

When a train climbs a mountain as big as SouthCoast commuter rail, with its $1.4 billion price tag, the ride can be excruciatingly slow.

OUR VIEW: Build rail districts with new zoning

January 17, 2008 6:00 AM

The way some tell it, the reintroduction of SouthCoast passenger trains serves mainly to connect us to Boston. Not so.

Bringing back trains means so much more. With the right kind of planning, the region can craft around its rail stations attractive mixed-use districts where SouthCoast residents will want to live, work or both.

Some riders from New Bedford and Fall River will go all the way to Boston, well over an hour's ride. But others might disembark at Myricks Junction in Berkley, spend the day at work in a new bank branch, buy vegetables from a nearby farmer's market for dinner, and hop the train home to the city. Or riders from the Stoughton area might come south to New Bedford to work, to catch a show at the Zeiterion, or to eat in the city's restaurants.

Even now, when Standard-Times reporters talk to riders at the Lakeville/Middleboro station, they find that many people don't fit the here-to-Boston mold. Riders commute to school at Bridgewater State College or to jobs outside the city as well.

In light of the dangers of carbon emissions, SouthCoast residents shouldn't have to drive to Middleboro to get the train. Years ago, they didn't. Previous generations enjoyed train service on the Old Colony Railroad from the middle of the 19th century to the middle of the 20th.

Understand, trains do not bring sprawl; bad planning and zoning do.

With millions in bonding for preliminary work and support from Gov. Deval Patrick, SouthCoast is closer than ever to getting its trains back. But even if the project doesn't meet the governor's goal of a 2016 opening, municipal officials should start thinking about special zoning districts around the stations.

The location of stations is far from finalized, but the wheels of local zoning law turn slowly. The process will require exhaustive public discussion and the consideration of myriad alternatives.

At the regional level, some of SouthCoast's best planning minds — among them former New Bedford Mayor John Bullard, who chairs a task force on the rail extension, and Stephen Smith, director of the region's quasi-public planning agency and a Freetown resident — are working to make the revived train system something that benefits our cities and towns with few bad side effects.

They will need public support when the tough local decisions have to be made. Not everyone will want their street re-zoned for more dense development or their home to be near a train station.

Yet with good, early planning, SouthCoast rail districts can become places to gather homes and businesses in a village-like setting, reducing the distances we drive and leaving more of our land in its natural state.

Today, in the third installment of our opinion series on land use, Transportation Secretary Bernard

SRPEDD

SOUTHEASTERN REGIONAL PLANNING & ECONOMIC DEVELOPMENT DISTRICT

Acushnet
Aldeboro
Berkley
Carver
Dartmouth
Dighton
Fairhaven
Fall River
Freetown
Lakeville
Mansfield
Marion
Mattapoisett
Middleborough
New Bedford
N.Attleborough
Norton
Raynham
Rehoboth
Rochester
Seekonk
Somerset
Swansea
Taunton
Wareham
Westport

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January 8, 2009

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

Secretary Ian Bowles
Executive Office of Energy and
Environmental Affairs
Attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston MA 02114

Dear Mr. Anacheka-Nasemann and Secretary Bowles:

The Southeastern Regional Planning and Economic Development District (SRPEDD) is pleased to comment on the Environmental Notification Form for South Coast Rail. SRPEDD has a long history with this project that is summarized below:

SRPEDD Role in South Coast Rail

The SRPEDD Commission and staff have been actively involved with this project for over two decades and have reviewed several previous environmental reports and feasibility studies that have examined various alternatives for bringing commuter rail to Taunton, Fall River and New Bedford. SRPEDD has consistently supported this project through its various iterations.

SRPEDD has been administering the Southeastern Massachusetts Commuter Rail Task Force since 2000. The Task Force includes a diverse membership of local officials, non-profit organizations representing environmental, economic development, education and other stakeholders in the region. The primary mission of the Task Force has been to promote smart growth and development around the proposed project. The Task Force, chaired by John Bullard, has not engaged in the debate over the pros and cons of different routes.

SRPEDD has also been a contributor to the Smart Growth Corridor Plan and has been involved in working with the cities and towns to identify Priority Development Areas and Priority Protection Areas as measures to address the growth related impacts of this project.

SRPEDD has participated with the South Coast Rail Project to identify potential locations for rail and rapid bus stations. SRPEDD strongly supports the smart growth potential around the proposed rail station sites.

As outlined in its **Regional Land Use Policy Plan**, SRPEDD provides technical assistance, conflict resolution, advocacy, and regional planning services to its twenty-seven member cities and towns. It is not the role of SRPEDD to supersede any local authority, but as the collective voice of the cities and towns in southeastern Massachusetts SRPEDD has an obligation to speak out on issues of regional importance. In undertaking our review of the South Coast Rail Project, SRPEDD has consulted other documents developed with our communities including, the **Regional Transportation Plan** and the **Comprehensive Economic Development Strategy (CEDS).** SRPEDD has also remained committed to the Commonwealth's Sustainable Development Principles in undertaking this regional project review.

88 BROADWAY TAUNTON MA 02780-2557 TELEPHONE (508) 824-1367 FAX (508) 823-1803

General Comments

The Southeastern Regional Planning and Economic Development District (SRPEDD) has been actively involved with the proposed restoration of commuter rail service between Boston and Fall River/New Bedford for two decades. During that time, SRPEDD has undertaken technical analyses and developed policy positions related to this project.

SRPEDD's review of this Environmental Notification Form is based upon objective professional analysis and upon regional plans, policy positions and public statements of SRPEDD. These are noted below:

N-029-001 SRPEDD strongly supports the South Coast Rail Project and has been on record supporting the restoration of rail service to the South Coast since the mid-1990s.

N-029-002 SRPEDD supports the decision of EOT to go forward with only three alternatives (Stoughton, Middleborough Simple and Rapid Bus) and to drop the others from further consideration. The evidence presented by EOT supports that decision and is confirmed by our own technical analysis.

N-029-003 SRPEDD supports the eventual restoration of service to Wareham and Cape Cod and we are concerned that the proposed Middleborough Simple alternative would preclude future service to those destinations. We request that this factor be considered in your analysis.

N-029-004 SRPEDD supports a process for mitigation of negative environmental impacts that addresses the need for equity among the region's cities and towns, considers regional as well as local mitigation measures, and evaluates net environmental benefits to the region from mitigation actions.

N-029-005 SRPEDD believes that consideration of the final options in the EIR/EIS should include the possibility of additional rail service [light rail or trolley?] connecting Fall River, New Bedford and Taunton to each other and operated in a coordinated fashion with the proposed MBTA rail service connecting the three cities to Boston.

SRPEDD is the staff of the Southeastern Massachusetts Metropolitan Planning Organization (MPO), and in that capacity has been advocating for improvements to Route 24 to accommodate existing and projected traffic, regardless of the rail project. SRPEDD's analysis of the Rapid Bus option was conducted in the context of also meeting the highway improvement recommendations that are included in SRPEDD's 2007 Regional Transportation Plan.

N-029-006 We urge that this project be evaluated by all regulatory agencies on the **overall impact** to the southeastern Massachusetts region, including the areas of transportation, urban revitalization, environment, air quality, smart growth and economic development. We request that the project be judged in its entirety and that negative impacts be balanced against positive impacts associated with the project.

N-029-007 The scope should include a look at the cumulative effects on air quality and impacts on water resources with and without the project. In other words, describe the growth scenarios with each alternative, including no-build. Using the project's energy and economic development stimulus to affect the style and location of development rather than letting it happen piecemeal will have positive impacts that need to be considered in evaluation of the project.

2

N-029-001

MassDOT has noted and considered your comment.

N-029-002

The DEIS/DEIR evaluates the Attleboro, Stoughton, and Whittenton rail alternatives for both electric and diesel operation as well as the Rapid Bus Alternative.

N-029-003

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-029-004

MassDOT has noted and considered your comment.

N-029-005

Running DMUs was investigated in the Phase 1 alternatives analysis. Because this more frequent transit service would run on the same track infrastructure as the commuter rail, such service would demand double-tracking on the Fall River Secondary and New Bedford Main Line. This would result in increased wetland impact.

N-029-006

MassDOT has noted and considered your comment.

N-029-007

The potential cumulative effects analyses for air and water resources are provided in DEIS/DEIR Chapter 5, Section 5.4.1 and 5.4.7. Additional information on the cumulative effects on air quality is provided in Chapter 4, Section 4.9.

Project Need/Demand

N-029-008 The "latent demand for transit (the number of daily work trips from the South Coast region to Boston), based on U.S. Census 2000 Journey-to-Work data" presented on page 2-4 paragraph 2, "is approximately 8,000". We believe that this number is grossly underestimated. Based on our calculations for trips from the SRPEDD communities identified as needing transit service to Boston, there were 11,377 work trips to Boston (defined as the greater Boston area served by the 'T' system) in 1990. That number rose to 15,153 in year 2000. We are concerned about underestimating the existing demand, which will dramatically increase if commuter rail is available.

N-029-009 Table 5-23 displays years 1990 and 2000 work trips to Boston originating in south coast communities. Based on 1990 and 2000 U.S. Census Journey to Work data for trips to Boston/Cambridge, CTPS has calculated 5,856 trips in 1990 and 8,063 trips in 2000. As noted above, we do not agree with the numbers presented. SRPEDD estimates 11,377 trips in 1990 and 15,153 in 2000 are potential customers for this service. These numbers, also from U.S. Census Journey to Work data, represent work trips to greater Boston which we assume to include communities in greater Boston that are accessible from the T system. There is considerably more existing demand for trips to Boston than Table 5-23 presents.

N-029-010 We believe that the traffic growth rates are higher than those presented in Table 2-1 on page 2-8. For example: total traffic growth on I-495 south of Route 140 in Mansfield was calculated at 46.0%. Based upon our recalculations, it is actually 86%. The annual growth rate at the same location was presented as 5.2% but we believe that it is 7.2%.

N-029-011 The footnote at the bottom of page 2-15 states that "according to Central Transportation Planning Staff (CTPS), most commuter rail customers live within a 6 to 8 mile radius of a commuter rail station" and that "this distance is generally used for estimating ridership". This does not account for commuters living a greater distance from a station, but having the station located along their normal route to Boston. SRPEDD's survey of ridership at the Lakeville MBTA station in May, 2008 show over 40% of riders coming from more than 8 miles from the station. The Fall River station is also likely to attract riders from outside MA, including commuters from Tiverton, Little Compton, Bristol, Warren, and Newport County, Rhode Island. These commuters should be included in ridership estimates.

N-029-012 We also request that the EIR/EIS address how the fluctuations in the price of gasoline are factored into the ridership projections.

N-029-013 SRPEDD requests that the evaluation of alternative routes needs to include access to job markets that exist at station sites between the SouthCoast and Boston. Each possible train route opens up access to employment opportunities for Southeastern Massachusetts residents that are currently difficult to reach via the highway system. For example, the Stoughton alternative would provide better access to significant employment areas in Taunton, Easton, Stoughton, Canton and Westwood. The rail stations at Hyde Park and Back Bay also add employment possibilities that are currently remote for South Coast workers.

Route 24/Bus Rapid Transit Alternative

Within the "Summary of Common Reasons for Rejecting Phase 1 Alternatives" on page 3-11, is a discussion of the disadvantages of constructing commuter rail along the Route 24 corridor. The disadvantages include: a wider footprint for Route 24 which would impact the Hockomock Swamp ACEC and private homes, involve bridge replacements and extensive modifications to most of the highway interchanges, and ultimately would preclude future expansion of the Route

3

N-029-008

Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3. The ridership model was based, in part, on demographic data obtained from each of the regional transit agencies through which the South Coast Rail alternatives pass. The model is consistent with that used for projecting ridership for other transit projects in Massachusetts.

N-029-009

The ridership model presented in the ENF was updated for the DEIS/DEIR based on the latest available data. Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3. Section 3.3.1.1, Table 3.3-2 compares the projected ridership demand for each alternative.

N-029-010

The background traffic growth rate in each community is provided in DEIS/DEIR Chapter 4.1, Section 4.1.2.4, Table 4.1.5. Chapter 5, Section 5.3.2.8.1 discusses the traffic growth that would occur within the South Coast region under three scenarios: No-Build, Build without mitigation ("business as usual"), and Build with mitigation ("smart growth"). This analysis includes traffic resulting from growth induced by the project.

N-029-011

DEIS/DEIR Chapter 3, Section 3.2.4.2, Ridership Model Inputs, describes the elements and assumptions the model uses to estimate future ridership. Although some riders from outside an 8-mile radius of the stations, including outside of Massachusetts, are expected to use the South Coast Rail, the number of these riders is expected to be minimal and would not differentiate between the alternatives.

24 corridor. Adding a high speed bus lane would have similar adverse impacts. Both SRPEDD and OCPC have concluded in their Regional Transportation Plans that a wider Route 24 layout (added lane in each direction) is already needed regardless of the availability of commuter rail/bus to Boston.

Chapter 4 defines the Rapid Bus Alternative. On page 4-55, the ENF states that "a new travel lane is required in each direction along Route 24 between the Route 140 interchange and the I-495 interchange". The widening of Route 24 has already been identified as an existing need simply to handle current traffic demands from commuters to Boston and the I-495 and I-95 job centers, and to handle trips to nearby industrial uses and adjacent regional shopping destinations.

Chapter 4 goes on to state that some form of new exclusive bus lane in the median or zipper lane on off-peak travel lane would begin at I-495, extending to the I-93/Route 128 interchange, and then along I-93/Route 128, ultimately connecting to the existing zipper lane on the Southeast Expressway. The extra width necessary to construct an exclusive bus lane could eliminate any possibility of a further widening of the corridor.

N-029-014 The expense for land takings immediately surrounding the interchanges must be factored into the cost estimated for the Rapid Bus option. Many of the takings are likely to be very expensive and potentially very difficult due to the value and demand for land immediately adjacent to interchanges along such an important heavily traveled (Route 24) corridor. Planning for improvements to the connecting corridors (such as Routes 44, 106, 123, etc.) must also be calculated into this alternative. There are potentially far reaching traffic congestion and safety issues that must be addressed in the vicinity of each interchange, including corridor widening, access management improvements, and traffic control coordination.

N-029-015 N-029-016 Table 4-14 concludes within the "constructability" issue, that the majority of construction will not significantly impact existing traffic under Alternative 5 - Rapid Bus. It also concludes that schedule risk is minimal. We believe that the impacts will be greater than stated. Construction along the Route 24 mainline will severely impact traffic flow throughout the construction period at each bridge and interchange, and all along the corridor. Construction will extend peak period congestion to much longer periods on the day. Commuter periods will likely be gridlocked. The timeline for this alternative is likely to be threatened by difficult and costly land takings primarily in the vicinity of each interchange and bridge project.

N-029-017 Regarding the Rapid Bus alternative, page 6-15 states that "the majority of construction activities for this alternative would occur within the Massachusetts Highway Department rights-of-way along segments of Route 24 and Route 128/I-93." This apparently contributes to the conclusion that Rapid Bus would have the lowest cost of all alternatives considered. We do not agree with this conclusion. There is no discussion of the fact that most of the existing highway interchanges currently have serious design issues.

In 1998 the Massachusetts Highway Department prepared a cost estimate for the potential conversion of Route 24 into an Interstate Highway. This analysis was conducted at the request of the SMMPO, and involved an identification of the physical deficiencies of Route 24 that did not meet current federal highway design standards. The Interstate Conversion Study and Cost Estimate calculated a total cost for the entire length of Route 24 at $199,000,000. It involved major upgrades to eleven interchanges, minor upgrades to another six interchanges, reconstructing 27 underpass bridges, drainage modification, signage, design and right-of-way acquisitions. The Study did not include a lane addition and stated in its cover letter that "Additional engineering, traffic and environmental studies are required to further evaluate facility

4

N-029-012

Ridership projects were based on 2009 gas prices, fares, and parking fees. Should these increase, each alternative would be equally effected. Since the increase would not differentiate the alternatives, increases were not considered.

N-029-013

An analysis of improved access to jobs (basic, service, and retail) provided by each alternative was conducted by CTPS, as described in Chapter 4.4, Section 4.4.3.12 of the DEIS/DEIR. The analysis included the Back Bay, Cambridge, and other work destinations.

N-029-014

Land takings required for the Rapid Bus Alternative were evaluated and are summarized in Chapter 3, Section 3.2.5.3.5. The land acquisition cost for the Rapid Bus Alternative is estimated to be approximately $13 million. The project also considered all Regional Transportation Plan improvement projects in the planning and conceptual design of the Rapid Bus Alternative.

N-029-015

A detailed discussion of the construction requirements for the Rapid Bus Alternative is provided in DEIS/DEIR Chapter 3, Section 3.2.5.3.7.

N-029-016

MassDOT has noted and considered your comment.

N-029-017

DEIS/DEIR Chapter 3, Section 3.2.5.3.2, Rapid Bus Infrastructure Improvements, provides a summary of interchange and bridge improvements required for this alternative. Table 3.2-33 summarizes the

improvements, and to address other design deficiencies not necessarily related to Interstate Highway standards." In the ten years since the cost estimate, construction costs have more than tripled, which would place the cost for these improvements at more than $600,000,000.

N-029-018 The ENF does not recognize the significant interchange improvements/modifications (and land takings to accommodate them) that would be needed to provide the necessary infrastructure for bus lanes, and provide appropriate design standards for each interchange and adjacent intersection operations. The EIR must provide a realistic estimate of the considerable costs associated with making each of the highway interchanges comply with appropriate design standards. SRPEDD believes that the Rapid Bus alternative should require that all of Route 24's physical deficiencies be addressed as part of the preparation of the zipper lane.

Overall, we believe that the rapid bus alternative is a more expensive and more disruptive option than the ENF states. We are concerned about the compatibility of this option with plans that are being pursued to make improvements to Route 24, and taken together, the planned Route 24 improvements and the bus rapid transit option could result in the need to widen the ROW through the sensitive Hockomock Swamp area more than is stated in the ENF.

N-029-019 Air Quality
There will undoubtedly be a significant improvement in air quality resulting from this project. The mesoscale analysis must consider all elements of mode shift. That includes the likelihood that there would be a greater mode shift to commuter rail over the rapid bus alternative, and therefore, a greater emissions reduction for the rail options. Several studies nationwide have shown that commuter bus generates a far smaller mode shift compared to commuter rail.

The air quality impact analysis should factor in the vehicle trips that will be eliminated or reduced under different alternatives. If possible, this analysis should not only include the commuting trips that are eliminated by commuter rail or bus passengers who switch from single occupancy vehicle trips, but also should consider the trips that could be eliminated by the promotion of transit oriented development and the elimination of midday errands that are undertaken on foot or transit by commuter rail/bus passengers.

Environmental Justice
New Bedford, Fall River and Taunton are the only cities within 50 miles of Boston not served by commuter rail. Over 57% of Fall River's population and over 68% of New Bedford's population is living within designated Environmental Justice (EJ) areas and the surrounding communities of Dartmouth, Fairhaven, Taunton and Swansea also include EJ populations.

N-029-020 Although the Environmental Justice policy of the Executive Office of Energy and Environmental Affairs defines EJ populations as neighborhoods, it is our contention that the entire South Coast qualifies as an EJ area and that the lack of passenger rail service has been a significant factor in that determination. We request that the level of service be weighed heavily during the evaluation of alternatives because we suggest that environmental justice considerations require that the South Coast region be provided with a level of service that is equivalent to the rest of the MBTA system.

N-029-021 Resource Impacts
Accurate and easily understood site maps depicting the land uses and resources areas impacted by, and adjacent to, the proposed project must be included in the EIR/EIS. These maps should illustrate the probability of impact on sensitive receptors in the natural and built communities as well as on protected resources.

5

total infrastructure cost and which includes land acquisition at interchanges.

N-029-018

The Rapid Bus Alternative is analyzed in Section 3.2.5.3 of the DEIS/DEIR, including highway improvements, cost estimates, and cost effectiveness.

N-029-019

The mesoscale air modeling described in Chapter 4.9, Section 4.9.1.3.3 of the DEIS/DEIR was based in part on the ridership analysis and therefore includes mode shift from personal automobile to mass transit for each alternative, including Rapid Bus. Trips eliminated by TOD or pedestrian errands were not taken into consideration as available air emissions modeling does not include these factors.

N-029-020

DEIS/DEIR Chapter 3, Section 3.3.1.2.2 describes the proposed service plan which is equivalent to the MBTA's service on other commuter rail lines serving environmental justice communities. Environmental justice communities have been identified in the DEIS/DEIR in accordance with federal and state definitions. Benefits to environmental justice communities, in terms of increased access to tranist and decreased travel times to jobs, educational institutions, and hospitals are described in Chapter 4.4, Section 4.4.3.12 of the DEIS/DEIR.

N-029-021

Figures depicting potential resource impacts from each of the alternatives are provided in Chapter 4 of the DEIS/DEIR.

N-029-022 The EIR/EIS should describe any cultural, historic, or archaeological resources located in the immediate vicinity of the proposed project and the potential impact of the project on the resource. Resources such as Heritage Landscapes, areas/sites significant to the Native Peoples (both physically and spiritually; such as Peace Haven, the Acushnet Cedar Swamp, etc.) should also be included in this review. Consultation with Tribal Councils, local Historical Societies and Commissions, and regional entities should occur in conjunction with state and federal historic review.

N-029-023

N-029-024 Noise and vibration can impact the built and natural environment in a number of ways. Where the proposed project involves new or relocated steel rails, the proponent should compare the distance between the center of the proposed project and the nearest noise/vibration receptor to the screening distance for this type of project per the FTA's guidelines. If the screening distance is not or cannot be achieved within the current project alignments, a "General Vibration Assessment" and "General Noise Assessment", with conclusions, should be completed. These assessments would also involve subsurface and soils analyses and be extremely important in sensitive habitat areas as well as the more urbanized areas where dwelling units are located in close proximity to proposed and existing rails.

N-029-025 A thorough description and maps of the project's potential impacts on on-site and adjacent wetlands, particularly regarding function and systemic relationships, must be included in the EIR/EIS. Comments from the NH&ESP, DEP, and the ACEC Program should be evaluated in a coordinated manner, particularly where the retention and function of intact ecosystems are an issue (and all three agencies have jurisdictional/protected values concerns).

N-029-026 A thorough description and maps of potential impacts to floodplain areas should also be included in the EIR/EIS. The analysis should address possible flooding induced by the proposed project due to the taking of any floodplain capacity.

N-029-027 The EIR/EIS should address the importance and value of the Atlantic White Cedar in the Hockomock and Assonet Cedar Swamps as a natural community, its historic and archeological uniqueness, its role in flood and pollution retention, and how it will be measured and mitigated. The restriction of hydrologic flow caused by the existing railbeds should be evaluated to determine if it is beneficial or harmful to the Atlantic White Cedar, and mitigation proposed accordingly. It is further noted that a study of rare species study completed in 2001 was conducted during drought conditions, which may have influenced the findings.

N-029-028 The ENF considers activity in the "Southern Triangle" as having no additional or direct impacts to state listed species, wetlands, vegetation or wildlife and historic or archeological sites due to active rail. Construction or reconstruction that will occur within the rail right-of-way will be subject to stormwater runoff, soil disturbance, noise, and impacts related to the replacement of rail, culverts and bridges. Impacts to areas from the Southern Triangle should be addressed in the EIR/EIS.

N-029-029 The project proponent should offer opportunities to improve vegetation management in the rights-or-way through specialized training and tagging of sensitive areas. This added step is paramount to the protection of our water resources for human consumption.

N-029-030 The Town of Freetown has recently identified a water resource on South Main Street within close proximity to the rail. Currently it is being utilized as a filtration system but the community has identified it as a groundwater resource.

6

N-029-022

DEIS/DEIR Chapter 4.8, Section 4.8.3 describes the potential impacts to cultural resources (comprised of archaeological and historical resources) within the South Coast Rail project area.

N-029-023

Parties consulted during the cultural resources investigations are discussed in DEIS/DEIR Chapter 4.8, Section 4.8.1.1. The Corps has initiated consultation with Native American tribes.

N-029-024

The detailed noise and vibration analyses provided in Sections 4.6 and 4.7 of the DEIS/DEIR, respectively, are based on and comply with the Federal Transit Administration (FTA) Guidelines.

N-029-025

Potential wetland impacts for each of the South Coast Rail alternatives are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3. Potential impacts to biodiversity, including ecosystem relationships, are described in Chapter 4.14, Sections 4.14.3.2 and 4.14.3.4.

N-029-026

As described in DEIS/DEIR Chapter 4.16, Section 4.16.3.2.1, the impact estimates for BLSF (floodplains) are based on FEMA flood mapping. Hydrologic and hydraulic analyses will be completed to generate more accurate mapping and flood elevation contours for final design of the LEDPA, when selected.

N-029-027

Section 4.14.2 of the DEIS/DEIR provides detailed information about Biomap Core Habitats in the project area, including the Hockomock Swamp (Biomap reference number BM1166 and shown on

N-029-031

Transit Interface

The location and design planning for stations should consider transit and pedestrian access for safe, accessible bus pickup and dropoff. How transit vehicles will approach the stations on local roads should be considered. Station area design should allow transit vehicles, shuttles and pedestrians easy access to the platform or bus station, minimizing travel through parking areas and conflicts with automobiles entering and exiting parking areas. Rail station design should also consider the possibility of service by larger intercity buses to allow commuters to make their trips by rail in one direction and by bus in the other direction, allowing more options and increasing the overall use of transit.

N-029-032

Regional transit service is currently inadequate. The EIR/EIS should outline necessary improvements to regional transit service, in consultation with the Regional Transit Authorities, in order to adequately serve the new stations. The ability of local bus service to transport commuters to the project stations will minimize local VMT and the need for parking.

N-029-033

The GATRA information needs to be updated to include new service areas and routes. There is no more Interstate Bus service from Middleborough or West Bridgewater. Commuter bus fares have increased. Park and ride space for commuter bus at Silver City Galleria has grown above capacity, according to Dattco, Inc. Information on three private park and ride lots in the South Coast also needs to be updated.

Conclusions

We wish to re-emphasize our support for EOT's recommendations that the final scope include only three alternatives (Stoughton, Middleborough Simple and Rapid Bus) and that the other options be dropped from further consideration. We agree with EOT that the Attleboro alternative has too many operational, budgetary, scheduling and environmental obstacles, and that the full Middleborough option will require too much work in the Quincy/Boston area to make this alternative practicable. We further wish to reiterate our concerns that the rapid bus option presents potential conflicts with plans for upgrading Route 24 and that the costs will be much higher than estimates in the ENF.

The Commission and staff of Southeastern Regional Planning and Economic Development District remain committed to this project and we would be happy to elaborate on any of the comments made in this letter. Please do not hesitate to contact Stephen C. Smith, Executive Director of SRPEDD if you have any questions.

Sincerely,

Per Susan B. Peterson, Chair
SRPEDD Commission

Cc: SRPEDD Commission
Southeastern Massachusetts Commuter Rail Task Force
Mayors and Boards of Selectmen
Federal and State Legislators
Massachusetts Executive Office of Transportation
Massachusetts Executive Office of Energy and Environmental Affairs
Massachusetts department of Environmental Protection
U.S Environmental Protection Agency

7

Figure 4.14-7) and the Assonet Cedar Swamp (Biomap reference number BM1229 and shown on Figures 4.14-3 and 4.14-4). Both areas are identified as Atlantic White Cedar swamps. Potential impacts of the South Coast Rail alternatives on biological diversity within the Hockomock and Assonet Cedar Swamps, and mitigation measures to address adverse impacts are evaluated in Section 4.14.3 of the DEIS/DEIR. Wetland functions and values are discussed in Section 4.16 of the DEIS/DEIR.

N-029-028

Potential impacts to the broad range of resources considered in Chapter 4 of the DEIS/DEIR include those that may result from construction and operation of the Southern Triangle for the South Coast Rail.

N-029-029

ROW maintenance is done in accordance with an approved Vegetation Management Plan (VMP) and Yearly Operating Plans (YOP) that are reviewed by the Department of Food and Agriculture (DFA) and made available for public comment.

N-029-030

The Fall River Secondary, paralleling Main Street through Freetown, would not cross any ground water protection areas (Zone I, Zone II, etc.) or discharge any stormwater. Depending upon the location of the resource, the South Coast Rail project may preclude its development as a drinking water supply. If the new source is developed as drinking water supply, MassDOT will consult with MassDEP and Freetown during the design process to ensure appropriate protection.

N-029-031

South Coast Rail project stations, as presented in DEIS/DEIR Section 3.2.5.2.8, have been conceptually designed to support access to many

modes of transportation. These modes include other transit services, such as local, regional, and interstate bus services. Existing project area transit services are described in DEIS/DEIR Chapter 4.1, Section 4.1.3.1.1. Bus accommodations within station sites will be further evaluated during the Final EIS/EIR phase of this project, after the LEDPA is selected. Transit agencies and passenger transportation operators will be engaged in this evaluation process.

N-029-032

Improvements to the regional transit service is a key goal of the South Coast Rail project. Impacts to and coordination with existing regional transit providers is discussed in DEIS/DEIR Chapter 3, Section 3.2.5. As discussed in Section 3.2.5.2.1, current bus operators would provide enhanced feeder bus service to the proposed stations for the selected build alternative.

N-029-033

GATRA's existing transit service in the South Coast study area is described in Chapter 3, Section 3.2.5.1.2 of the DEIS/DEIR.

AE

SRPEDD

SOUTHEASTERN REGIONAL PLANNING & ECONOMIC DEVELOPMENT DISTRICT
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Acushnet
Attleboro
Berkley
Carver
Dartmouth
Dighton
Fairhaven
Fall River
Freetown
Lakeville
Mansfield
Marion
Mattapoisett
Middleborough
New Bedford
N. Attleborough
Norton
Plainville
Raynham
Rehoboth
Rochester
Seekonk
Somerset
Swansea
Taunton
Wareham
Westport

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March 16, 2009

Secretary Ian A. Bowles
EOEA, Attn: MEPA Office
Aisling Eglington, MEPA Analyst
100 Cambridge Street, Suite 900
Boston, MA 02114

Alan Anacheka-Nasemann
US ACOE – Regulatory Division
Attn: CENEA-R-PEA
696 Virginia Road
Concord, MA 01742

RE: South Coast Rail Project EOEA No 14346

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

The SRPEDD staff has reviewed the February 17th Supplemental Ridership Memorandum that presents the estimated ridership generated by each of the alternatives for the South Coast Rail Project and has the following comments.

N-030-001

The memo refers to a list of future transportation improvements in the SRPEDD RTP on page 4 of the memo. The list presented in the memo omits several important regional recommendations.

- Route 24 widening from Route 140 to I-495
- Route 24 new interchange Exit 8.5 to serve the Executive Office Park at the Fall River - Freetown Line (completion in 2011)
- Replacement of the Brightman Street Bridge (completion in 2012)
- Relocation of Route 79 in Fall River
- Relocation of Route 79 in Lakeville (completion in 2010)
- Changes to the JFK Highway (Route 18) in New Bedford
- Widening of Route 44 from I-495 to Route 24 in Raynham
- The widening of Route 44 from Carver to I-495 in Middleborough mentioned on page 4 must also include the replacement of the rotary.

Our Regional Transportation Plan (RTP) discusses the potential for the future expansion of commuter rail station parking at the Mansfield and Downtown Attleboro stations. Both of these projects are questionable.

N-030-002

The Phase 2 improvements at the Mansfield station that would add 800 parking spaces do not currently have the support of the Mansfield Selectmen. Funds are not available and the MBTA has put the project on a permanent hold. Our RTP clearly explains the difficulties preventing the construction of the phase 2 improvements, and we recommend that the CTPS model remove the extra 800 parking spaces from the ridership projection model.

N-030-003

Improvements to the Downtown Attleboro commuter rail station depend upon the successful funding of the Intermodal Center. These plans have not progressed as originally hoped in the RTP. It is expected that GATRA will add 100 to 200 parking spaces with

Voice: (508) 824-1367 ✦ Fax: (508) 823-1803 ✦ E-Mail: info@srpedd.org ✦ Website: www.srpedd.org

N-030-001

South Coast Rail demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area, such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in the most recently adopted Regional Transportation Plan (RTP). DEIS/DEIR Table 3.2-2 summarizes the transportation projects assumed in the analysis, based on the SRPEDD and OCPC RTPs, and does include these projects.

N-030-002

South Coast Rail demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area, such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in the most recently adopted Regional Transportation Plan (RTP). While Mansfield Station improvements may not have the support of the Mansfield Selectmen, they cannot be excluded from the travel demand model unless they are excluded from the RTP.

N-030-003

South Coast Rail demographic forecasts were created by the local Regional Planning Agencies (RPAs) in the model area, such as the Southeastern Regional Planning and Economic Development District (SRPEDD), Old Colony Planning Council (OCPC), and Metropolitan Area Planning Council (MAPC) for use in the most recently adopted Regional Transportation Plan (RTP). While Attleboro Station improvements may not have the support of the Attleboro Selectmen, they cannot be excluded from the travel demand model unless they are excluded from the RTP.

N-030-003 surface lot expansion, but the parking garage proposed for the Intermodal Center is wishful thinking at this point. SRPEDD requests that the assumption that this Intermodal Center will be built be removed from the ridership projection model.

The SRPEDD staff looks forward to a continued discussion on the assumptions made by CTPS in the development of the ridership model during the progress of the draft EIS.

Sincerely,

Roland J. Hebert
Transportation Planning Manager
Deputy Director

MAR-17-2009 13:52 SRPEDD 508 823 1803 P.02/03

SOUTHEASTERN REGIONAL PLANNING & ECONOMIC DEVELOPMENT DISTRICT
88 Broadway *Tel: (508)824-1367 *Fax: (508)823-1803*Email: ssmith@srpedd.org Taunton, MA 02780

AE

March 17, 2009

Secretary Ian A. Bowles
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Aisling Eglington, MEPA Analyst
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Boston, MA 02114

Alan Anacheka-Nasemann
US ACOE – Regulatory Division
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Concord, MA 01742

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MAR 18 2009
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RE: South Coast Rail Project EOEA No 14346

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

N-031-001 Upon further review of the February 17th Supplemental Ridership Memorandum, SRPEDD comprehensive and transportation planning staff feel that the ridership numbers reflected in the memorandum are conservative.

The South Coast Rail ridership numbers are heavily influenced by the Regional Transportation Plan's socio-economic projections. These numbers are calculated based on projected types of development, estimated employment, and job categories. Job categories detailed in ENF and EIR filings often represent best case scenario assumptions.

- Historically, when projects are constructed, those employment and specific job types are not created and subsequently do not reflect what was identified in those documents. As an example, Lakeville Corporate Park projected high office/business related positions, but the new employment was in warehousing and distribution, which tend to create fewer jobs than are created in office developments. The Liberty and Union Industrial Park in Taunton also has not reached full employment expectations as yet.

- Although market conditions and expectations from the 1990s through 2000 identified an increased volume of employment in the region, the slowdown in the economy has had an adverse impact on the numbers. Projects that have been permitted have not yet been constructed due to market concerns and infrastructure constraints. For example, commercial and industrial developments in Middleborough and Lakeville have been permitted, but are not constructed due to the infrastructure constraints with the Middleborough Rotary and Route 44.

N-031-002 - The ridership model also assumes that jobs created in the SRPEDD communities will divert workforce from the Boston region to the southeast region. The types of jobs created within the SRPEDD region have historically required different skill sets than that of the Boston area. The workforce of the higher skilled jobs of the Boston region are looking to relocate in the southeast region due to an Increase in housing prices in and around Boston are increasing the number of Boston workers seeking housing in the more affordable southeast area.

03/26/2009 14:35 FAX 617 626 1181 EXEC OFFICE ENV APPAIRS 002/003

N-031-001

MassDOT has noted and considered your comment.

N-031-002

MassDOT has noted and considered your comment.

SOUTHEASTERN REGIONAL PLANNING & ECONOMIC DEVELOPMENT DISTRICT
88 Broadway *Tel: (508)824-1367 *Fax: (508)823-1803*Email: ssmith@srpedd.org Taunton, MA 02780

- Study Area is increasingly becoming home to Boston/Cambridge bound commuters, even without rail. This trend is expected to increase in the future. Workforce grew by 6.4%, 1990-2000; the number of Boston/Cambridge workers grew by 35.5% and 7,697 work trips.

The SRPEDD staff looks forward to a continued discussion on the assumptions made by CTPS in the development of the ridership model during the progress of the draft EIS.

Sincerely,

Greg Guimond
SRPEDD
Comprehensive Project Manager

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January 09, 2009

Alan Anacheka-Nasemann
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Ian A. Bowles, Secretary
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Email: aisling.eglington@state.ma.us

Via Email Only

RE: South Coast Rail Projects
Comments on EIS & ENF

Dear Mr. Anacheka-Nasemann and Secretary Bowles:

N-032-001 Please be advised that I concur with EOT's recommendations of November 2008 that the following alternatives should be eliminated from further consideration for the reasons stated:

1. Attleboro - Due to constructability, schedule, cost, impact to transportation system, impact to historic landmark and high direct impacts to wetlands
2. Middleborough - Due to constructability, schedule, cost and impact to transportation system.
3. Attleboro/Middleborough - Due to the same negative issues regarding both the Attleboro and Middleborough alternatives.

N-032-002 However, contrary to EOT's recommendations of November 2008 I believe that the following alternatives should also be eliminated from further consideration for the reasons stated:

1. Middleborough Without Old Colony Main Line Improvements - Due to the fact that capacity through Braintree is already limited; the existing Middleborough, Plymouth and Greenbush lines are anticipated to experience increased ridership; the Taunton, Fall River and New Bedford ridership can only be estimated but should grow steadily; and Wareham and Cape Cod would be precluded from any reactivated service. Therefore,

N-032-001

As required by the Secretary's Certificate, the Attleboro rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Alternative 2 – Through Middleborough and other Middleborough rail alternatives have been eliminated from further review as they do not meet the project purpose.

N-032-002

Alternative 2 – Through Middleborough and other Middleborough rail alternatives have been eliminated from further review as they do not meet the project purpose. As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated.

N-032-002

there would only be a limited return on a significant capital investment with substantial operating costs.

2. Stoughton via the Whittenton Branch - Due to the multiple grade crossings in the center of Taunton, the City would be negatively impacted economically and with public safety; people would become the endangered species; operational issues would be more complex; travel times would increase; and nothing would be gained from this needless detour.

N-032-003

Therefore, in my opinion, only the following alternatives should proceed for further analysis:

1. Stoughton - This route is the most practical and feasible of all the rail alternatives. It is the most direct connection from Taunton to the main line; it will provide the best service to Taunton, Raynham, Easton and Stoughton; the environmental issues involving the Hockomock and Pine Swamps can be satisfactorily resolved; this alternative was the one selected approximately ten (10) years ago when this project was last studied; and it was the route utilized for nearly one hundred (100) years when it was discontinued approximately fifty (50) years ago. Therefore, this alternative is the only one that meets the LEDPA (Least Environmentally Damaging Practicable Alternative) Standard, with all factors being fully considered.
2. Rapid Bus Transit - Whatever can be done now to enhance express bus service between Taunton, Fall River, New Bedford, Attleboro, Providence and Boston should be done as soon as possible anyway. This can be accomplished much sooner and less expensively than the eventual possible rail connection. It would not be a completely satisfactory substitute, but it certainly would be a very welcome supplement.
3. No Build - If the South Coast Rail is not built for whatever reason, the capital funds could then be invested into rebuilding the aging, decaying and under capacity transportation infrastructure of the region, as well as redevelopment projects for Attleboro, Taunton, Fall River and New Bedford, which have lost most of their historic industrial economic base.

It is now time for the Army Corps of Engineers and the MEPA Office to realistically narrow the scope of the South Coast Rail analysis so that EOT can focus its time, talent and resources on this project and bring it to its logical conclusion.

Thank you for the opportunity to submit these comments and responses for your consideration.

Sincerely,

SPATCHER LAW OFFICES
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Attorney at Law
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N-032-003

DEIS/DEIR Chapter 3 presents the South Coast Rail alternatives. The development of alternatives, previous evaluation and screening efforts, and station site selection are included in Section 3.1. Section 3.2 describes the alternatives evaluated in the DEIS/DEIR process, which include the No Build Alternative, Stoughton alternatives, and the Rapid Bus Alternative. Section 3.3 includes a preliminary evaluation of these alternatives. A detailed review of environmental consequences associated with each alternative is presented in Chapter 4.

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Taunton River Watershed Alliance, Inc.
P.O. Box 1116, Taunton, MA. 02780
Tel. 508-828-1101
Internet: www.savethetaunton.org

January 9, 2009

BY FIRST CLASS MAIL AND EMAIL

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Alan R. Anacheka-Nasemann, PWS
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screis@usace.army.mil

RE: **EOEA #14346 -** ENF and Comments on the Scope for the Environmental Impact Statement/Environmental Impact Report

Dear Mr. Anacheka-Nasemann and Ms. Eglington,

Thank you for the opportunity to comment on the South Coast Rail Environmental Notification Form (ENF) as well as the scoping for the federal Environmental Impact Statement (EIS) and state Environmental Impact Report (EIR).

Taunton River Watershed Alliance, Inc. supports mass transit as an alternative to individual commuter car trips particularly as it decreases greenhouse gas emissions. We also support the goals of smart growth in the community. However, as with all large projects, an analysis must be done to fully understand what we are getting and at what cost. Our analysis focuses on what the proponent states will be significant adverse environmental impacts of the South Coast Rail project.

The following are our chief concerns in this review.

N-033-001

1. Clarify and differentiate between the two ENF reviews and project purposes so that the public can know exactly what criteria are being applied in the analysis.

The project purpose for the Massachusetts Environmental Policy Act (MEPA) is

> *...to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA to enhance regional mobility, while supporting smart growth planning and development strategies in affected communities.*

The project purpose for the National Environmental Policy Act (NEPA) is

> *...to more fully meet the existing and future demand for public transportation between Fall River/New Bedford and Boston, MA to enhance regional mobility.*

We request that the two review processes be conducted separately and that different reports be generated for each. By doing so, the public will be informed of the exact standards being used in every decision made in the scoping process.

N-033-002

2. Provide a comprehensive transportation needs analysis

Although the planning for rail in this area has been going on for years, no hard data on the need for a new mode of transportation has been presented. There is no information on the present number of commuters to Boston from the area. There is no realistic assessment of increased ridership demand that is not being met. There is no projection of usage once the new mode is implemented.

Said analysis needs to include changing realities such as commuters' willingness to give up driving to Boston, variable work hours that may make ridership impracticable and the comparative expense of users taking different means to work including parking expenses.

N-033-001

MassDOT does not believe that the use of different statements of project purpose will result in irreconcilable differences between the Commonwealth's goals and the Corps' and DEP's permitting processes. Large complex projects such as South Coast Rail typically have different statements of project purpose adopted by the project proponent and the regulatory agencies. Project proponents often develop a purpose statement that broadly defines the objectives and goals of a public infrastructure project, which may include enhancing a regional transportation system, improving public safety improving air quality, supporting smart growth, contributing to economic growth, or promoting transportation equity. The proponent's purpose statement guides the Commonwealth's transportation planning and funding decisions. The broad framework statements used by MassDOT are consistent with the MEPA requirement that an EIR discuss "the objectives and benefits of the project" (301 CMR 11.07(6)). MassDOT's project purpose statement is just that - a statement of the Commonwealth's objectives in advancing the project.

N-033-002

DEIS/DEIR Chapter 3 summarizes a comprehensive needs analysis based on ridership projections prepared by the Central Transportation Planning Staff (CTPS).

N-033-003

3. Conduct a thorough analysis of more than the three alternatives preferred by EOT as stated in the ENF.

TRWA believes that the alternatives analysis should include more of the choices initially identified in the public vetting process. Specifically, the enhanced bus, light rail, and feeder bus alternative are likely to have fewer environmental impacts, opportunities for smart growth at parking location, and be cheaper to implement.

It is short sighted for this planning process to be conducted within parameters that automatically eliminate the consideration of certain alternatives that do not meet arbitrary guidelines. Specifically, setting a deadline for completion by 2016 eliminates from consideration options going through Attleboro or through Middleborough via Braintree/Quincy. Those routes would require delays as extensive renovations to rails would be needed to handle the additional trains. However, such renovations may be needed in light of the state's long term transportation needs. Avoiding making these renovations may be short sighted in the long run.

N-033-004

Further, it is inherent in the NEPA project purpose that the review needs to include anticipated additional need for rail resulting from the possible location of a casino in Middleborough and the possible opportunities for connection to rail lines on Cape Cod and Wareham. It is also necessary for the NEPA review to therefore include an in depth analysis of the Braintree/Quincy improvements which would be needed for the Middleborough option and how they would fulfill other needs in the regional transportation plans.

N-033-005

4. Conduct a realistic analysis of the cost of each alternative and the sources of funding for the project.

From the Big Dig to the Greenbush Line, there has been much recently done to expand transportation in the region. Among the lessons to be learned is that there will be unexpected, complicated, and costly delays. All of this needs to be built into a realistic budget for the project.

The corollary to that is we must know the funding sources.

N-033-006

Also, a critical part of this analysis must be the costs of implementing smart growth in the communities through which the rail will pass. Each will likely be expected to conduct planning, ordinance revisions, rezoning, and commercial development; but how these efforts will be paid for needs to be articulated. We

N-033-003

The development of alternatives, previous evaluation and screening efforts, and station site selection are included in DEIS/DEIR Section 3.1. Enhanced Bus was included in the "No Build" Alternative. Feeder bus service was evaluated for all the Build Alternatives. Light rail alternatives, although considered, were eliminated in the Phase I analysis.

N-033-004

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

N-033-005

Detailed cost breakdowns, including capital, operating, and maintenance costs, for the alternatives can be found in Section 3.2 of the DEIS/DEIR. A detailed Finance Plan will describe how the project will be funded and will be released after the publication of the DEIS/DEIR and selection of the LEDPA.

N-033-006

MassDOT is providing ongoing technical assistance to the affected cities and towns to implement smart growth. The impacts of transit-oriented development and other smart growth measures associated with South Coast Rail alternatives are described in DEIS/DEIR Section 5.2.1.5.

N-033-006 cannot get into such a large project without being sure of the full economic costs and impacts of doing so.

N-033-007 5. The environmental permitting in each affected town must be conducted by local authorities.

It is important that local conservation commissions conduct the public process for wetland permitting. Not only do these commissions know the local resources well, but it is likely that a local bylaw permit will be needed. This approach is the best way to ensure that resources will be protected.

N-033-008 6. Define with specificity the natural resources along each alternative route.

Field verification of all wetland resources needs to be an integral part of the analysis of each route being considered. Once identified, the functions and values of each can be assessed so that the true impacts and costs of each route can be defined.

N-033-009 7. A thorough and comprehensive analysis of the route through the Hockomock Swamp must be completed in the alternatives phase.

The Stoughton Alternative was previously chosen for this project in 2002 and clearly is being emphasized in the ENF as the route of choice. As one of the most important wetlands in the state, all potential impacts to the Hockomock Swamp must be the first analysis completed. Much work was conducted as part of the previous FEIR for the 2002 proposal for this project. Said data can be used as the basis for a new assessment based on field verification documenting any changes since then.

As the largest freshwater wetland in the state, it is the primary headwater for the Taunton River and is an ACEC. The construction impacts as well as operational impacts of any route through the swamp must consider biodiversity, vernal pools, species habitat and migration, fragmentation, and rare species. Analysis of operations such as air quality, noise, vibration, and hazardous material generated must be considered at this early stage of analysis.

Again, this analysis needs to done in conjunction with town conservation commissions who know the resource area and are most concerned with protecting it.

8. Mitigation.

N-033-007

Permitting for the South Coast Rail project would be conducted during final design, in coordination with applicable local, state, and federal regulatory and permitting agencies. Permitting and final design would occur after completion of the NEPA process.

The project (regardless of selected alternative) would require a wetland variance, which can only be issued by the commissioner of MA DEP. However, MassDOT is committed to working closely with the conservation commissions to gather local expertise on wetlands.

N-033-008

The existing environmental conditions within the South Coast study area are described in the various resource sections of Chapter 4 of the DEIS/DEIR. Wetland resources, including functions and values, are specifically described in Section 4.16.2.1.3. Wetlands were delineated by aerial photograph review and MassGIS mapping and, in certain locations, field verification. Complete wetlands delineations of the LEDPA will be conducted when the alternative is selected.

N-033-009

DEIS/DEIR Chapter 4 describes the potential impacts to the listed resources in Hockomock Swamp from construction and operation of any of the Stoughton Alternatives (including the Whittenton variations).

N-033-010 The EIR/EIS must consider both the feasibility and the cost of mitigation associated with each alternative. Some of the proposed impacts may if fact be impossible to mitigate. For example, fragmenting large contiguous habitat cannot be mitigated for by preserving smaller parcels elsewhere. Replication has proven to be a failure in most cases. Loss of a municipal drinking water supply cannot be easily compensated by simply digging another well in another location, or tying up to MWRA water. Moreover, the expense of trying to compensate for some of these losses would be quite costly. The feasibility and costs associated with all mitigation must be articulated in the EIR/EIS.

Again, I thank you for the opportunity to make these comments.

Very truly yours,

Carolyn LaMarre
Executive Director

N-033-010

Adverse impacts to resources would be avoided, minimized, or mitigated in accordance with regulatory requirements. Based on the current level of design, the measures taken to avoid or minimize impacts, as well as proposed mitigation measures to offset unavoidable impacts, are described in each resource section of DEIS/DEIR Chapter 4, as appropriate. A detailed mitigation plan for each adversely affected resource will be developed for the LEDPA, when selected, based in part on cost and feasibility.

The Nature Conservancy
Protecting nature. Preserving life.

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January 9, 2009

Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, N.E. District
Regulatory Division (ATTN: CENAE-R-PEA)
14346
696 Virginia Road
Concord, MA 01742-2751
[submitted by e-mail to SCREIS@usace.army.mil]

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No.

100 Cambridge Street, Suite 900
Boston, MA 02114
[submitted by e-mail to aisling.eglington@state.ma.us]

Re: South Coast Rail ENF and NOI

Dear Mr. Anacheka-Nasemann and Secretary Bowles,

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.

N-034-001 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 while avoiding, minimizing and mitigating negative impacts.
For your consideration, TNC offers the following comments on the ENF/NOI for the South Coast Rail and recommendations regarding the scope for the upcoming EIR / EIS.

- TNC focuses conservation efforts through ecoregional planning processes that identify the habitat sites essential to the long-term survival of the full array of plant and animal species native to each region. The South Coast Rail project lies within the North Atlantic Coast ecoregion, which encompasses lands and waters in nine states from Maine to Delaware. Each of the proposed South Coast Rail alternatives traverses sites identified as priorities in TNC's North Atlantic Coast ecoregional plan. These priority sites include the Taunton River and its tributaries, including the Assonet, Three Mile and Nemasket Rivers. These rivers were included in the plan because of their concentration of regionally significant species and globally rare natural communities, including silver maple floodplain forests, freshwater tidal marshes and Atlantic white cedar swamps – including the large examples at Hockomock Swamp, Acushnet Cedar Swamp and Assonet Cedar Swamp. The Taunton is the longest undammed coastal river in New England, and hosts the largest spawning population of river herring in New England as well as rare fish and freshwater mussels. Hockomock Swamp was identified as one of the largest and most important wetland complexes and – even with the existing road network – is among the least fragmented natural areas remaining in the entire ecoregion. It provides high quality habitat for an exceptional diversity of rare reptiles, amphibians, invertebrates, birds and wetland plants.

N-034-001

Thank you for your support of the South Coast Rail project.

N-034-002 ▪ In order to identify the least environmentally damaging practicable alternative for the project, it is essential to avoid the premature elimination of alternate rail routes that may result in lower impact, even if at somewhat higher cost. TNC encourages the Middleborough Full alternative be included for further analysis in the EIR/EIS, particularly in light of its potential benefits to the entire MBTA system.

N-034-003 ▪ The EIR/EIS must fully characterize potential impacts to the functions and values of critical habitat areas, and the species that depend upon them for survival. Impacts from construction and operation of rail or busways that require full analysis include: Wetlands alterations, water quality impacts from run-off and particulate deposition, altered hydrologic regimes, fragmented habitat corridors, drinking water impacts, and impacts from noise and vibration during construction and operation. Impacts to tidal and floodplain systems should reflect scientifically accepted projections of changes in sea level and precipitation over the next 40-50 years. The EIR/EIS must project impacts of construction and operational changes in the "Southern Triangle", rather than relying on a claim that there will be no additional or direct impacts (above those from existing freight service) to state listed species, wetlands, vegetation or wildlife and historic or archeological sites.

N-034-004

N-034-005

N-034-006 ▪ 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 commitment to build this project in a way that is consistent with smart growth principles is commendable. We encourage the EIR/EIS to include realistic projections of where growth may be expected to occur – and at what rate -- under each of the alternatives, including no-build. Where construction of a project alternative is projected to have a sprawl impact, the EIR/EIS should include specific mitigation plans for concentrating new development and preserving regionally significant natural resources. If the project stimulates scattered, low-density development, intended benefits in traffic reduction and air quality improvements may be unintentionally and unfortunately offset.

N-034-007 ▪ Ridership projections for each of the alternatives should include realistic projections for future gas prices, and well as the future fares and parking fees needed to finance the system.

N-034-008 ▪ The EIR/EIS should describe projected impacts on scenic, cultural, historic, and archaeological resources, including the portions of the Taunton River nominated for federal Wild and Scenic River designation and sites of cultural significance to native peoples. Steps should be enumerated to avoid, minimize and mitigate all such impacts.

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 or concerns at 508-732-0300 x23, or rjohnson@tnc.org.

Sincerely,

Robb Johnson
Southeast Massachusetts Program Director

N-034-002

Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose.

N-034-003

Since no federally listed threatened or endangered species occur within the South Coast Rail study area, there is no designated critical habitat. Rare species' habitat functions that would be lost from each alternative are identified in DEIS/DEIR Chapter 4.15, Section 4.15.3.3.

N-034-004

Sea level rise was evaluated for two of the layover facility sites described in DEIS/DEIR Chapter 4.18, Section 4.18.3.2.11. Changes in precipitation patterns may be taken into consideration in the final design of drainage systems for the LEDPA, when selected.

N-034-005

Potential impacts to the broad range of resources considered in Chapter 4 of the DEIS/DEIR include those that may result from construction and operation of the Southern Triangle for the South Coast Rail.

N-034-006

Land development that could result from the South Coast Rail project and the potential resultant environmental effects were evaulated under two scenarios, build without mitigation and build with mitigation (smart growth), as described in Section 5.3.2 of DEIS/DEIR Chapter 5.

N-034-007

Ridership projects were based on 2009 gas prices, fares, and parking fees. Should these increase, each alternative would be equally effected. Since the increase would not differentiate the alternatives, increases were not considered.

N-034-008

DEIS/DEIR Chapter 4.8, Section 4.8.3 describes the potential impacts to cultural resources (comprised of archaeological and historical resources) within the South Coast Rail project area. The Corps has initiated consultation with the Native American Tribes. Impacts to visual resources, including the Taunton River within the context of its recent designation as a Wild and Scenic River, are described in DEIS/DEIR Chapter 4.5, Section 4.5.6.1.

AE

The United Regional Chamber of Commerce

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March 13, 2009

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Alan Anacheka-Nasemann
U.S. Army Corps of Engineers, New England District
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696 Virginia Road
Concord, MA 01742-2751
Email: SCREIS@usace.army.mil

Via Email and First Class Mail

RE: South Coast Rail Project

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

Please be advised that this duly authorized comment letter on the Environmental Notification Form (ENF) and the Environmental Impact Statement (EIS) is being submitted on behalf of the United Regional Chamber of Commerce (URCC). By virtue of the recent merger of the Attleboro Area Chamber of Commerce with the United Chamber of Commerce (Greater Franklin Area) and the North Attleboro/ Plainville Chamber of Commerce, the URCC now has approximately 1,000 members in 16 communities from Seekonk to Franklin (Attleboro, Bellingham, Blackstone, Foxborough, Franklin, Mansfield, Medway, Medfield, Millis, Norfolk, North Attleboro, Norton, Plainville, Rehoboth, Seekonk and Wrentham).

N-035-001

1. Attleboro - This alternative and all of its variations, including those in combination with the Middleboro Alternative, should be eliminated from further study, analysis and consideration because they fail to meet the Least Environmentally Damaging Practicable Alternative Standard (LEDPA):

N-035-001

As required by the Secretary's Certificate on the ENF, the Attleboro rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR.

a. The potential route of the possible Attleboro Bypass would traverse approximately 9.0 acres of extensive wetlands and wildlife habitat with a new 2.55+/- mile double track that never existed before, but is already encumbered by a National Grid multiple power line right of way. A bridge and/or tunnel would need to be constructed on the extremely busy Route 123/Pleasant Street, a major east-west state highway. In addition, an at-grade crossing would be built on Richardson Avenue, a direct connector between Attleboro and Mansfield, in the middle of a significantly populated residential family neighborhood where no trains have ever traveled. Ultimately, there would be no additional rail service to the City of Attleboro.

b. The City of Taunton would be devastated by the reactivation of 15 at-grade crossings is its center because of the severe negative impact on public safety and economic development. Such a drastic bisection of the greater Downtown area would endanger the human species. Any attempt to redevelop a station in this area would be totally impractical and infeasible due to the strict limitations on access and parking with roadway congestion and population density.

c. The Town of Norton has several at-grade crossings and sensitive wetland areas. The attempt to propose a rail station in the little Village of Barrowsville within this small New England college town is really ill-conceived and would be ill-fated. The access roads are narrow and the neighborhood is congested. Cost of acquisition and development would be significant, trip times would increase and ridership would not justify the investment.

d. Because of the existing demands on the Northeast Corridor/Shore Line between Attleboro and Boston, including Amtrak High-Speed, Acela Express, MBTA Commuter Rail and CSX Freight, it has been determined that a third track would need to be built along the entire distance from Attleboro to Boston of approximately 20 miles. This would involve the reconstruction of at least 22 highway and railway bridges, 3 train stations, realignment of a major artery, negative impact upon the 700 foot historic Canton Viaduct spanning the Neponset River due to the necessity of an additional bridge, environmental impact upon extensive wetland areas, and the loss of and negative impact upon existing residential, commercial and industrial areas developed along the route. Because this entire line is already electrified with an overhead cantenary system for the existing two rails, together with the extremely high volume and high speed, this portion of the project would increase the overall cost of the Attlehoro Alternative by 150% and delay completion until 2020, based upon estimates and projections by the Executive Office of Transportation (EOT).

N-035-002

2. Middleborough - This alternative and all of its variations, including those in combination with the Attleboro Alternative, should be eliminated from further study, analysis and consideration because they fail to meet the LEDPA Standard:

a. The Middleboro Simple Alternative would provide limited service that would not satisfy the objective of restoring full commuter rail service to the Cities of Taunton, Fall River and New Bedford, and consequently could not justify the capital investment as well as the operating costs.

N-035-002

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

b. The Middleboro Full Alternative would necessitate relocating 4.5 miles of Red Line track in Braintree/Quincy to Boston areas, together with the construction of a 1.3 mile tunnel under the existing Quincy Center Station. In addition, temporary operation of the Red Line during construction would require the relocation of 22 residential and commercial properties. Consequently, this portion of the project would increase the overall cost of the Middleboro Alternative by 240% and delay completion until 2020, based upon estimates and projections by EOT.

c. This alternative has the lowest ridership and the highest trip time of all, which could not justify the capital investment and operating costs.

N-035-003

3. Stoughton - This alternative and its variations, whether powered by diesel or electricity, but excluding the Whittenton Branch Alternative, should continue to be studied, analyzed and considered because they are the only ones that meet the LEDPA Standard:

a. The Whittenton Branch Alternative should be eliminated because it does not meet the LEDPA Standard. The City of Taunton would still be negatively impacted with its 15 at-grade crossings in its Downtown area. Public safety and economic development would suffer and people would become the endangered species. Operational issues would be more complex and costly, travel times would increase and ridership would decrease. At a result, nothing would be gained and much would be lost from this needless detour.

b. However, the Stoughton Alternative is otherwise the one that is the most practical and feasible. It is the most direct connection from Taunton, which is the gateway to the South Coast, to the main line at Stoughton to Boston. This will provide the best restored service to Taunton with a more regional type of station in East Taunton and Raynham, but eliminating the 15 at-grade crossings Downtown. Raynham and Easton will once again enjoy the benefits of rail service, and Stoughton will have an increased level of service.

c. This route was the one utilized for rail service from the mid-1800's to the mid-1900's. Our old Yankee New England ancestors were instilled with common sense and practicality. They lived by the philosophy of "form follows" function. A straight line is still the shortest route between two points. Its ridership and trip time is comparable to or better than the Attleboro Alternative, and significantly superior to the Middleboro Alternative, based upon the recent study completed by the Central Transportation Planning Staff (CTPS) of the Boston Municipal Planning Organization (BMPO). However, prior studies prepared by or on behalf of the Massachusetts Bay Transportation Authority (MBTA) between 1995 and 2002 gave the Stoughton Alternative a much more significant advantage as to ridership and trip time, which should still prove to be true today.

N-035-003

As required by the Secretary's Certificate, the Stoughton and Whittenton Alternatives were evaluated in the DEIS/DEIR.

d. On August 30, 2002 then Secretary of Environmental Affairs, Robert Durand, issued a Certificate on the Final Environmental Impact Report (FEIR) approving the proposed Stoughton Alternative. In order to mitigate the environmental impact on the Hockomock Swamp, a designated Area of Critical Environmental Concern (ACEC) that encompasses approximately 16,800 acres, of which only 7.0 +/- acres of wetland would be impacted by 2.0 +/- miles of reconstructed track along the pre-existing rail bed, he prescribed raised track on a trestle in some areas to allow the free movement of water and smaller species, together with at-grade tracks in other areas to allow the crossing of larger wildlife. With the advent of a reactivated rail line and the accompanying necessary safety and security measures, it would minimize if not eliminate the all terrain vehicles (ATV's) and trail bikes that are presently damaging the environment along the trackless rail bed. Therefore, in addition to mitigation, this alternative should also allow for some natural replication and restoration of the ACEC.

e. Consequently, based upon the foregoing, the Stoughton Alternative not only is the only alternative to meet the LEDPA Standard, but based upon EOT's estimates and projections, it is the only alternative that can be completed within the $1.4B budget and in service by 2016. Therefore, the logical conclusion is that full rail service to the South Coast can be accomplished only via the Stoughton Alternative, or not at all.

N-035-004

4. Rapid Bus - Whatever can be done now to enhance express bus service between Taunton, Fall River, New Bedford, Attleboro, Providence and Boston should be done as soon as possible anyway. This can be accomplished much sooner and less expensively than the eventual possible rail connection. It would not be a completely satisfactory substitute, but it certainly would be a very welcome supplement in the meantime to provide some interim relief.

N-035-005

5. No Build - If the South Coast Rail is not built for whatever reason, the capital funds could then be invested into rebuilding the aging, decaying and under capacity transportation infrastructure of the region, as well as redevelopment projects for the Cities of Attleboro, Taunton, Fall River and New Bedford, which have lost most of their historic industrial economic base.

It is now time for the MEPA Office and the Army Corps of Engineers to realistically narrow the scope of the South Coast Rail Project analysis so that EOT can focus its precious time, talent and resources on this project and bring it to its logical conclusion.

N-035-004

As required by the Secretary's Certificate on the ENF, the Rapid Bus Alternative was studied in the DEIS/DEIR. This alternative would require significant infrastructure investments to create a dedicated lane for the buses, and cannot be implemented as an interim measure.

N-035-005

MassDOT is currently investing $2 billion in repairing and maintaining the Commonwealth transportation infrastructure.

Thank you for the opportunity to submit these comments and responses for your consideration.

Sincerely,

UNITED REGIONAL CHAMBER OF COMMERCE

George I. Spatcher, Jr.
Member and Director
Representative to the Commuter Rail Task Force

cc: Kristina Egan, Manager
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Stephen C. Smith, Executive Director
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University of Massachusetts Dartmouth

January 9, 2009

Mr. Alan Anacheka-Nasemann
US Army Corps of Engineers, New England District
696 Virginia Road
Concord, MA 01742-2751

Dear Mr. Anacheka-Nasemann:

N-036-001 Please accept this letter submitted on behalf of the University of Massachusetts Dartmouth in support of the proposed extension of commuter rail service to the SouthCoast region of Massachusetts. Anchored by the cities of Fall River and New Bedford, the SouthCoast region has a population of more than 350,000 and lacks adequate high-speed passenger rail service to remain globally competitive.

Having reviewed the data and information included within the environmental impact assessment of the alternative rail corridors, I want to express support for the route described as the Stoughton corridor. As the data indicates, this proposed alternative would provide the region with the best, most efficient, quickest and most direct commuter rail service to Boston. The proposed Stoughton line would provide SouthCoast commuters with the greatest frequency of service and access to MBTA station locations in Westwood at Route 128, as well as the Back-bay station and South station in Boston.

The Stoughton route alternative would also have a major positive impact on air quality by reducing the carbon footprint associated with the current and projected automobile use by commuters traveling to the Boston area. The overall environmental impacts would be modest in comparison to the alternative route options.

Finally, the Stoughton route alternative would preclude costly capital expenses such as track upgrades associated with the Middleborough alternative to overcome constraints north of Braintree, Massachusetts.

In summary, the region desperately needs investment in the rail transportation infrastructure. The region is under-served and suffers adverse economic consequences because of the lack of adequate commuter rail service. Completion of this project would have an enormous impact on the entire region and a profitable operation for the MBTA.

Thanks you for your consideration.

Sincerely,

Paul L. Vigeant
Assistant Chancellor for
Economic Development

N-036-001

Thank you for your support of the South Coast Rail project.

walkBoston

AE

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MEPA

January 8, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs, MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Comments on the Environmental Notification Form, South Coast Rail Project
EOEA # 14346

Dear Secretary Bowles:

WalkBoston has reviewed the Environmental Notification Form for the South Coast Rail Project, a large project that will have significant impacts on transit service in a rapidly growing region of the state. Since essentially all patrons of transit arrive on foot, we feel that it is extremely important to make pedestrian access as convenient and safe as possible – both on-site and in the surrounding area. Pedestrian access must be easy to accomplish, whether the transit patron arrives in the station area as a walker, a bicyclist, a rider on another form of transit, a driver/parker, or someone who is dropped off at the station.

Perhaps because of the regional scale of the study, the first round of site selection for transit stations gave scant attention to pedestrian concerns in the ENF. However, the document clearly points the way to the need for detail that includes pedestrian access. Concerns of walkers will become major during the detailed analysis of each station site that will be undertaken in the upcoming DEIR/DEIS. For this reason, we offer our comments for inclusion in establishing the scope of work for the next phase of study.

Summary of WalkBoston's comments on the ENR

1. Accommodate all modes of transit station access
2. Detail neighborhood pedestrian needs
3. Detail deficiencies in pedestrian access
4. Relate pedestrian needs to high-density neighborhoods
5. Explore transit-oriented development at all regional transit stations
6. Maintain flexibility in station siting and development

Background

The South Coast Rail Project ENF focuses on existing rail or road corridors as potential locations for new rail stations, and documents several successive steps in identifying and analyzing the key criteria used to assess preliminary station sites:

- Provide appropriate track geometry (a tangent track section) and sufficient available land to construct 800-foot platforms for each rail station.
- Not require new development within an Area of Critical Environmental Concern (ACEC).
- Not be located within a public water supply Zone 1.
- Be located on vacant land or with areas of foreseeable potential for redevelopment.

Using these criteria, EOT and the Southeastern Regional Planning & Economic Development District (SRPEDD) identified possible station locations. As the regional planning agency serving

MAKING OUR COMMUNITIES MORE WALKABLE
Old City Hall | 45 School Street | Boston MA 02108 | T: 617.367.9255 | F: 617.367.9285 | info@walkboston.org | www.walkboston.org

27 of the communities in the south coast area, SRPEDD staff solicited public input and identified a total of 73 possible rail and bus station locations.

Following the identification of potential station sites, a screening process was carried out based on criteria of practicability, minimizing environmental impacts, and the ability to support smart growth. Additional criteria included:

- Strengthen historic town, village and city centers while providing a foundation for new mixed-use neighborhood centers, adaptive reuse potential in station site areas and compact, mixed-use development on underutilized land adjacent to proposed stations.
- Locate stations in already developed areas, close to existing housing, jobs and/or services, and existing road, water and sewer infrastructure.
- Offer a mix of park-and-ride stations, local-draw stations and stations that would efficiently serve riders arriving by a range of modes.

Using this screening process, the number of potential station locations was narrowed, and sites in several older communities were emphasized – particularly older downtowns in New Bedford, Fall River, Taunton, Easton and Middleborough.

Next phase of the project

In the South Coast Rail project DEIR/DEIS, key elements of analysis will address project impacts on:

- Improved accessibility to jobs and educational opportunities.
- Enhanced property values.
- Increased population.
- Increased attractiveness to employers (with increased tax revenues for communities).
- Transit-oriented development opportunities and communities.
- Controlled and managed growth in accordance with Smart Growth planning.

WalkBoston is concerned that this review of potential effects of the South Coast Rail Service may not include an assessment of the foot traffic that will concentrate at each station. We are hopeful that the project can incorporate a basic approach that promotes walking. WalkBoston's comments focus on our suggestions about pedestrian concentrations and access to stations.

N-037-001

1. Accommodate all modes of transit station access
   Transit is inherently dependent on pedestrians approaching the station having arrived at the station site using different modes of transportation: foot, bicycle, bus, car which is parked at the station, or car as a passenger who is dropped off. All of these modes must be accommodated at each station.

N-037-002

2. Analyze pedestrian and other access to each station:
   Outline all existing and proposed access within a 1 mile radius from the station site:
   - Existing and future sidewalks and paths that will provide access to the station.
   - Existing and future bicycle routes to the station.
   - Existing and future bus routes to the station.
   - Existing and future streets and highways expected to serve as major access to the station.

N-037-003

3. Analyze the details of the pedestrian network
   - Identify needed sidewalks and paths for access to the station site including missing links of sidewalk to provide continuity of routes, existing sidewalk conditions and anticipated maintenance needs for each major route, difficult or unpleasant walking conditions

2

N-037-001

South Coast Rail stations have been designed to support multi-modal connectivity. These connections are being further advanced through some of the technical assistance awards to communities to implement the 2009 South Coast Rail Economic Development and Land Use Corridor Plan. For example, Taunton just completed a pedestrian and bicycle access study for the Taunton Station. As the project's design progresses, further work will be done on all the stations to ensure multi-modal connections. Multi-modal accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8.

N-037-002

South Coast Rail stations have been conceptually designed to support pedestrian and bicycle connectivity to surrounding areas. Pedestrian and bicycle accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8. These accommodations and connections will be further evaluated in Final EIS/EIR phase of the project, once a LEDPA has been selected. The regional travel demand modeling and ridership estimating effort is described in Section 3.2.4. The methods used to estimate access by walking, biking, public transit, car, and other modes are described in this Section.

N-037-003

South Coast Rail stations have been conceptually designed to support pedestrian, bus and bicycle connectivity to surrounding areas. Pedestrian and bicycle accommodations at the individual project stations are described in DEIS/DEIR Section 3.2.5.2.8. These accommodations and connections will be further evaluated in Final EIS/EIR phase of the project, once a LEDPA has been selected.

N-037-003

needing amelioration
- Potential bus connections to the station site.
- Clear and safe routes within or immediately adjacent to the station site for pedestrian access to the station platform including:
  - Pedestrian street crossings – identify those that are protected or need protection, existing and needed crosswalks and potential walk/countdown signal locations.
  - The potential for green parking lots that include separated paths for pedestrians leading to the station platform via, say, drainage swales flanked by sidewalks.

N-037-004

4. Evaluate the broad changes to neighborhoods that transit access could bring
   - Existing higher density neighborhoods as sites for stations – How will pedestrian access be provided for these neighborhoods?
   - Projected increases in housing density near the stations How will pedestrian access be provided for these neighborhoods?
   - Correlation of station locations and pedestrian access with economic justice communities.
   - Future transit growth, induced development, and impacts on pedestrian needs of the project.

N-037-005

5. Consider how the project will ensure walk-in ridership at all regional stations
   - Create transit-oriented developments at large regional-scale parking lots, paired with housing at a relatively high density.
   - Create a model of potential higher density development to support the transit stations.
   - Limit stations to sites where a surrounding higher density of housing is assured.
   - Get commitments to local rezoning for higher density housing before the station site is committed.
   - Help cities and towns improve land use and zoning as transit service is being planned. (The Raynham Dog Track is a possible example for re-use as dog racing is no longer allowed in MA. If used solely for parking, a major opportunity for TOD would be lost.)

N-037-006

6. Maintain flexibility in station siting and development
   - Use evaluation criteria that include pedestrian concerns.
   - Eliminate stations that cannot be made safe for pedestrian uses, and examine alternative sites that better serve pedestrian needs.
   - Promote redevelopment of brownfield sites.
   - Make certain to provide service to environmental justice communities.

Ultimately, the selection of an alternative for South Coast rail service will turn in large part on how well it serves the local people that use its stations. Safe and convenient pedestrian access is a central concern to many of residents in these neighborhoods.

Thank you for the opportunity to comment on this project.

Sincerely,

Wendy Landman
Executive Director

Robert Sloane
Senior Planner

3

N-037-004

As part of the implementation activities of the Corridor Plan, cities and towns that are hosting stations are developing station area plans. These plans are using the Commonwealth's Sustainable Development Principles as guiding principles and will emphasize walkability. South Coast Rail smart growth measures and the Economic Development and Land Use Corridor Plan (Corridor Plan) are described in DEIS/DEIR Section 5.2.1.5. Information on the Commonwealth's Smart Growth/Smart Energy Program, through which it provides supportive grant programs and technical advice, is also available in this Section. The anticipated effects of smart growth measures are described in Sections 5.3.1 and 5.3.2.

N-037-005

MassDOT, in partnership with the cities and towns within the study area for the South Coast Rail project, is taking a tailored approach to designing the stations in ways that create new development opportunities. Some station areas provide great opportunities for creating high quality, transit-oriented development, while others will allow for more small-scale infill development. Chapter 6 of the Corridor Plan includes concept plans for many of the proposed station areas. These plans depict future development potential and emphasize pedestrian and bike connections to the stations from the adjacent neighborhoods. As part of the ongoing technical assistance program, MassDOT is working with the regional planning agencies and the cities and towns to further refine station area plans and to develop zoning that will allow for mixed-use development at the station sites.

N-037-006

South Coast Rail stations were subjected to a thorough screening process. Refer to the detailed station site screening process described in Section 3.1.4 of the DEIS/DEIR. Proposed stations have been planned to support pedestrian and bicycle connectivity. Refer to conceptual

station designs in both Sections 3.1 and 3.2 of the DEIS/DEIR.

South Coast Rail smart growth measures, including service to environmental justice communities, and the Economic Development and Land Use Corridor Plan (Corridor Plan) are described in DEIS/DEIR Section 5.2.1.5. Information on the Commonwealth's Smart Growth/Smart Energy Program, through which it provides supportive grant programs and technical advice, is also available in this section. The anticipated effects of smart growth measures are described in Sections 5.3.1 and 5.3.2.

ROGER WILLIAMS UNIVERSITY
SCHOOL OF ARCHITECTURE,
ART & HISTORIC PRESERVATION

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

Secretary Ian Bowles
Executive Office of Energy and
Environmental Affairs
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston MA 02114

Re: South Coast Rail ENF

Dear Mr. Anacheka-Nasemann & Sec. Bowles:

I have been involved in the South Coast Rail project as an academic and as a long-time resident of the Greater Boston Region. I have practiced Urban Design in Philadelphia and Boston working on several award-winning projects from 1982 - 1992. Since that time I have been teaching Urban Design at Roger Williams University and am currently co-Coordinator of the Architecture Program. In 1998 I devoted my sabbatical to researching Sprawl and Smart Growth issues. More recently my research and publishing efforts have focused on Transit Oriented Development. In 2005 I approached SRPEDD regarding my interest in exploring the potential for Transit Oriented Development relating to various proposed station locations through our Community Partnerships initiative. Since that time we have looked at potential station sites in Taunton, Raynham, Fall River and New Bedford. Outside of the classroom I have been active in planning issues locally and in Providence and recently served as a member of the Grow Smart RI's Land Use 2025 Task Force.

Since our work with SRPEDD, South Coast Rail and the Commuter Rail Task Force in 2005, I have attended a majority of the meetings and have followed the process with great interest. SRPEED's recent (Jan. 9) response to the ENF brings up a number of extremely important issues and is also somewhat concerning. The fact that a majority of the questions/concerns raised relate to an underestimating of the costs and negative impacts of the Rt. 24 alternative, leads me to suspect that there may be reason to believe that it is being considered a "viable" alternative. This jolted me out of my detached academic mode, as I think it is hard to underestimate the negative impact that could accrue from this alternative. Most glaring is the perpetuation of the auto-dependent development patterns that threaten the entire region. The environmental consequences are clear; however the social justice/equity side of the coin also cannot be underestimated. Perhaps my concerns can be summarized as follows:

O-001-001

O-001-002

- The reliance on bus would perpetuate recent auto-dependent sprawl development patterns and deprive much of the South Coast Region from reliable and timely public transit service to job opportunities in Boston and the major urban areas within the region itself. (especially the proposals that bus service be largely express to Boston or provide limited stops).

O-001-003

- If you need a car to get to the interchange or station you are significantly undermining the social justice potential of the project by making car ownership a necessity for segments of the population that cannot afford such a

1

O-001-001

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA process, along with the Attleboro and Stoughton Alternatives (including the Whittenton variation).

O-001-002

MassDOT agrees that the Rapid Bus Alternative would not support smart growth as well as the rail corridors would.

O-001-003

Stations were selected using a variety of criteria. One criteria was whether the station was located in a place near to where people are already living and working. These station sites in smart growth locations should facilitate some walk-in and bike-in ridership.

O-001-003 "luxury". As you know, the need for a car (or a second car) significantly impacts the amount of family income available for housing, education and health care.

O-001-004 - The provision of public transit access to the south coast region would be a major factor in encouraging the growth and renewal of traditional job centers within the region. A system that is Boston centric (and one-way) perpetuates the mindset that has kept Boston and its surrounding urban centers from realizing the true potential to be gained by the synergies unleashed by the linkage of multiple job centers in support of greater regional prosperity. This can be seen most dramatically in the Bay Area (SF, Oakland, Berkley, San Jose), but is also evident in the Raleigh, Durham and Charlotte area, the Stamford, New York, Princeton, Philadelphia region, and the Baltimore, Washington (and now Richmond) corridor. Boston is maxed out. It needs help from strong, vital and independent partners in the region, not a perpetuation of the status quo.

O-001-005 - It is readily accepted that Bus Transit is not seen as having the permanence required to support significant private residential development. This same thinking would impact the willingness of businesses to relocate to a region served by a transit system that is not permanent and is not a full service two-way system that would allow workers to commute from Boston as well as to Boston.

O-001-006 - The ability of individuals in the region to have access to local jobs, health care and educational opportunities would not be well served by a system geared toward individuals commuting directly to South Station.

Having lived in Boston for many years, I too was "under the influence" of its myopic view of things. Since moving to Rhode Island, I have experienced the all to real consequences of this myopic view for the larger region. I have also seen more integrated and vital regions in action. Having grown up in Philadelphia, I always resented being in NYC's shadow, but the competitive spirit has a healthy dimension. Boston has not had a real partner in the region for over 50 years. There was a time when New Bedford and Providence rivaled Boston in terms of wealth and influence. My research into the history of the region has offered ample examples of the vital interdependence and synergy of the regional economy during the Industrial Revolution. If express (or limited access) bus service to Boston is the answer, we have not done an adequate job of defining the problem. This is no small matter; but a vital issue for the future of Boston and the entire region (not just Fall River and New Bedford). Finally, I would refer you to an important 2007 study from the Brookings Institute entitled "Reconnecting Massachusetts Gateway Cities: Lessons Learned and an Agenda for Renewal" that highlights many of these issues (see attached).

Sincerely:

Edgar Adams, NCARB

Professor: Architecture Program co-Coordinator
School of Architecture, Art & Historic Preservation
Roger Williams University
One Old Ferry Road
Bristol, Rhode Island 02809

2

O-001-004

While the primary emphasis of the project is to offer additional transportation choices between Boston and the cities on the South Coast, regional mobility between South Coast communities will also be enhanced. Some potential for reverse commuting will be made possible by the service as well. Current land use trends in southeastern Massachusetts tend towards dispersed, low-density development. As part of the Corridor Plan planning process and ongoing technical assistance efforts, the Commonwealth is working with the cities and towns to attract new development, including businesses, institutions, and homes to the station areas. This will provide opportunities to access services without relying on an automobile.

O-001-005

MassDOT has noted and considered your comment.

O-001-006

While the primary emphasis of the project is to offer additional transportation choices between Boston and the cities on the South Coast, regional mobility between South Coast communities will also be enhanced. Some potential for reverse commuting will be made possible by the service as well. Current land use trends in southeastern Massachusetts tend towards dispersed, low-density development. As part of the Corridor Plan planning process and ongoing technical assistance efforts, the Commonwealth is working with the cities and towns to attract new development, including businesses, institutions, and homes to the station areas. This will provide opportunities to access services without relying on an automobile.

AE

Melinda L. Ailes
17 Grand View Avenue
Mattapoisett, MA 02739
508-758-3417
mlailes@aol.com

RECEIVED
JAN 9 2009
MEPA

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

RE: SouthCoast Rail Project
Permit Number NAE-2007-00698

Dear Mr. Anacheka-Nasemann:

O-002-001 I am writing to express my strong support for bringing commuter rail to Southeastern MA.

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 years and it is 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 two 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. 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.

I believe that it is critically important to vigorously support this SouthCoast Rail project.

Thank you for your attention.

Very truly yours,

Melinda L. Ailes

cc: Ian Bowles, Massachusetts Secretary of Energy & Environmental Affairs

O-002-001

Thank you for your support of the South Coast Rail project.

#14346 AE

March 16, 2009

RECEIVED
MAR 18 2009
MEPA

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
attn.: MEPA Office
Aisling Eglington
100 Cambridge Street, Suite 900
Boston, MA 02114

To whom it may concern,

O-003-001 It is very important you that understand why the people of Stoughton deserve to have the rail line depressed and what affect this will have on the environment. First the train will be crossing 8 roads in Stoughton. Some of them are extremely busy. Central Street carries over 22,000 vehicles a day with an even higher number projected in the not too distance future when the projects that are already in the pipeline are built. The street traffic on the other crossings will increase with the population growth so, what was once an unimportant suburban crossing will become a busy street. Cities through out the country did not foresee this growth for if they had the relative grades of streets and tracks would, no doubt, have been so established as to prevent nearly all grade crossings; We have the opportunity to do it right now and not have to worry about it 30 years from now when it will be more troublesome and more costly to fix. The railroad crossing at grade of streets should be abolished seems well established and projects to that effect are being undertaken in nearly every important city in the country. So if every one is trying to eliminate crossings why are we trying to add more crossings?

The current practices of existing railroads in general are to consolidate and close grade crossings where feasible. The creation of new at-grade crossings is **not a preferred approach** to addressing highway mobility. This is according to the Railroad-Highway Grade Crossing Handbook - Revised Second Edition August 2007 by US department of Transportation Federal Highway administration. Congress, in the Highway Safety Act of 1973, established a categorical safety program for the elimination or alleviation of hazards at rail-highway grade crossings. Congress is spending billion of dollars to eliminate or consolidate railroad crossing so again why would the state want to add new ones. In some states Grade separation is required of all new construction and recommended for existing crossings when the design thresholds are exceeded. Does it take more that 22000 vehicles to warrant a separation?

From the community viewpoint, railroads are now a dividing force providing delays, congestion, and concerns over emergency vehicle response while trains are moving through, blocking many street crossings. Some communities impose speed restrictions on trains, exacerbating the delays because trains take longer to clear crossings. The Federal Rail Administration expects delays for Vehicles to increase 7% per year. Delays of vehicles at crossings also have a cost. It is estimated that for every 3.6 minute delay at a crossing a car is delayed 10 minutes. The FRA estimate that on a road that has a 900 vehicles an hour a 3.6 minute delay would result in 110 car queue. Queues that develop from one train might not dissipate before a second train. This often results in vehicles trying to beat the barrier and leads to accidents. Accident between trains and vehicles at crossings occur on average close to 3 times a day in this country. Even the railroads admit the best way to address grade crossing safety is to eliminate the crossing.

O-003-002 O-003-003 There are even more reasons to eliminate the train crossings in Stoughton. Central Street has 22,000 vehicles a day. How much exhaust is emitted by those vehicles while waiting at a train crossing? Central Street also is the walking route to an Elementary School, Middle School and High School. The number of children using this route will increase when the two 40B apartment complexes are completed. By depressing the rail at this point you eliminate the conflict between school children and the trains.

O-003-001

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

O-003-002

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

O-003-003

MassDOT has noted and considered your comment. MBTA's outreach program to schools, Operation Lifesaver, would be implemented in affected communities, including Stoughton.

O-003-004 The rail line will bisect the town leaving the south side isolated from emergency services. An ambulance delayed at a crossing could result in some ones death. This again is the reason cities and towns throughout the country are now trying to eliminate crossings.

Maintenance of crossings is expensive. The safety features need to be constantly repaired and upgraded. Trains often need to slow down going through these crossings leading to delays. Train whistles will be sounding in the town at least 12 times a day at 8 different places leading to noise pollution. With below grade crossings there is no need to blow the whistle allowing residents close to the crossing some relief from the noise.

O-003-005 At $20 million (estimate provided by FHWA) a crossing it would be $160 million to depress the train. For a state that is willing to pay $1.4 billion so that 2000 people can ride to Boston $160 million to protect the 27000 people of Stoughton and the 22000 vehicles that travel on Central Street every day doesn't seem like a lot of money. This would amount to 11% of the budget. The original investment could be partially repaid by the savings from the traffic control devices that would not be needed and from the maintenance fees no longer needed for at grade crossings. For example BNSF railroad spends over 90 million dollars a year just on maintaining crossings. You would also save money by avoiding delays on the trains resulting from problems at the crossings. Precedence has been set. Hingham got below grade crossing and so should Stoughton.

O-003-006 Finally all of the reasons mentioned above become more important if Freight is part of this deal. Freight would cause more delays for longer periods of time.

It just makes sense to depress the rails. You will save money over time and more importantly avoid accidents, avoid delays in emergency response which will save lives and how much is a life worth? As the state of Michigan stated "once an at grade crossing has been eliminated it will never again be the site of a vehicle train crossing accident. The FHWA states the following "The major benefits of crossing elimination include reductions in collisions, highway vehicle delay, rail traffic delay, and maintenance costs of crossing surfaces and traffic control devices."

O-003-007 The decision to grade separate a highway-rail crossing is primarily a matter of economics. Investment in a grade-separation structure is long-term and impacts many users. Such decisions should be based on long-term, fully allocated life-cycle costs, including both highway and railroad user costs, rather than on initial construction costs. Such analysis should consider the following:

- Eliminating train/vehicle collisions (including the resultant property damage and medical costs and liability).
- Savings in highway-rail grade crossing surface and crossing signal installation and maintenance costs.
- Driver delay cost savings.
- Costs associated with providing increased highway storage capacity (to accommodate traffic backed up by a train).
- Fuel and pollution mitigation cost savings (from idling queued vehicles).
- Effects of any "spillover" congestion on the rest of the roadway system.
- Benefits of improved emergency access.
- Potential for closing one or more additional adjacent crossings.

O-003-004

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project and are included in Section 4.1.4, analysis of Impacts by Alternative. Potential impacts to emergency response vehicles would be evaluated after selection of the LEDPA. MBTA would coordinate with local emergency response providers in each affected community.

O-003-005

Neither depression (tunneling) nor elevation of the rail through Stoughton are included in the South Coast Rail project. The project is not anticipated to have an adverse impact on existing crossings in downtown Stoughton.

O-003-006

Freight operations would maintain existing and planned service, utilizing existing lines and grade crossings. As explained in Section 4.1, Affected Environment and Environmental Consequences--Transportation, impacts due to freight operations would be unchanged as a result of the South Coast Rail project.

O-003-007

MassDOT has evaluated each existing at-grade crossing to determine whether grade separation was warranted for safety, traffic, or environmental reasons, and whether it was feasible to construct. DEIS/DEIR Chapter 3, Section 3.2.5.2.3 describes the grade crossings required for the Build alternatives. Impacts to traffic that may occur at the grade crossings is presented in Chapter 4.1, Section 4.1.4.2.4, and potential mitigation measures to offset impacts are described in Section 4.1.5.1.

O-003-007 • Possible train derailment costs.

Sometimes people don't see the big picture. Building the railroad to improve the cities of New Bedford and Fall River is a small part. The big picture should be to build a railroad that everyone along the line benefits from and no one is harmed by it. Spending a little bit more now and saving millions later just makes sense.

The MBTA believes in making every crossing as safe as possible. There is no safer crossing then when the road and Train have separation.

Thank you for allowing me to participate in the process.

Sincerely,

Barbara Anzivino

Barbara Anzivino
25 Ross Ave
Stoughton, Ma 02072

James M. Azevedo
263 Depot Street
S. Easton, Ma. 02375
508-238-3996

AE

(page 1 of 2)

December 7, 2008

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington), EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

RECEIVED
DEC 11 2008
MEPA

Re: Outdated Plans!

Sir;

Over the years those who want this rail project through Stoughton, Easton, Raynham, Taunton, Fall River, and New Bedford have stated that the opposition consists of people who don't want it in their back yard and environmentalists.

I ask that you look at the facts;

(1) The town of Easton has three wells near the old track bed.

(2) These wells were not put in until after the original rail line was starting to shut down.

(3) The USGS lists this line as abandoned for years on their maps.

(4) There are at least 3.4 miles of wetlands directly connected with the Queset Brook in direct contact with this rail bed.

(5) There are also 2 wells belonging to the town of West Bridgewater down stream or down grade on this brook.

(6) Past and present engineering reports show this brook is the source of water for these wells.

(7) There has been no safety measures in these rail plans for the protection of these public wells to date.

(page 2 of 2)

O-004-001 The M. B. T. A. and the Army Corp of Engineers have not acknowledged the danger to our water supply or even shown any 21st century planning. Most, if not all of these plans were done before Easton, and West Bridgewater had any wells at all along this brook connected with the abandoned rail bed! Air, Water, Food, and Shelter was what we were taught is essential for human survival. When did "Transportation To and From Work" get pushed ahead of Water?

Enclosed are copies of segments of several reports by engineers about the direct connection to our (5) public wells and the Queset Brook. There are also pictures of the last 2 years showing the Queset Brook being pulled into the aquifer of Easton's 3 main wells (map included). I have video's and pictures going back to October of 2000 if needed.

O-004-002 Please note that any move forward on the development of this line without up to date plans including proper safeguards, will probably cause permanent damage to our wells and our children!

I say to you, that the reason we don't want a rail line through our town is because it is out dated, poorly planned, and poorly engineered. The implication is that our two communities children and futures are expendable. Once we lose our public wells to pollutants there is little chance they will ever recover.

O-004-003 I suggest that the state hire independent engineers to properly plan a rail extension through our community without skimping on public safety, if that is where it must go! This requires a proper study of the rail bed through the Hockomock Swamp to determine how much of it may be floating on a bed of logs (circa 1800s engineering). O-004-004 A temporary bus transit system might relieve traffic congestion and allow for a longer development time. All of this is my opinion. Thank you for your time.

Sincerely,

James M. Azevedo

James M. Azevedo
Cc: Army Corp of Engineers
Easton Board of Health

O-004-001

MassDOT appreciates you sharing all of the enclosed information on water resources in Easton. The potential impacts to water resources are described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.

O-004-002

Please see response to Comment No. O-004-001.

O-004-003

Safety is the primary concern of the engineering team working on the South Coast Rail project.

O-004-004

The Rapid Bus Alternative was evaluated in this DEIS/DEIR.

COPY — CONSERVATION-SENT TO HEAD — DIDN'T SHARE BEFORE TOWN MEETING

D'Amore Associates, Inc.

148 Ponakin Road Lancaster, Massachusetts 01523 (978) 368-1802 Fax (978) 368-1608

Environmental Engineering and Ground Water Consulting

MEMORANDUM

To: Wayne Perry
Cc: Mark Bartlett
From: Denis D'Amore
Date: February 19, 2008

Re: Queset Commons Conceptual Model

The following is a summary of my observations and interpretation of the field data collected by Norfolk Ram Group (NRG) with respect to hydrogeology of the Queset Brook aquifer in the vicinity of Queset Commons. As additional data is acquired, it will be evaluated and incorporated into the existing data set and the conceptual model will be refined accordingly. Data used to develop the conceptual model include:

- Review of the topographic map and hydrologic atlas for the area;
- Review of prior reports prepared for Queset Commons as well as pumping test reports for three municipal wells;
- Evaluation of soil boring logs from three well couplets installed by NRG;
- Evaluation of synoptic rounds of water levels collected from site monitoring wells during seasonally dry and wet weather conditions; and
- A detailed inspection of the site and surrounding area.

The Queset Commons conceptual model is described as follows:

1. Queset Commons located in the Queset Brook Aquifer on the east side of Queset Brook immediately north of Morse Pond.

2. Three municipal supply wells, Stations 1, 2, and 4 are located in the same aquifer as Queset Commons. Station #1 is located 1,100 feet west of the center of site and pumps at an average rate of 750 gallons per minute (gpm); Stations # 2 is located 2,700 feet north of the center of site and pumps at an average rate of 875 to 900 gpm; Station # 4 is located 1,750 feet northwest of the center of site and pumps at an average rate of 1,000 gpm. As will be discussed, ground water extraction from these wells imposes a significant stress on much of the aquifer in the watershed.

3. A detailed inspection of the site and surrounding area was conducted on September 6, 2007 and included walking the Queset Common site, the areas around three supply wells, portions of the Queset Brook streambed, which was completely dry at that time and the perimeter of Morse Pond, which was also severely depleted of water. Locations for monitoring wells locations and stream bed piezometers were established at that time. Referring to Figure 1, PZ-E, PZ-F and PZ-G, which were located along the current shoreline, depict the extent to which the water level in Morse Pond had receded.

4. NRG installed three well couplets (i.e., in the shallow and deep overburden) in October 2007 identified as NRG-1S and 1D, NRG-2S and 2D,NRG-3S and 3D to complement three shallow wells (GZ-3,GZA-4 and GZA-6) that were installed by GZA as part of a previous field investigation.

5. Inspection of the NRG boring logs indicates that soil across Queset Commons consists of stratified sands typical of glacial outwash. Thickness varies from 20 to 31 feet. Stratified drift in the vicinity of the supply wells, which are located more centrally in the valley aquifer, is thicker near supply wells 2 and 4 (# 2, 50 ft., # 4, 60 ft.). The saturated thickness at Station # 1 is 30 ft.

6. Hydraulic conductivity of the stratified drift deposits, which was calculated from analysis of pumping tests performed by the Town's consultants on the supply wells is very high (# 1, 520 ft/d, # 2, 315 ft/d, # 4, 260 ft/d).

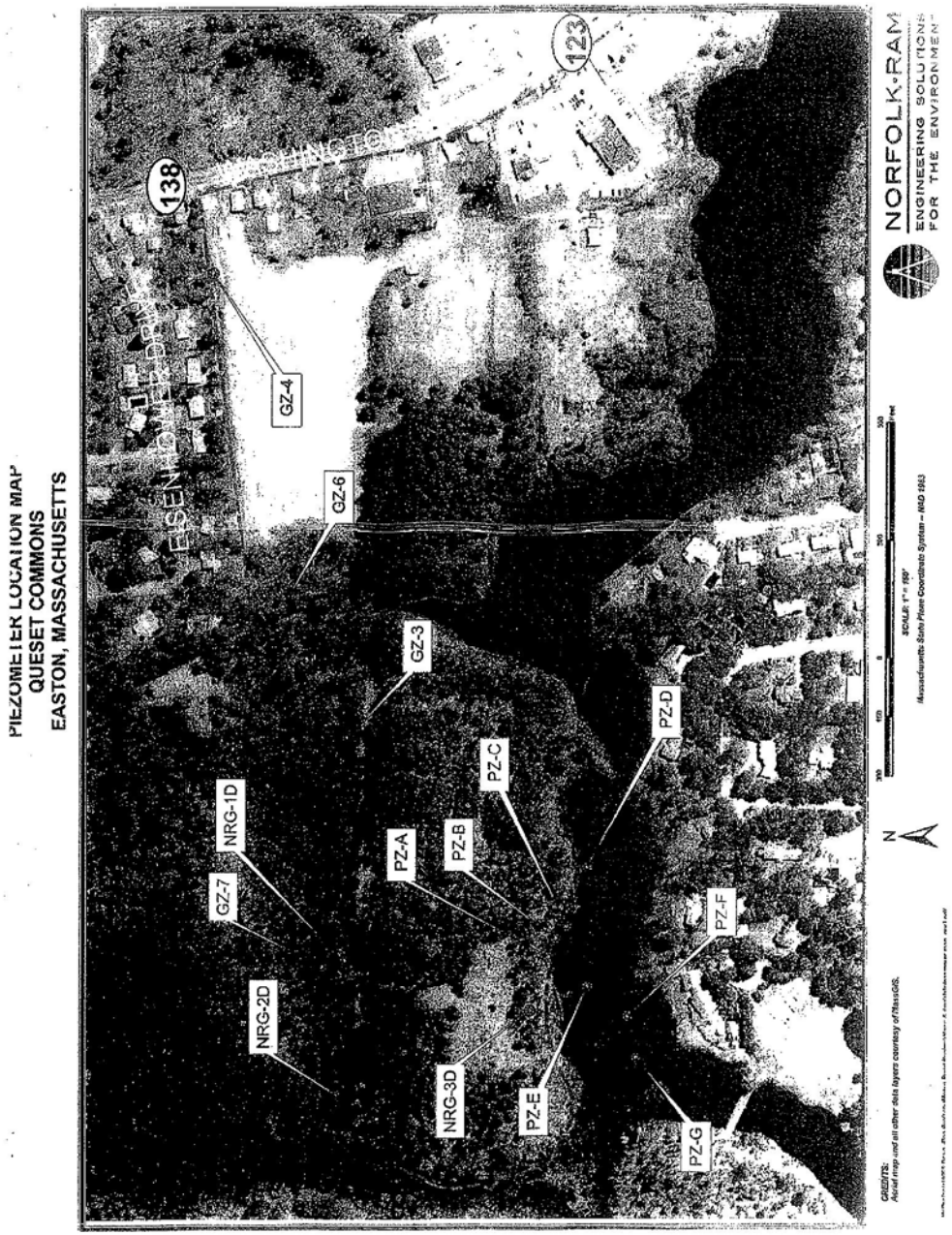
7. Synoptic rounds of water levels were obtained from site monitoring wells on 11/05/07 and 2/4/08. They are included as an attachment to this letter and provide the basis for understanding the hydrogeology of this portion of the aquifer. Figures 2A and 2B represent shallow and deep piezometric surfaces, respectively for November 5, 2007. Figures 3A and 3B represent shallow and deep piezometric surfaces, respectively for February 4, 2008.

8. Inspection of Figure 2A indicated that in dry weather conditions, groundwater extraction from all of three wells completely dominates groundwater flow beneath the Queset Commons site. Under these conditions when Queset Brook is completely dry and Morse Pond is nearly depleted of water, shallow ground water flows westerly from GZ-4, which is located adjacent to Route 138 and turns due north toward Stations # 2 and 4 in the vicinity of the NRG wells.

9. With respect to the deep wells (Figure 2B), there is a north northwesterly component of flow, which is probably influenced by Station # 1. At all three NRG well couplets, the vertical hydraulic gradient is downward.

10. During wet weather conditions, influence from the supply wells is less dramatic but still present. When water levels were measured in 2/4/08, Queset Brook was flowing and Morse Pond was near capacity. Water levels in NRG and GZA wells were 5 to 8 feet higher than the November levels. The piezometric map for the shallow wells depicts water flowing in a west southwesterly direction from Route 138 discharging to Morse Pond at PZ-A, PZ-B and PZ-C while ground water in the vicinity of NRG-2S flows southeasterly from Queset Brook toward Morse Pond.

11. The piezometric map for the deep wells depicts groundwater west northwesterly under the influence of the supply wells. Vertical hydraulic gradients at NRG-1, NRG-2 and NRG-3 remain vertically downward suggesting that Queset Brook has not become established as a recharge boundary for the supply wells.


PIEZOMETER LOCATION MAP
QUESET COMMONS
EASTON, MASSACHUSETTS
GZ-4
GZ-6
GZ-3
GZ-7
NRG-1D
NRG-2D
NRG-3D
PZ-A
PZ-B
PZ-C
PZ-D
PZ-E
PZ-F
PZ-G
138
123
N
NORFOLK•RAM
ENGINEERING SOLUTIONS
FOR THE ENVIRONMENT

263 Depot Street
S. Easton, Ma. 02375
508- 238- 3996

October 22, 2008

Commissioner
Massachusetts Department of Environmental Protection
1 Winter Street
Boston, Ma. 02108

Sir:

I am writing with some recommendations for budget cuts in your department.

Your Lakeville office seems to ignore information on possible pollution to drinking water. Their reluctance to respond or even acknowledge the receipt of information about this danger has me wondering who they worry about.

Enclosed are copies of photo's taken last year and this year of the Queset Brook in Easton, Ma. Last year they were delivered to the receptionst window in your Lakeville office for a Mr. Richard Rondeau. This years photo's show that even in years with above average rain fall, Easton's three main wells draw enough water to stop the flow of the Queset Brook. I don't believe that sending any more pictures of the Queset Brook to the D. E. P. in Lakeville would stop the pollution to come .

If you look at one developers 40r or 40b proposal in Easton you would see a lack of information, that was included in previous fillings on the same property. Just eliminate any indication of those pesky wetlands and vernal pools. Fill them in or alter the site and one is home free with your departments review process. One Massachusetts certified vernal pool was filled in (3586), while another one (1349) had a dirt dike run thru the middle to change it's size. Old records and blue prints don't even count, the town of Easton Conservation Commission doesn't seem to want to dig out old records and embarrass any developer.

The fact that information is obtained and then filed or boxed, and then not even brought forth to evaluate any dangers to the public water supply is criminal. I believe department heads should be held accountable and fired when necessary. Thank you.
Sincerely,

James M. Azevedo

I E S, INC.
ENVIRONMENTAL CONSULTANTS
265 MEDFORD ST. • SOMERVILLE, MA 02143
(617) 623-8880 • FAX # (617) 629-2920

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David P. Borans: (617) 776-8549
Damian J. Capobianco: (617) 623-5168
Gerard R. Goguen: (617) 776-0926
Michael V. Guzikowski: (617) 776-0578
Daniel G. Jaffe: (617) 776-2715
Michelle Montague: (617) 776-0829
D. Barry Woodworth: (617) 776-1950

April 26, 1991

[redacted]

Re: Project # 791-144
Chapter 21-E Site Evaluation
555 Washington Street
Easton, MA

Dear [redacted]

As requested, and in accordance with the Terms of our Contract, IES, Inc. has conducted a Site Evaluation, relative to the above referenced location, to generate the following report.

This Site Evaluation consisted of a historical review, site inspection, research of State and local files, as depicted in Section II of this report, test borings, photoionization screening of soil samples, laboratory analysis of groundwater samples, and a magnetometer survey. Based on the contents of this report, the site in question, at this time, exhibits a release as defined in Section 2 of Chapter 21-E. Therefore, in accordance with page 3, Section "H" of our Attachment "B" of your contract entitled, "Statement of Terms and Conditions", and as defined in Section 7 of Chapter 21-E, the property owner is required to report these findings, by way of forwarding a copy of this report, to the Southeast Regional Office of the Department of Environmental Protection at the Lakeville Hospital, Lakeville, MA.

Furthermore, if additional data becomes available, or related quantitative or qualitative analysis is performed, IES should review the material to determine if the conclusions in this report should be modified.

IES is pleased to have been of service to you and should you have any questions about this report, please do not hesitate to contact our office.

Respectfully submitted,

IES, INC.

Daniel G. Jaffe
Vice President

Connecticut Office: AIR ONE EXECUTIVE CENTER • BRAINARD AIRPORT • HARTFORD, CONNECTICUT 06114 • (203) 724-1020
New Hampshire Office: 922 ELM STREET • MANCHESTER, NEW HAMPSHIRE 03101 • (603) 641-6173

SECTION I

SYNOPSIS OF INVESTIGATION

A. Site Information

The site in question consists of three contiguous, irregularly shaped parcels of land containing a total area of approximately 222,760 square feet. The property slopes slightly downward toward Morse Pond to the southwest, and is situated on Washington Street in a mixed residential and commercial area of Easton, Massachusetts. The site is identified on the Town of Easton Assessor's Map 33 as Lot 10 (2.8 acres), Lot 12 (50,036 square feet) and Lot 12A (50,756 square feet). The northern portion of the site (Lot 10) is occupied by a one story brick and cement block structure which is currently vacant, but in the past was used as a restaurant. The southern portion of the site (Lot 12) is occupied by a two story wood structure which is utilized as a private residence, and the center of the property (Lot 12A) is a gravel parking area. The site is serviced by municipal water from Washington Street, and there is an on-site septic system and leaching field, located to the west of the restaurant, as a means of domestic disposal. The residence at the site also has an on-site septic system as a means of domestic disposal.

The subject site is abutted to the northeast by Washington Street and a gasoline station; to the southeast and northwest by private residences; to the west by a wooded area; and to the southwest by Morse Pond. An abandoned Sousa's BP Gasoline Station, an office building, and Belmont Street are located to the northeast of the site across Washington Street. The area to the northwest of the site along Washington Street is generally residential, while the area to the southeast is primarily commercial. Businesses in the vicinity of the site include offices, a restaurant, and small retail stores. Three municipal water wells for the town of Easton are located approximately 3,000 feet to the northwest, and up gradient

of the site. Additionally, according to Ms. Mary Connolly of the Easton Health Department, Morse Pond, which abuts the site to the southwest, is a source of drinking water for the Town of West Bridgewater.

Records at the Easton Assessor's Office indicate that the original portion of the restaurant occupying the site was constructed in 1909 for use as a coffee shop, and was utilized as such until 1938. At that time, the most recent occupant, the "Four Hundred Restaurant", began operations at the site. Additions, which greatly increased the size of the building, were built on to the original structure in 1930, 1938, and 1963. The Four Hundred Restaurant operated at the site until recently, and the building is currently vacant.

Until the middle 1980's Lot 12A of the subject site was wooded and undeveloped. This parcel was leveled and graded in the middle 1980's for use as a parking lot. The residence occupying the portion of the site referred to as Lot 12 was erected in 1930 for use as a private residence, and has been utilized as such since that time.

The abutting property at 559 Washington Street has been utilized as a gasoline station since the middle 1920's. This property was occupied by a Mobil Station when it was closed in 1986 due to leaking gasoline and oil tanks. However these tanks were removed in 1986 and new tanks were installed in 1991. Approximately 800 yards of soil has been excavated, and at the time of this investigation, the existing Sunoco Station there appeared to be operating normally. However, it should be noted that the excavated soil remains on that property at this time. It should also be noted that some of the stockpiled soil extends over the property line on to the subject site. The Sousa Gasoline Station, located to the east of the site across Washington Street, was closed in the late 1980's, and remains abandoned at this time.

A file review was performed at the Department of Environmental Protection (DEP) Southeast Regional Office in Lakeville, MA. This review included the perusal of files regarding oil and hazardous material spills or incidents, U.S.G.S. water supply overlays, and the DEP's 1991 List of Confirmed Disposal Sites and Locations to be Investigated.

This investigation did not reveal any past or ongoing DEP investigations regarding a release from the subject site. However, DEP files indicate that on June 10, 1986 Deborah Darling of the Four Hundred Restaurant reported to the DEP that black oil was leaching from the septic tank at the Mobil Gasoline Station at 559 Washington Street. The Easton Board of Health was also notified. As a result, the DEP investigated the gasoline station at 559 Washington Street. The gasoline station to the northeast of the site across Washington Street was also investigated by the DEP. These properties are summarized below, and the DEP investigations are further detailed in Section III, Item "F".

Site No.	Name	Address	Status
4-0499	Sousa's BP Station	Rte. 138 & Rte. 123	Confirmed
4-0197	Service Station	555 Washington St.	Confirmed

It should be noted that the correct address of the above referenced "Service Station" is actually 559 Washington Street, not 555 Washington Street as listed by the DEP.

B. Site Geology

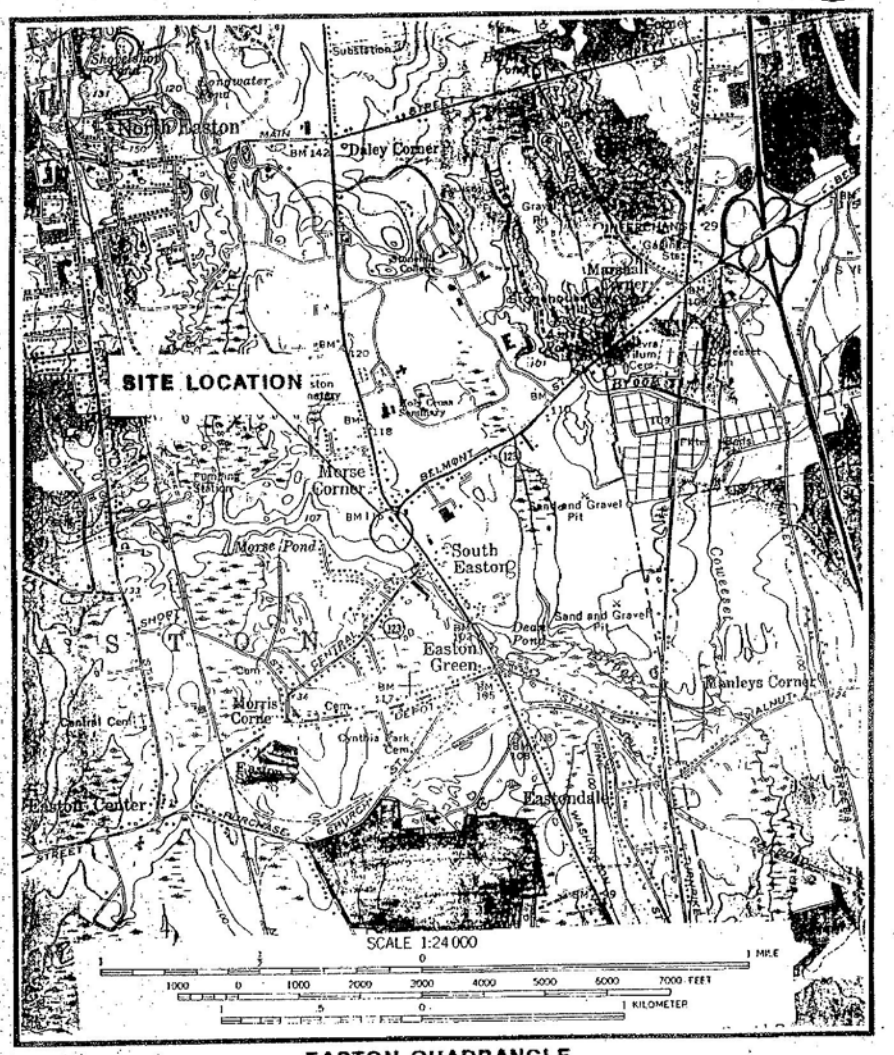
The geology of the site was fairly consistent in the areas of the seven borings. From the surface to a depth of approximately five feet, the geology consisted of fill containing loam, sand, and gravel. Below this layer to a total depth of twelve feet to fifteen feet, the geology consisted of a dense, medium to coarse grained sand with some gravel and a trace of silt in several of the borings. Groundwater was measured at depths ranging from 3.5 feet at boring B-6 on the western side of the property, to 9.0 feet at boring B-4, which was advanced on the eastern side of the property adjacent to Washington Street.

D. Site Description

The subject site consists of three contiguous, westerly sloping, irregularly shaped parcels of land located in a mixed residential and commercial area of Easton, MA. The site contains a total area of 222,760 square feet, and is occupied by a one story brick and cement block building which was utilized as a restaurant (currently vacant), and a two story wooden structure which is utilized as a private residence. The largest, northernmost parcel comprising the site contains an area of 2.8 acres and is referred to as Parcel I in the property deed. This portion of the site is occupied by the vacant restaurant and is described on the Town of Easton Assessor's Map 33 as Lot 10. Parcel II is located to the south of Parcel I and contains a total area of 50,383 square feet. This parcel is Lot 12A on Easton Assessor's Map 33 and is utilized as access and parking for the restaurant. The residence is situated on the southernmost parcel (Parcel III), which contains an area of 50,036 square feet and is referred to as Lot 12 on the Assessor's Map 33.

The buildings occupy less than 10 percent of the site, approximately 70 percent is paved or covered with gravel, and the remainder is covered with apparently healthy vegetation. The majority of the vegetation at the site is located on the western portion of the property adjacent to Morse Pond. According to a Flood Insurance Rate Map produced by the Federal Emergency Management Agency, the areas of the site adjacent to Morse Pond are located in a Zone "A" Federally Recognized Flood Hazard Zone (see attached Flood Insurance Map). The property is serviced by municipal water from Washington Street. Sewerage is provided by an on-site septic system and leaching field which is located on the southwest side of the restaurant. An on-site septic system is also utilized by the residence.

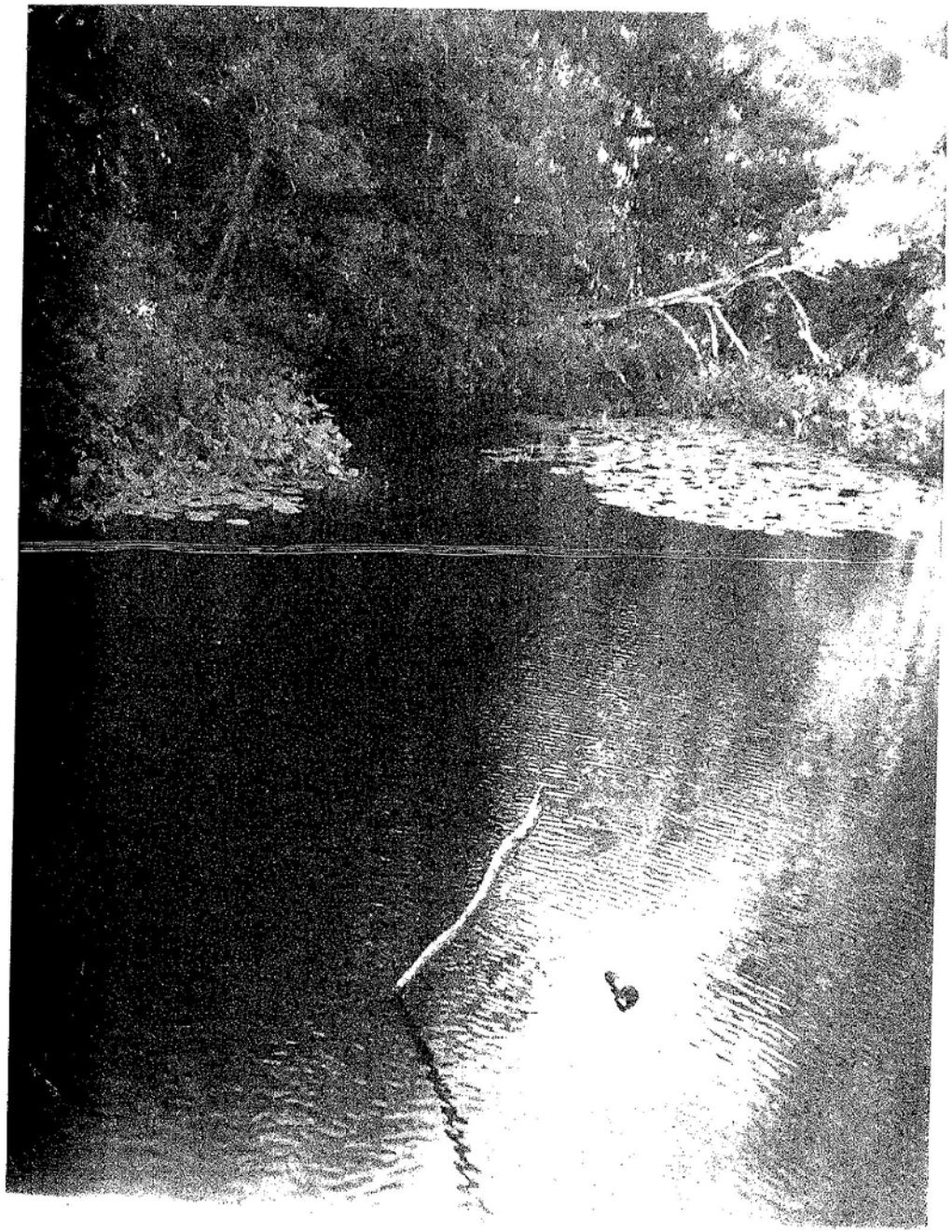
U.S.G.S. MAP

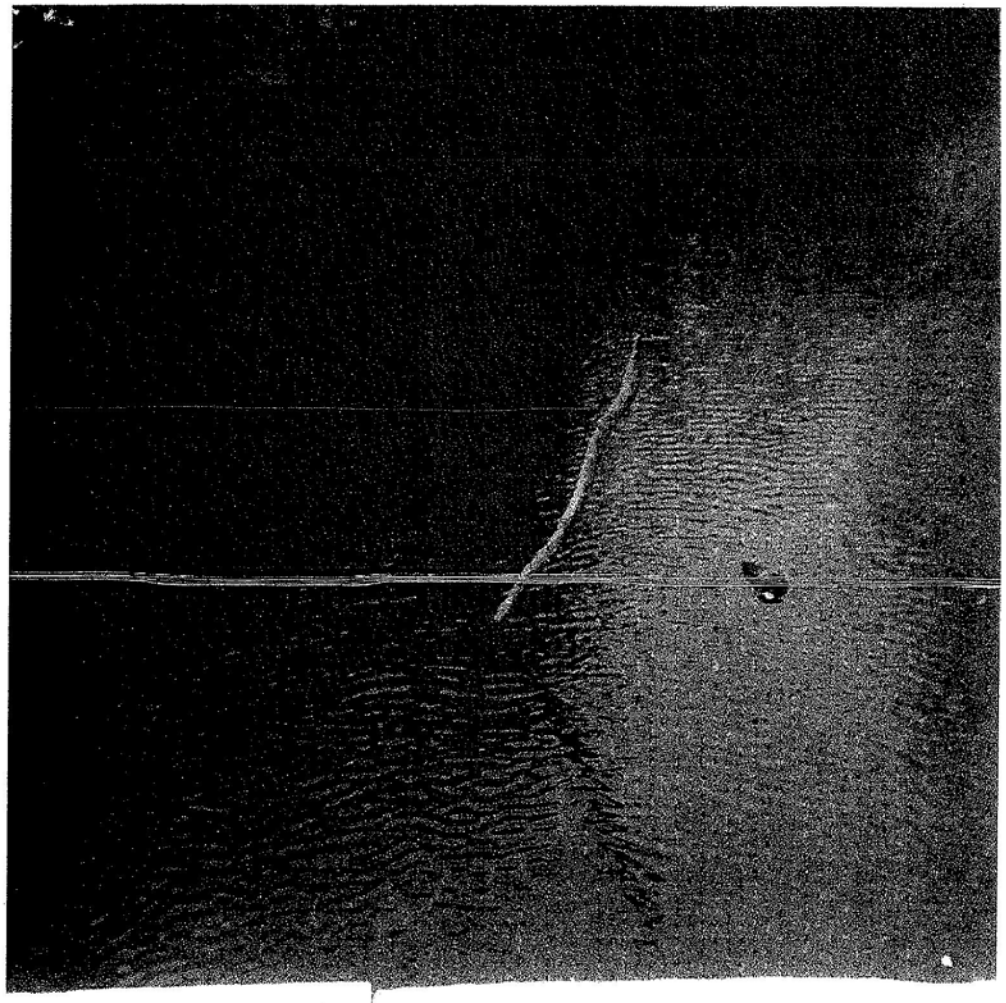


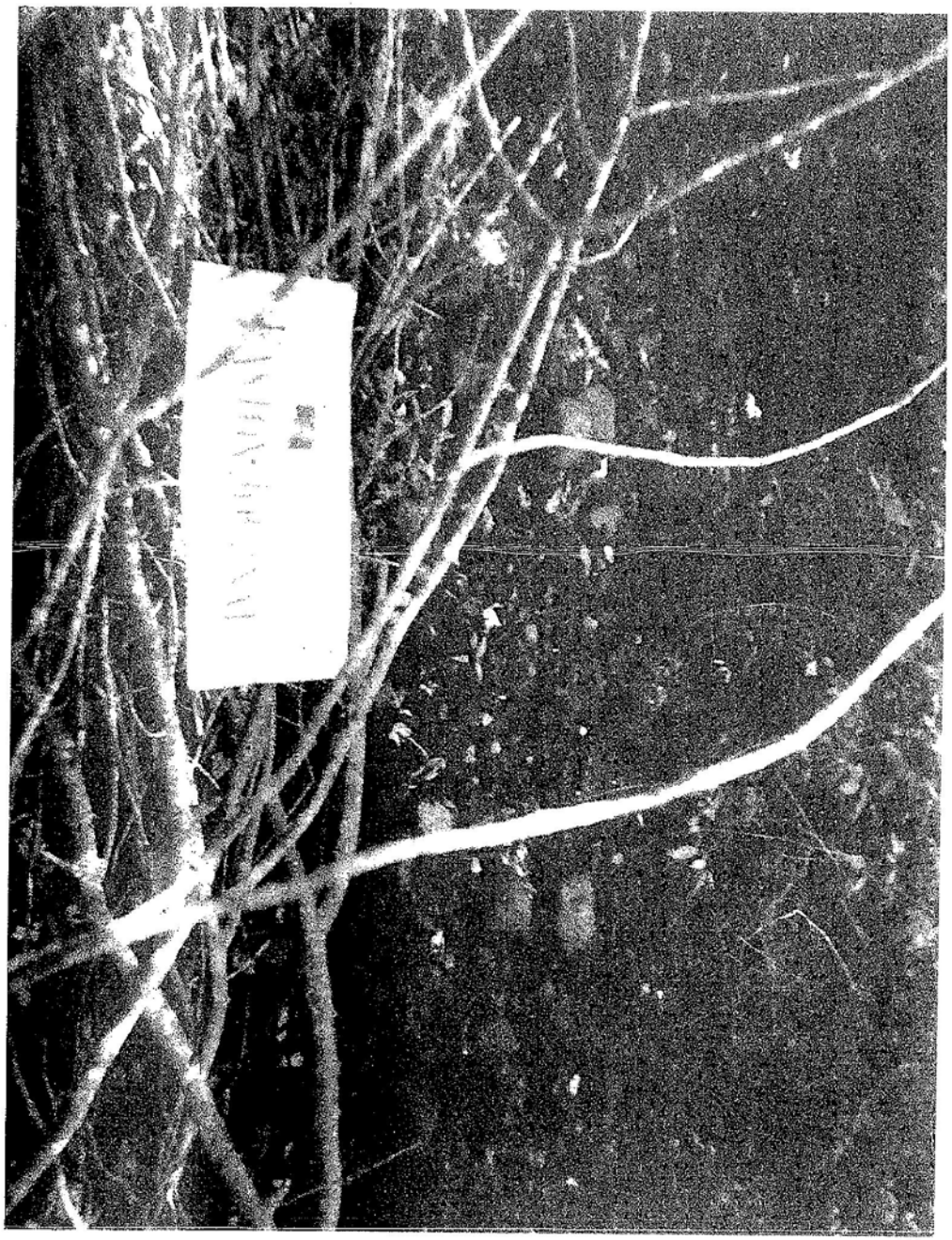
EASTON QUADRANGLE

NOTES:

I E S, INC.







AE

January 4, 2009

RECEIVED
JAN 6 2009
MEPA

Secretary Ian Bowles
MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Ian Bowles,

O-005-001 After attending many meetings and reading many reports, I am writing to let you know that I am in opposition to any and all of the Attleboro Alternatives for the train route to Fall River and New Bedford. I also feel that a station site in Barrowsville is uncalled for. These areas are not the best choices for many reasons. It will not help the surrounding areas in any way. There has never been track in some of these areas. They will only complicate transportation and lower quality of life in these communities.

Sincerely,
Virginia A. Buchanan
19 Richardson Ave.
Attleboro, MA 02703

O-005-001

As required by the Secretary's Certificate, Attleboro rail alternatives, with both diesel and electric commuter rail modes and the Barrowsville Station, were evaluated in the DEIS/DEIR.

AE

RECEIVED

DEC 11 2008

MEPA

Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Monday, December 08, 2008

Dear Secretary Ian A. Bowles:

My name is Paul Costa and I attended the South Coast Rail meeting held Wednesday, December 3, 2008 at the Taunton High School in Taunton, MA. I am writing this letter to request that my concerns be considered in the Environmental Impact Statement which the Army Corps of Engineers is about to prepare.

First of all, I am very grateful for having had the opportunity to voice my concerns to the Army Corps of Engineers at the Public Scoping meeting.

Specifically, I have three concerns:

Water Well

O-006-001 My home has a well located behind my home which provides drinking water for my family. This well is a few hundred feet from the existing CSX rail lines. I am concerned about the effects that the commuter rail will have on my well. Please consider water wells as part of this study.

Wetlands

O-006-002 My land abuts the existing CSX rail lines and contains a substantial amount of wetlands. For example, when my home was built in 2007, the conservation commission of the town of Berkley had a lean against the deed to ensure that the home was built in accordance with the wetland laws. Now that we may potentially have many daily trains traveling on these rails, I am concerned that my wetlands will most certainly be impacted.

Drainage Lot

O-006-003 Directly behind my home is the drainage lot (or retention pond) which services Mill Village Road. I am very concerned that the excessive vibrations brought on by many daily trains traveling on these rails will damage the drainage pond. I have included a plot plan of my lot and the drainage lot for your convenience.

Please feel free to contact me if you need any additional information or would like to further discuss.

Thank you for your time and consideration of my concerns,

Paul Costa

Paul Costa
6 Mill Village Road
Berkley, MA 02779
508-823-5205

O-006-001

With mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources. An analysis of individual impacts to private wells was not performed, but the steps taken to minimize the potential for ground water contamination and drinking water supply impairment under each alternative would also reduce the potential for any impacts to private wells. The railroad is not a significant source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast.

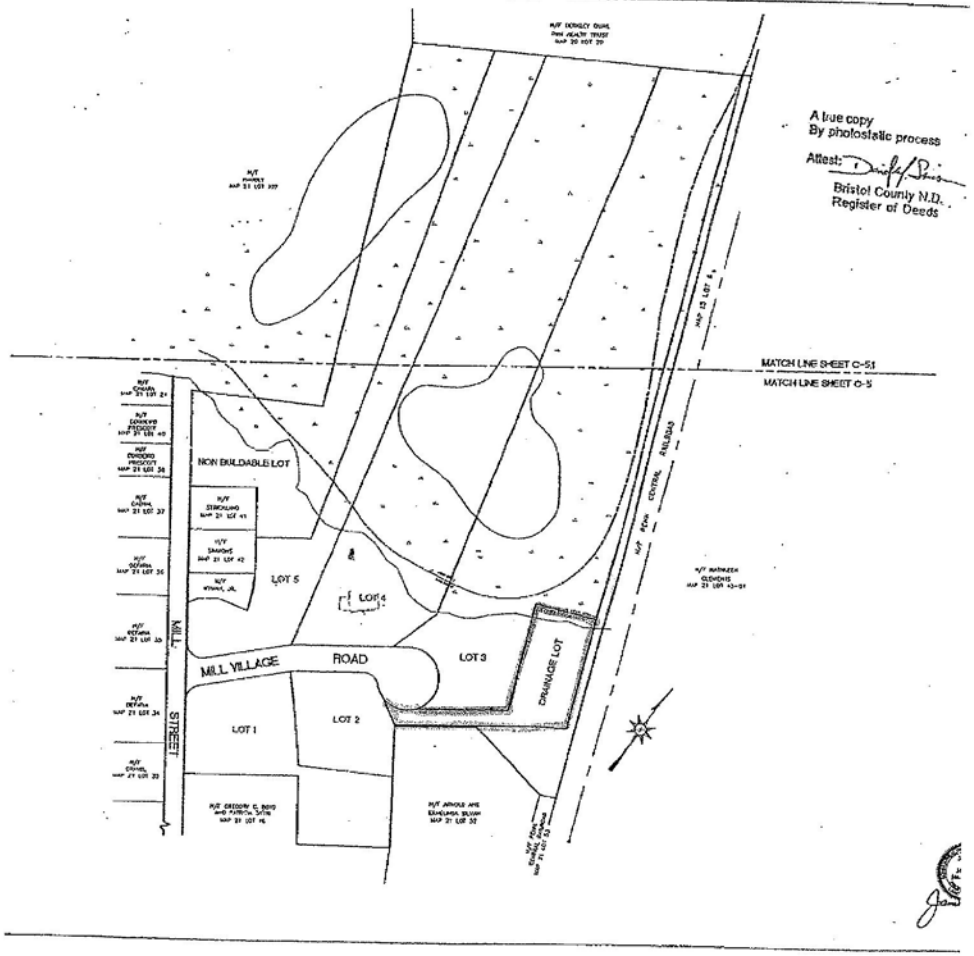
O-006-002

Construction and operation of the proposed project would occur within the footprint of the existing right-of-way, to the extent possible. Once the LEDPA is selected by the Corps, a complete wetlands delineation of the alignment will be completed. During final design, wetland impacts are expected to be reduced and specific mitigation measures will be developed for the LEDPA in coordination with applicable regulatory and permitting agencies.

O-006-003

Potential impacts associated with the South Coast Rail alternatives, related to vibration, are described in Section 4.7.3 of the DEIS/DEIR. For receptors located close to the tracks, the predicted vibration levels were in the range of 85 to 89 VdB. These vibration levels are well below the onset of minor structural damage (such as cracks in plaster walls) threshold of 100 VdB for fragile buildings and well below the vibration levels that could damage earthen dam structures.

440-38



Drainage Lot (Retention pond) for our development.

My Property

Eglington, Aisling (EEA)

From: Barbara Craveiro [bcraveiro@pkgprod.com]
Sent: Tuesday, January 06, 2009 11:00 AM
To: Eglington, Aisling (ENV)

RECEIVED
JAN 6 2009
MEPA

O-007-001 I am writing you to send my support of the commuter rail being brought into New Bedford, Taunton, and Fall River.

The ability to move people from these areas into the Boston, Providence, and NY areas is essential for growth and diversification.

It should have been done years ago.

Thank you

Barbara Craveiro
57 Valley St
Seekonk, MA 02771

1/6/2009

O-007-001

Thank you for your support of the South Coast Rail project.

Eglington, Aisling (EEA)

From: Laura M. [avonbylaura@netzero.net]
Sent: Thursday, January 08, 2009 3:40 PM
To: Eglington, Aisling (ENV)
Subject: South Coast Rail Project - Notice for Public Comment

RECEIVED
JAN 0 8 2009
MEPA

1/8/09

Secretary Ian Bowles, EEA
MEPA Office

O-008-001 I am a Stoughton resident concerned about the Fall River/New Bedford line coming through my town. I grew up in this town. Over the years I have seen the crime rate here slowly progress. I am now raising my children in this town and I am afraid for them. I think that bringing people from Fall River and New Bedford through/into Stoughton will unfortunately bring the crime rate up more. Because of this as well as many other legitamate concerns, such as wetlands, traffic, safety, and noise, I ask you to please reconsider bringing this line through my town.

Thank you,
Laura D.

Financial aid not enough? Click here for information on funding your education.

1/8/2009

O-008-001

We have noted your opposition to the Stoughton Alternatives.

FROM : Panasonic FAX SYSTEM PHONE NO. : 5082387608 Jan. 08 2009 07:20PM P1

January 8, 2009

Secretary Ian Bowles, EEA
Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street
Suite 900
Boston, MA. 02114

ATTN: MEPA Office

To Whom it May Concern:

This letter is in reference to the scope of review for the South Coast Commuter Rail project.which would run high-speed commuter trains through Easton to serve Fall River and New Bedford. I am absolutely opposed to
O-009-001 this project! Here are some issues that I feel should be addressed:

1. Our drinking water will be effected; three of our wells are located adjacent to the train line!!

O-009-002 2. The rail line could damage or possibly destroy our precious historical properties!!

O-009-003 3. The train line will bisect the town from North to South and cross several of our main roads at grade. What effect will the train have on our fire protection and our ambulance service?

O-009-004 4. What will be the effect on the North Easton Village and a proposed "walk-up" station? There would be no parking and cars will have to park along the side streets and "walk up" to the station? This would be an absolute nightmare if there was a fire or some king of accident!! How could the police and fire departments respond if cars were parked on both sides of the street?

O-009-005 5. THE most environmentally destructive alternative of them all is running the line through the Hockomock Swamp and the "green" corridor that runs through the swamp, up through Wheaton Farm and Borderland State Park and many places beyond! This is the very corridor that the town of Easton and the state have spent millions of dollars to PRESERVE!!

O-009-006 6. In my opinion, this train project is fiscally irresponsible!! This project will be the second "BIG DIG!!" Massachusetts taxpayers CAN'T afford to pay for the train!!

Sincerely yours,

Elaine K. Dahlgren
18 Harrison Avenue
North Easton, MA. 02356
(508)238-7608

O-009-001

An analysis of individual impacts to private wells was not performed, but the steps taken to minimize the potential for ground water contamination and drinking water supply impairment under each alternative would also reduce the potential for any impacts to private wells. The railroad is not a significant source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. With mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources.

O-009-002

As described in DEIS/DEIR Chapter 4.8, Sections 4.8.3.5.1 and 4.8.3.10.6, the proposed changes to the Stoughton Line and the introduction of a new station at Easton Village would affect the visual setting of the three historic properties closest to the project through the introduction of new elements. Similarly, vibration levels at the Easton Historic Train Station and other historic buildings in Easton Village would be below the 100 VdB vibration threshold for the onset of minor structural damage (such as small cracks in plaster walls) to fragile and historic buildings. Section 4.8.5.3.1 describes how increases in noise levels may be mitigated by installing sound insulation or constructing sound barriers.

O-009-003

MassDOT has noted your comment. An analysis of individual impacts to private wells was not performed, but the steps taken to minimize the potential for ground water contamination and drinking water supply impairment under each alternative would also reduce the potential for any impacts to private wells. The railroad is not a significant source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. With mitigation and best management

practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources.

O-009-004

The Easton Village station would be flanked by two car-oriented stations, Raynham Place and North Easton. These have been designed to accommodate commuters using cars to access the train station, and will be easier for car commuter to use than Easton Village. As part of the technical assistance provided through the South Coast Rail Economic Development and Land Use Corridor Plan, the Old Colony Planning Council is working with the Town of Easton to design strategies to minimize commuters using side streets to park near the Easton Village station.

O-009-005

Potential impacts to the Hockomock Swamp ACEC are described in DEIS/DEIR Chapter 4.10, Sections 4.10.3.2.5 and 4.10.3.2.6 for the Stoughton Alternative electric- and diesel-powered options, respectively. Potential impacts to specific resources within the swamp are described throughout the DEIS/DEIR, such as biodiversity, rare species, and wetlands, in Chapters 4.14, 4.15, 4.16, respectively.

O-009-006

MassDOT has noted and considered your comments.

December 13, 2008

Mr. Alan Anachecka-Nasemann
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742
series@usace.army.mil.

Secretary Ian Bowles
EOEEA, at tn.:MEPA Office
(AislingEgling ton)
100 Cambridge Street, Suite 900
Boston, MA 02114
Aisling.eglington@state.ma.us

Dear Mr. Anachecka-Nasemann and Secretary Bowles:

Sometimes solutions to challenging situations are right in front of us. That may be the case with our **southcoast commuter transportation ("rail") project**. There is an obvious alternative, I believe, should be considered, which is:

O-010-001 **Construct the proposed rail service on median strips along established highway routes on median strips from New Bedford to Fall River, to the "split" (where rt 24 joins 128/93). The "split" would require bridging the road traffic at that intersection area. Bridges along Rts 24 and I-95 would need to be replaced to provide clearance for the trains to pass under. Excavation could become an alternative below each bridge to create a dip (and drainage) to provide the clearance needed. From the "split" into Boston the train route would follow the same center course by eliminating a traffic lane on each side of the center. The number of cars traveling the traffic lanes would be reduced with the new rail service which makes the elimination of these two traffic lanes feasible. Undoubtedly the cost of these alternatives would considerably less than current plans, and would be well received by those individuals and groups who have had legitimate environmental and safety concerns. This alternative places the train route on established transportation paths with grade elevations already established and no environmental or public safety complications. Financially, environmentally and politically this approach would be a winner.**

Those who continue to drive autos along these routes would likely become influenced to choose the rail service as they drive at slower speeds or sit backed up in traffic as the trains swoosh by them.

O-010-002 For additional consideration, monorails should be considered. I proposed monorail trains 15 years ago, while chairing a Fall River Mayor's Transportation Task Force, but objections expressed by Senator Joan Menard and others were that weather condition would likely make monorail service impractical. I have since learned there are monorail services in at least one northwestern city where weather conditions are probably more challenging than Massachusetts. Monorail routes would follow the highway courses suggested above and/or along courses now being considered. Monorail trains do not invade environmental areas or towns where public safety has been a serious concern in the plans considered thus far. Monorail trains (like Disney World) are quiet, efficient, attractive and environmentally appealing. Politically, it would present Massachusetts as

O-010-001

As described in DEIS/DEIR Chapter 3, Section 3.1.3.5.1., Highway Corridor Rail Alternatives, constructing commuter rail within the existing highway right-of-way has been eliminated from consideration due to operational, construction, and environmental impacts.

O-010-002

As described in DEIS/DEIR Section 3.1.3.5.1., monorail technology was eliminated from consideration for the South Coast Rail project.

O-010-002 futuristic and a national public transit model. This may well serve as an attractive public service project under President Obama's initiatives to get this nation moving again. Twelve years after my retirement as President/CEO of Charlton Memorial Hospital (now Southcoast Health System) I have continued to travel between Fall River and Boston frequently. As I sit in backed-up traffic, I think about commuter services that have been provided for north shore and Worcester regions for so many years while neglecting Fall River and New Bedford. For decades commuter service to Fall River and New Bedford have been studied with repeated promises by governors and other government leaders to create a public transportation system (more than buses which are not an acceptable substitute). I hope and pray that it may finally become a reality. The citizens of Fall River/New Bedford deserve the same consideration that has been given to other Massachusetts cities. An efficient public transportation service (more than buses) for this area of Massachusetts is long overdue.

Sincerely,

Frederic C. Dreyer, Jr. (President Emeritus, Southcoast Health System/my views and not those of Southcoast)
P.O. Box 528
North Dighton, MA 02764

C: Congressman Barney Frank, 29 Broadway, Taunton, MA 02780
U.S. Senator Edward M. Kennedy, U.S. Senate Bldg, Washington, D.C.
U.S. Senator John Kerry, 222 Milliken Blvd, Fall River, MA 02720
Senator Joan Menard, 1 Government Center, Fall River, MA 02720
Senator Mark Montigney, Government Center, New Bedford, MA 02740
Representative David Sullivan, North Main Street, Fall River, MA 02721
Fall River Herald News, Quequechan Street, Fall River, MA 02720
New Bedford Standard Times, 25 Elm Street, New Bedford, MA 02740
Taunton Gazette, 9 Cohannet St., Taunton, MA 02780
Mayor Robert Correia, Mayor's Office, City Hall, Fall River, MA 02720
Mayor's Office, City Hall, New Bedford, MA 02740-02746
Hector Gauthier/WSAR, Somerset, MA 02725-02726
WFHL 88.1 FM 71 William St, New Bedford, MA 02740-02726
WBSM WFHN Radio Station, 22 Sconticut Neck Rd, Fairhaven, MA 02719
American Tower, 39 Green, Berkley, MA 02779
WPEP Radio Station, 41 Taunton Green, Taunton, MA 02780

Eglington, Aisling (EEA)

From: fpfitzpatrick@aol.com
Sent: Tuesday, March 17, 2009 5:23 PM
To: Eglington, Aisling (ENV)
Subject: Easton Historic District Train Stop Site

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
100 Cambridge Street Suite 900
Boston, MA 02114

Dear Secretary Bowles,

O-011-001 The proposed new train stop in the center of the Easton Historic District warrants a great deal of further investigation and justification. This stop has been explained to the residents of Easton by Kristina Egan as a "village walk/bicycle stop" with no parking.

O-011-002 First, instead of utilizing the analytical methods by such agencies as the Central Transportation Planning Staff (CTPS) to justify ridership, why not obtain real data? Send letters to the households within "walking" distance of the proposed village stop and obtain a far more realistic potential ridership count. There are no traffic signal lights in the area and pedestrians cross streets at their own risk. Given the narrow streets in the area and, O-011-003 therefore, the inability to create dedicated bicycle lanes, I would suggest that few riders will risk the inevitable vehicle/bicycle conflicts and will NOT ride bicycles to the proposed stop. Riding a bicycle in the winter weather is another issue. Thus, I would predict that, if the proposed stop is constructed, most users will drive their vehicles. Since there will be no parking provided, vehicles will continuously be temporarily parked to await the arrival of inbound/outbound trains which has the obvious potential to create significant public safety hazards. If the police are present to move vehicles along, a constant circular flow will result similar to that found at most major airports.

O-011-004 Second, it seems to make little sense to create a second train stop so close (approximately one mile) to the practical proposed stop at the Roche Bros. Plaza. The Roche Bros. Plaza is literally adjacent to Rt. 138 and the entrance/exit is already traffic controlled via traffic signal lights. The proposed stop in the Historic District is only accessible via narrow local residential streets, some of which will be blocked by approaching/leaving trains.

I have not included a discussion of the topography inn the area of the proposed stop or the significant, unique historic buildings in the immediate vicinity of the proposed train stop, instead focusing only on the issue of public safety.

This proposed stop needs far more study and real data to justify its construction.

Sincerely,
Paul Fitzpatrick
Easton Resident

The Average US Credit Score is 692. See yours in just 2 easy steps!

1

O-011-001

The environmental impacts that would potentially result from the Easton Village Station (along with potential impacts from all other project elements) are described in the resource sections of DEIS/DEIR Chapter 4. The Easton Village Station, as described in Chapter 3, Section 3.2.5.2.8 of the DEIS/DEIR, is intended to be a walk-in or drop-off station, and would likely not include parking areas.

O-011-002

The ridership analysis provided by CTPS is based on a travel demand model, which includes household surveys.

O-011-003

The Easton Village station would be flanked by two car-oriented stations, Raynham Place and North Easton. These have been designed to accommodate commuters using cars to access the train station, and will be easier for car commuter to use than Easton Village. As part of the technical assistance provided through the South Coast Rail Economic Development and Land Use Corridor Plan, the Old Colony Planning Council is working with the Town of Easton to design strategies to minimize commuters using side streets to park near the Easton Village station.

O-011-004

The station is intended to serve only the downtown of Easton.

Rail Impact on Hockomock Swamp

O-012-001 I want to speak on the impact of rail traffic to the Hockomock Swamp. Many times it has been mentioned in the press and other places that the swamp is such a fragile place that rail traffic would cause great harm. I have not heard any reports of harm done by earlier use of the line there. For 86 years steam locomotives hauled passenger and freight trains through that location. The steam locomotive was not environmentally friendly. Corrosive gases, cinders and ashes were spewed along the right of way. Also oil and grease from their exposed machinery would be dropped along the tracks. The passenger coaches at that time dumped the contents of their toilets right on to the ground.
In contrast the modern diesel locomotive and their coaches are very friendly to the environment. They burn a lot less fuel per passenger mile than busses and cars and yes the rest rooms do have holding tanks. Its my opinion that modern rail traffic would be less disruptive to the Swamp than the roads that currently run through it. In conclusion I fervently hope that the State of Massachusetts does not have to spend large amounts of taxpayer money to cater to concerns of small groups that claim to be interested in the environment but just do not want rail traffic at all.

Henry Foley
350 N. Main St.
Raynham Center, MA

O-012-001

Potential impacts to the Hockomock Swamp ACEC are described in DEIS/DEIR Chapter 4.10, Sections 4.10.3.2.5 and 4.10.3.2.6 for the Stoughton Alternative electric- and diesel-powered options, respectively. Potential impacts to specific resources within the swamp are described throughout the DEIS/DEIR, such as biodiversity, rare species, and wetlands, in Chapters 4.14, 4.15, 4.16, respectively.

Dottie Fulginiti
78 Elm Street North Easton MA 02356
Tel 508-238-3192 Cell 508-272-8105 Fax 508-682-9480
Email: dfulginiti@verizon.net

RECEIVED
JAN 8 2009
MEPA

January 7th, 2009

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street
Suite, 900
Boston MA 02114

Re: South Coast Rail ENF

Dear Secretary Bowles,

I am writing this letter as a resident of Easton that is concerned about the impact of the South Coast Rail proposal.

As you know, Easton is a town rich in history. Right now, we are facing many 40B development proposals that threaten to severely impact our natural resources. Now we in danger of having a train come through too.

At a time when we should be conserving energy and decreasing our carbon footprint, it seems that we often times we are forging ahead without consideration as to the impact on our environment.

O-013-001 I am wholeheartedly supporting the letter that was sent to you by our Board of Selectmen and I hope that you will consider Alternative 44. This alternative seems to help the state meet their objectives while allowing us to preserve our precious resources.

Thank you for your consideration

Dottie Fulginiti

cc: Alan Anacheka-Nasemann, screis@usace.army.mil
Aisling Eglington ailsling.eglington@state.ma.us

O-013-001

The Rapid Bus Alternative was evaluated in this DEIS/DEIR.

AE

RECEIVED
JAN 9 2009
MEPA

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Mr. Bowles,

I am writing this letter to communicate my very serious concerns regarding the proposed South Coast Rail Project. Specifically, I write to have my concerns included in the Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the South Coast Rail Project.

I begin by asking the Army Corps of Engineers and the Massachusetts Environmental Policy Act Office to review the big picture behind the project. I ask both agencies to take a step back and determine if the MBTA has provided truthful and supported evidence to prove that the project is in fact necessary?

O-014-001 Has the MBTA proven that enough residents of New Bedford and Fall River will ride the train into Boston to pay for construction of the project and then continue to pay for its' daily operation? What will be the true tax dollars needed to close the gap?

O-014-002 Has the MBTA demonstrated that the service they plan to offer will far exceed the current commute into Boston, thus enticing riders to begin travel into Boston from New Bedford and Fall River or to make the change in their current form of transportation?

O-014-003 Has the MBTA proven the arbitrary timeframes involved with this project (less than a 90 minute commute and train up and running by 2016) lead to the Least Environmentally Damaging Practicable Alternative or do these timeframes wrongly eliminate several alternatives?

O-014-004 Has the MBTA proven the plan (if using Governor Patrick's arbitrary goal of less than a 90 minute travel commute) will meet this time target, including not only the actual train ride, but additionally the commute to the train station, waiting for the train and getting to work from the train station once in Boston?

O-014-005 Has the MBTA proven this project justifies the cost to taxpayers and the negative environmental impacts to our state?

Now I ask the following concerns regarding the environmental impacts created from either Stoughton Alternative (diesel or electric) be addressed:

O-014-006 • Impacts on public drinking water supply:

O-014-001

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3 Summary of Ridership Modeling Results. Cost per rider for each alternative is provided in Table 3.3-12.

O-014-002

The Alternatives Analysis Technical Report provides a summary of travel times per alternative. With the exception of the Whittenton Diesel Alternative and the Rapid Bus Alternative, the remaining alternatives all have a travel time less than that of the average commute time by car during rush hour of 90 minutes.

O-014-003

The project time-frames are not arbitrary. The average commuting time by car during rush hour for residents of New Bedford or Fall River to the Boston metropolitan area is currently 90 minutes.

O-014-004

The ridership model includes time taken by commuters to get to and from the train station.

O-014-005

A preliminary evaluation of the alternatives can be found in Section 3.3 of the DEIS/DEIR. Information on costs, impacts, and benefits for each alternative is provided. In addition, the Corridor Plan analysis found that the project would stimulate nearly $500 million in new economic activity each year.

O-014-006

As described in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2, all of the Build Alternatives would pass through drinking water protection areas. The railroad is not a source of surface or groundwater contaminants. The

O-014-006 In Easton the proposed rail bed will run past the Zone 1 of Easton wells at the end of Gary Lane. These wells provide our public drinking water supply. What will the impacts be to our drinking water during construction and operation of the train? How will our drinking water be protected?

The train bed will run directly through the Hockomock Swamp (ACEC), currently providing public drinking water for Bridgewater and Raynham and possibly additional communities in the future. What will be the environmental impacts on the Hockomock Swamp and its' ability to further provide safe drinking water supplies for local communities?

O-014-007

- Direct and indirect impacts to the Hockomock Swamp (ACEC):

  What will be the direct environmental impacts on the swamp?

  What will be the indirect impacts on the Hockomock Swamp and the habitat for the 13 species listed as rare, endangered or of special concern?

  What will the indirect impacts be to vegetation in the Hockomock Swamp and throughout the length of the rail bed?

- Direct and indirect impacts of a diesel or electric train running through Southeastern Massachusetts:

O-014-008 What will be the direct and indirect impacts of the diesel smoke discharged into the air we breathe, both while the train is traveling though? And idling at the stations?

O-014-009 What will be the direct and indirect impacts of both noise and vibration created by the trains on our homes and Easton's historical center of town?

I thank you for the opportunity to include my concerns in the scope of your review and ask the Army Corps of Engineers and State to look carefully at my environmental concerns. As well, I ask that the core questions above relating to environment and other issued created by this rail project be vigilantly examined.

Sincerely,

Walter & Lisa Galas
11 River St
Easton, MA. 02375
LGalas@msn.com

moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. With mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources.

O-014-007

DEIS/DEIR Chapter 4 describes the potential impacts to the listed resources in Hockomock Swamp from construction and operation of any of the Stoughton Alternatives (including the Whittenton variations).

O-014-008

The emissions from the diesel train alternatives, described in DEIS/DEIR Chapter 4.9, Section 4.9.1.3.1, were calculated by using the traffic analysis which represent the highest traffic numbers and adding the emissions due to the proposed diesel trains into the EPA CAL3QHC model. The emission factors used for the trains running along the line and stopping at the stations for each pollutant were based on the EPA's train emission factors.

O-014-009

Direct and indirect noise and vibration impacts associated with each of the South Coast Rail alternatives are evaluated and described in Section 4.6 and 4.7 of the DEIS/DEIR, respectively.

Eglington, Aisling (EEA)

From: Karen Gibbons [karen.gibbons@gmail.com]
Sent: Saturday, January 10, 2009 2:01 PM
To: screis@usace.army.mil; Eglington, Aisling (ENV)
Subject: South Coast Rail Project concerns

Our names are Neil and Karen Gibbons and we live at 1493 Washington Street in Stoughton with our three year old child. The proposed rail passes directly in front of our house, and the impact to us will be devastating.

Currently, directly in front of our house lie the now-defunct tracks. The proposal on the table would activate these tracks, as well as add a second set of tracks, and expand our driveway (which currently runs parallel to the tracks) to become the extension of Morton Street. In all, we will lose a considerable amount of our front yard, reducing the current distance that we enjoy from a main road down to mere feet. Our 1925 farmhouse already trembles when a large truck passes on Washington Street, it frightens me to imagine the impact a train will have.

O-015-001 As I mentioned, we have a young son, and his safety is our primary concern. We worry about the proximity of the train to our house, as well as to our neighbors.

O-015-002 One major concern we have is in regards to the extension of Morton Street past our house and past the houses of our neighbors. We would propose that if the project does go through, rather than extend Morton Street, the following option be taken. Close Morton Street where it meets Washington Street, as currently proposed. Rather than extend it, however, make it a dead end. Install a light at the intersection of Plain and Washington Streets to relieve the congestion that occurs here. Create a single lane road that would service the few homes that would currently be affected by the extension of Morton Street. We have spoken with these neighbors and all are very much in favor of this plan. It would create a situation where our a few cars would ever need to cross the tracks (the residents of these homes and visitors) rather than every car that would normally travel on Morton Street. Morton Street would become a dead end, increasing the value of the homes on that street (no longer a main road used frequently as a cut-off by cars driving too fast.) The closing of Morton Street would occur in either plan. However, the installation of lights at Plain and Washington Streets surely must be less costly than building a full road and paying the residents for the exercise of imminent domain. It also has the added benefit of aiding the congestion often found on Plain Street (a light has been needed there for years.)

I hope you will consider this option. I also hope you will consider the alternate options that are available, such as the Middleboro line (which already reaches closer to Fall River than the Stoughton line) or a busing system.

O-015-003 We recently read in the paper that the ridership for the Greenbush line was far below what had been predicted. Please consider this, and whether the anticipated ridership from Fall River has been overestimated before disrupting the lives of so many citizens.

Thank you,

Neil and Karen Gibbons
1493 Washington Street
Stoughton MA 02072

1/12/2009

O-015-001

Safety is the primary concern of the engineering team working on the South Coast Rail project. In dense residential areas, MassDOT will install fencing as a safety measure.

O-015-002

MassDOT has noted and considered your comment. MassDOT will take your idea into consideration during final design of the LEDPA, if one of the Stoughton Alternatives is selected.

O-015-003

MassDOT has used the standard practice modeling for predicting ridership. The horizon year for which ridership is estimated is 2030.

781-436-3367

1/12/2009

AE

Secretary Ian Bowles, EEA,
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900,
Boston, MA 02114

1261 West Street
Stoughton, MA 02072
January 7, 2009

RECEIVED
JAN 9 2009
MEPA

Re: Comments Re South Coast Rail Project EEA #14346

Dear Secretary Bowles,

O-016-001 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.

O-016-002 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 added[1]. 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

O-016-003 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.

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[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".

O-016-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

O-016-002

All Regional Transportation Plan projects and programmed MBTA and Amtrak capital improvements committed for South Coast Rail corridors were included in the evaluation of alternatives. This evaluation is provided in DEIS/DEIR Chapter 3, Section 3.2. Amtrak is not proposing to add a track along the Northeast Corridor as part of its planning process.

O-016-003

MassDOT does not believe that the use of different statements of project purpose will result in irreconcilable differences between the Commonwealth's goals and the Corps' and DEP's permitting processes. Large complex projects such as South Coast Rail typically have different statements of project purpose adopted by the project proponent and the regulatory agencies. Project proponents often develop a purpose statement that broadly defines the objectives and goals of a public infrastructure project, which may include enhancing a regional transportation system, improving public safety improving air quality, supporting smart growth, contributing to economic growth, or promoting transportation equity. The proponent's purpose statement guides the Commonwealth's transportation planning and funding decisions. The broad framework statements used by MassDOT are consistent with the MEPA requirement that an EIR discuss "the objectives and benefits of the project" (301 CMR 11.07(6)). MassDOT's project purpose statement

I was/am a member of the Vision 2020 Task Force[2] 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 done[3].

The Least Environmentally Damaging Practicable Alternative

O-016-004 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

- Able to be completed by 2016
- Costing at or below $1.4 Billion
- 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 service[4]. 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)

is just that - a statement of the Commonwealth's objectives in advancing the project.

O-016-004

The Corps will select the least environmentally damaging practicable alternative from the set of alternatives presented in DEIS/DEIR Chapter 3, Section 3.2.1. Alternative 2-- through Middleborough-- was eliminated from further review as it does not meet the project purpose.

be (a) more incentives for people to use bus service (because the trip times would be even shorter – note bus travel is the fastest option in this ENF) and (b) it is possible for buses to establish many destination (or pick-up) points within Boston and within the cities of FR/NB and Taunton. In other words, Bus Service is a much more flexible (and easily expandable) system[5] to meet changing customer demand than a train. [And although not part of the option, what if Boston created some exclusive Bus and Taxi corridors; that act would only enhance the flexibility of this system.] The ENF states that the intent is to upgrade these buses to state of the art, with wireless connections, better seating, more capacity for getting on and off quickly, etc. So for a fraction of the cost of a train, there is a system that can provide to travel customers faster and more flexible service than the train – and it appears to be the second least environmentally damaging alternative (the Middleboro route may be least environmentally damaging). And this system does not seem to preclude intra-regional service (regional mobility) as the demand develops.

O-016-005 **From a LEDPA perspective, the Rapid Bus Option would seem to be hard to reject.** But we should go on to review some other options.

Keep the Attleboro and the Full Middleboro Options in the Final Analysis

I indicated that it is necessary to return to the criteria that EOT used to define practicability to choose its options. Let me repeat them here.

- Able to be completed by 2016[6]
- Costing at or below $1.4 Billion[7]
- Travel time less than 90 minutes (all routes meet this criterion)

Thank you for directing your attention to footnotes 6 & 7 below. Can we for just a moment suspend judgment and think about these criteria in a slightly different way.

What improved transportation could be provided within the 2016 EOT imposed timeframe and then what system could/would be in place by 2020 to supplement that system to create an end product that would be better than what was initially contemplated.

For example, the Rapid Bus Option could be a short-term low cost, low environmental impact solution. The remaining EOT allowed project cost ($1.4 billion minus about $0.45 billion) could be shared with AMTRAK to upgrade the required service on the AMTRAK line and connect to the upgraded AMTRAK line using the Attleboro Route. Make no mistake; the additional AMTRAK track will be a required improvement that will be built **for service and safety reasons to support a nation-wide system**. Under the current climate for infrastructure improvement, the decision to make this improvement will come soon. Those AMTRAK public costs and environmental costs will be a reality – most probably well within the 2020 timeframe. It is just a matter of who pays for the project. If the State and Federal monies are combined, the total cost will be less and the

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[5] For more thoughts on "flexibility" see CD file "**Just for fun, let's design a year 2000 transportation system**"

[6] A project should still be practicable, even thought it cannot be completed by 2016. There may be "work-a-rounds" that make these options viable.

[7] A project should still be practicable even if above an expected budget, because we could look at project cost in terms of cost/benefit – e.g., more people served per unit cost and couple that analysis with shorter-term viable "work-a-rounds" noted in the above footnote.

O-016-005

The Corps has not yet identified the least environmentally damaging practicable alternative.

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 greater[8]. 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.

O-016-006 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

O-016-007 **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.

O-016-006

The Attleboro Alternatives (both electric- and diesel-powered) were retained for evaluation in the DEIS/DEIR. The Middleborough Alternatives (including Middleborough Full) were eliminated from further review as they did not meet the project purpose. MassDOT has no plans to "break the bottleneck" in Quincy.

O-016-007

Construction impacts to land use and the socioeconomic environment from the Stoughton Alternatives are described in Chapter 4.2, Section 4.2.3 and Chapter 4.3, Section 4.3.3 of the DEIS/DEIR. 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. Safety is the primary concern of the engineering team working on the South Coast Rail project.

O-016-007

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.

O-016-008

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

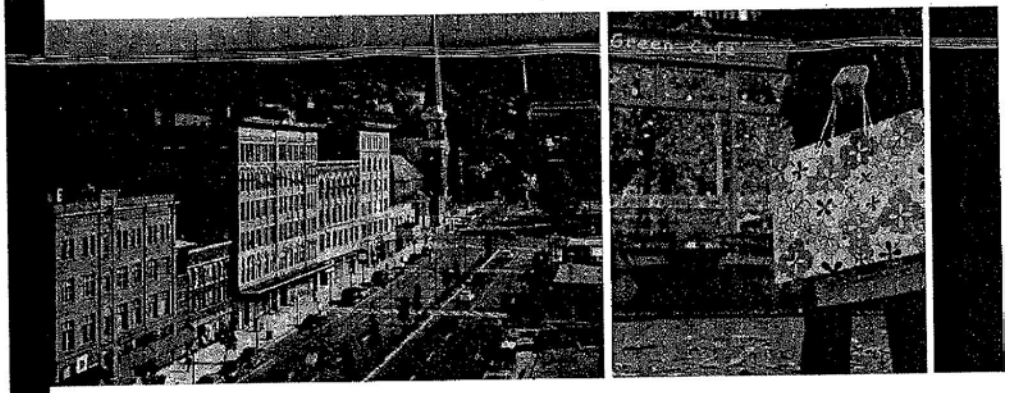
Enclosure: CD with contents to be included in the record

O-016-008

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

Reconnecting Massachusetts Gateway Cities:

Lessons Learned and an Agenda for Renewal



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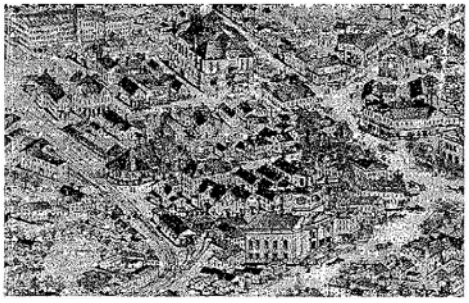
It was easy to design a system to get people to use public transportation in the 1800's

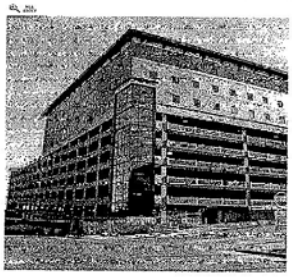
- The top map shows the Stoughton Train Station in 1890 – note the horse and wagons
- The bottom map shows the North Easton Train Station in 1855 – with the train ending at the Ames Shovel Factory that equipped the gold rush and the Train expansion
- Not hard to get people and goods to use the train – 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

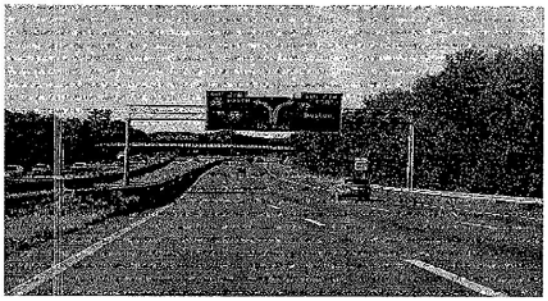
- **HERE'S THE COMPETITION**
- People have more choices, demand more.
- Need to get people where they want to go, when they want to go and do it at a price they are willing to pay for the service.
- Public transportation is nice if it stops near your work, if you have a fixed schedule, and if you aren't responsible for dealing with emergencies at home.

St. Joseph's Hospital Parking Garage

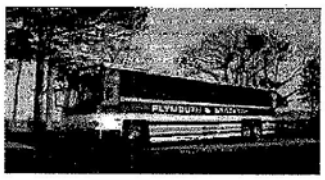


So what's your 2000's public transportation design?

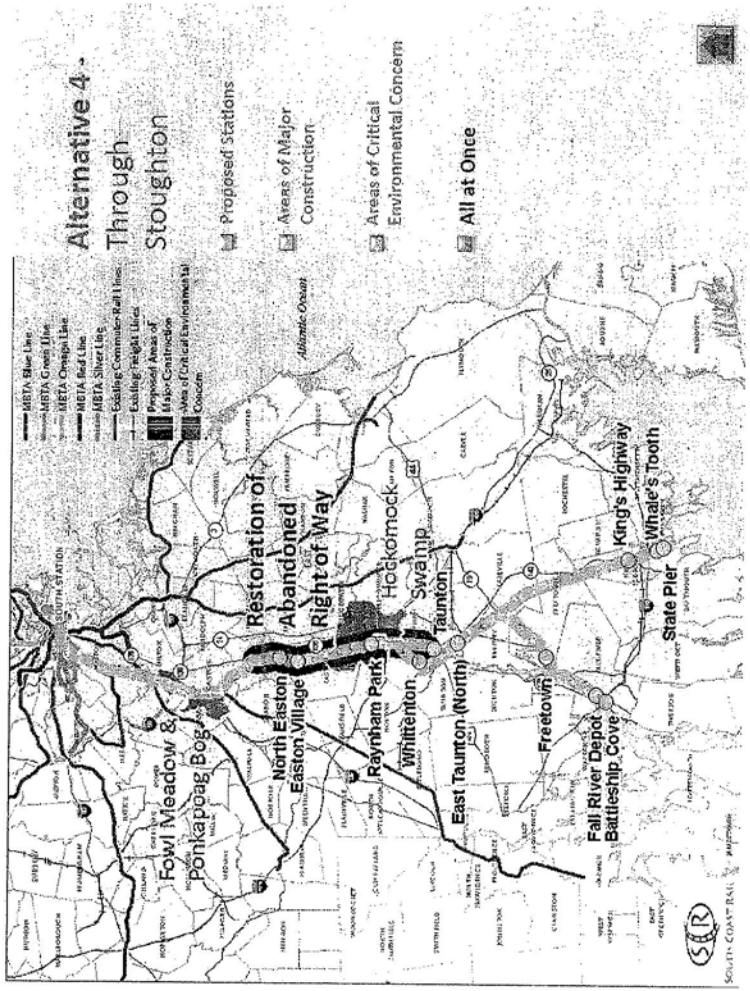
- In the 1800's, people invested in the Railroad to make money.
- In the 2000's, can we create a system that at least gets a lot of people to use it?
- These numbers are not precise. But they are close enough for demonstration purposes. To the right is **Route 24** with an estimated daily traffic volume 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?



STOUGHTON


Alternative 4 -
Through
Stoughton
Proposed Stations
Areas of Major
Construction
Areas of Critical
Environmental Concern
All at Once
Restoration of
Abandoned
Right of Way
Fowl Meadow &
Ponkapoag Bog
North Easton
Easton Village
Raynham Park
Whitinton
East Taunton (North)
Hockomock
Swamp
Taunton
Freetown
Fall River Depot
Battleship Cove
State Pier
King's Highway
Whale's Tooth
Atlantic Ocean

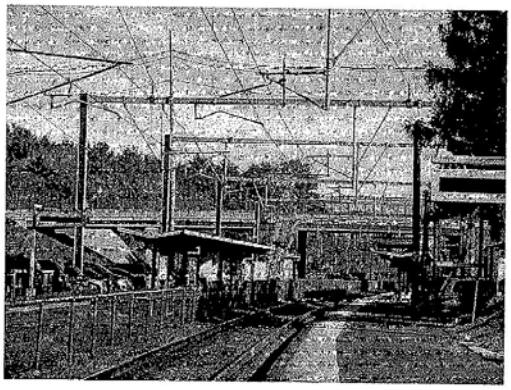
IMPORTANT ISSUES FOR STOUGHTON

- 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

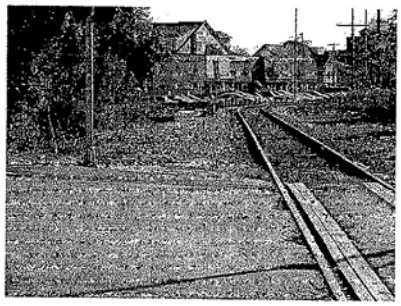
We can't build Bridge like Sharon
Canton's option is unsightly
Consider the number of crossings close to the Town Center

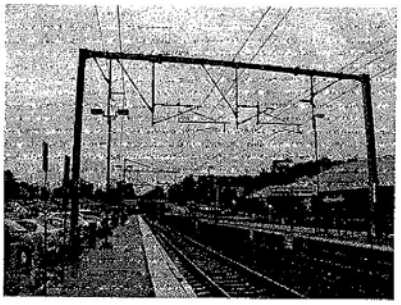
Sharon Bridge

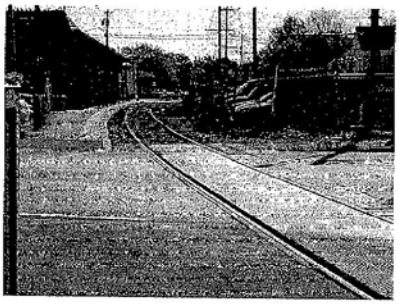


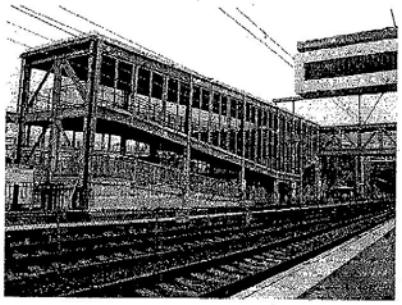
Canton Overpass

Stoughton & Canton Station Areas

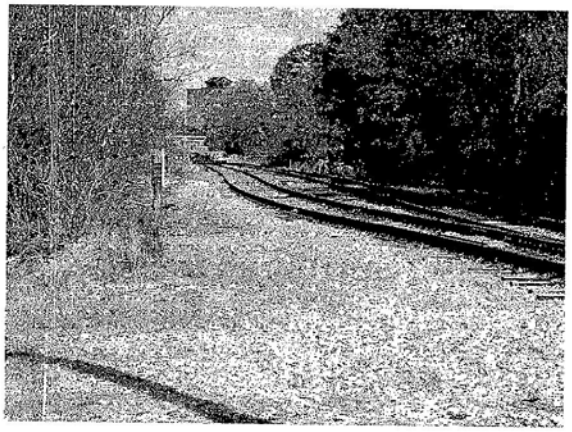








Double Tracks Canton & Stoughton



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 8 Grade Crossings

Central St, Simpson St,

School St, Porter/Canton Sts,

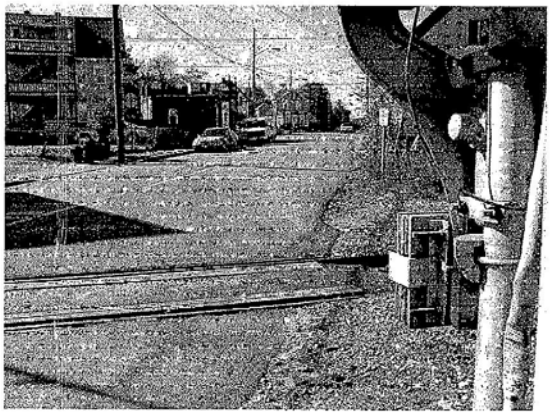
Wyman St, Brock St,

Plain St, and Morton St

4 DOWNTOWN in about a third of a mile.

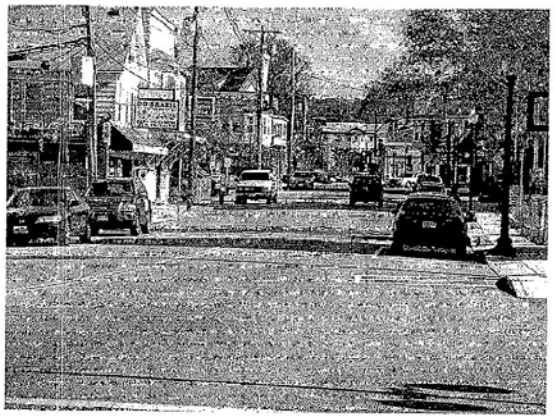
School & Cushing Streets
VERY SERIOUS PROBLEMS

Short stacking from Canton Street
Cushing St intersection dangerous -can block traffic.



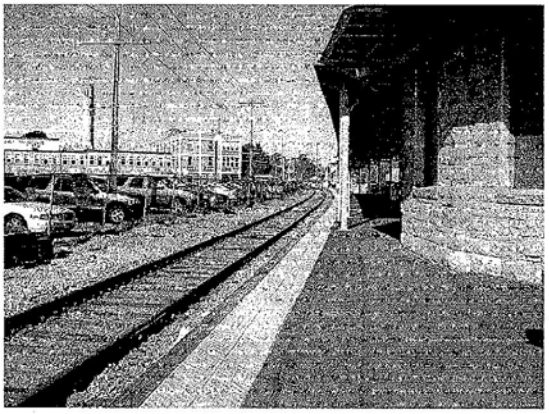
Porter, Rose & Canton Streets

Congestion & Pedestrian problems Porter Street & in Square
dangers – due to Slow Freight & **non-stop** high speed trains



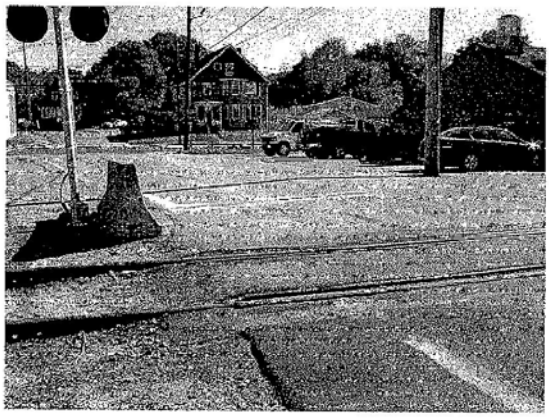
Wyman, Morton & Summer Streets

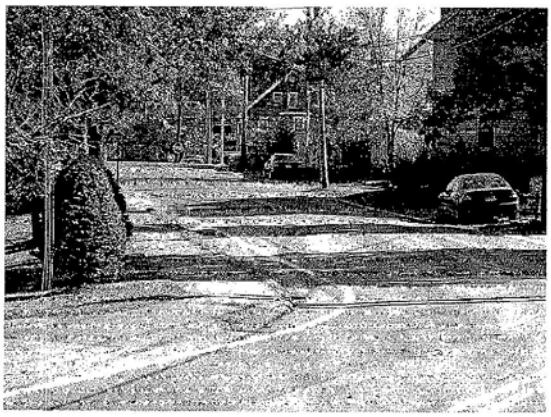
Similar congestion and pedestrian problems as Porter Street



Brock Street - near Rt 138.

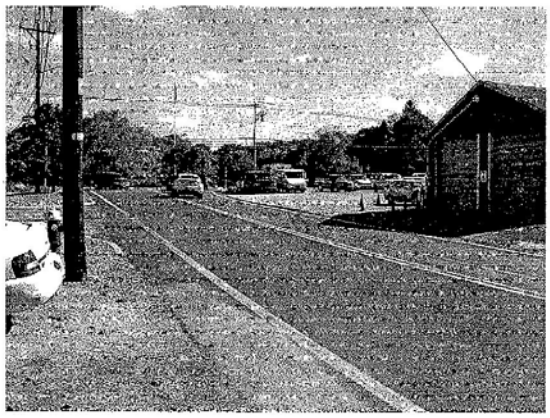
No place to stack traffic.
Not as much foot traffic – some school-kids There's room to depress train line.





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

AE

RECEIVED
MAR 18 2009
MEPA

Secretary Ian Bowles, EEA,
attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900,
Boston, MA 02114

1261 West Street
Stoughton, MA 02072
15 March, 2009

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

Dear Secretary Bowles and Mr. Anacheka-Nasemann:

O-017-001 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

O-017-001

Your opposition to the project is noted.

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	Middlebor o 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?

O-017-002 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 known 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.

O-017-003 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 distain 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. O-017-004

Thank you for your careful attention to these comments and for allowing me the opportunity to participate in the process.

Sincerely,

Louis F. Gitto

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.

O-017-002

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

O-017-003

MassDOT has noted and considered your comment.

O-017-004

Neither depressing (tunneling) nor elevating the rail line through Stoughton are included in the South Coast Rail project.

Attachment: 10 March 2009 - Email exchange between Lou Gitto and Scott Peterson.

From: Scott Peterson [mailto:scottp@ctps.org]
Sent: Tuesday, March 10, 2009 10:49 AM
To: Gitto, Lou (DEP)
Cc: Egan, Kristina (EOT)
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 degress. 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 todays 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?

January 8, 2009

Ian Bowles, Secretary
EOEEA
100 Cambridge Street, Suite 900
Boston MA 02114

ATTN: MEPA Office (Aisling Eglington) via email aisling.eglington@state.ma.us

RE: Environmental Notification Form for the South Coast Rail Project

Dear Secretary Bowles:

As the Lakeville Representative to the Southeastern Massachusetts Commuter Rail Task Force, Chairman of the Lakeville Open Space Committee and an abutter to Mass Audubon's Assonet Cedar Swamp Wildlife Sanctuary, I would like to make the following comments regarding the Environmental Notification Form (ENF) for the South Coast Rail Project dated November, 2008:

O-018-001 I support public transportation and the reintroduction of commuter rail service to the South Coast. I am delighted to see the Assonet Cedar Swamp so prominently featured as part of what this ENF calls the "Southern Triangle", but disappointed that the full environmental impact the reconstruction of the active freight line proposed by South Coast Rail Project will have on this and possibly other resources in Lakeville is not being fully studied or acknowledged. No matter which alternative is chosen to get trains through the northern portion of the region both southern branches of the South Coast Rail Project pass through or adjacent to the Assonet Cedar Swamp.

O-018-002 The ENF states page 5-41 "The only major change [in the Southern Triangle] would be in the frequency of trains. Therefore there are no additional .....impacts to state listed species." The 2002 FEIR on page 3-57/58 discusses freight service level (two roundtrips weekly to Fall River and the three weekly to New Bedford) and track conditions rated Class 1 suitable for travel at 10 mph freight and 15 mph passenger. The MBTA will require Class 4 standards that will allow passenger equipment to operate at a maximum of 79 mph and freight at up to 60 mph. Commuter rail will operate at a maximum speed of 70 mph." I believe increased speed of both freight and commuter trains is a major change that will cause new impacts.

O-018-003 The Mass Audubon Society's Assonet Cedar Swamp Wildlife Sanctuary allows for public access, but because of its limited access points, very few venture in and little study has been done. Standing on the rail line one can easily see that the rail line has impacted the swamp. Any work done on the decrepit freight line will be an improvement, but we seem to be missing an opportunity to design a system that might reverse the negative impacts that have occurred over the 150+ years of train service through the swamp and along the Assonet River Corridor. We may wait another century for the next reconstruction opportunity.

O-018-001

Potential impacts to the Assonet Cedar Swamp are evaluated in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.2.

O-018-002

The CAPS analysis prepared by UMass compared the existing and proposed future effects on connectivity between habitats (measured in ecological integrity units), taking into account the increased frequency and speed of trains. This analysis showed no substantive differences to the Assonet swamp for the future operating conditions. The state-listed species found in the Assonet swamp (wood turtle, eastern box turtle, mocha emerald, hessel's hairstreak) are not species that are likely to be sensitive to increased train traffic, or that would cross the tracks at ground level.

O-018-003

MassDOT is willing to work with Mass Audubon to identify restoration measures for the Assonet Cedar Swamp Wildlife Sanctuary to the extent practical. However, MassDOT has committed to not changing existing hydrology of any of the swamps through which the alternative alignments pass.

O-018-004 The Assonet Cedar Swamp is the only major wetland in the South Coast Rail Project that may have double tracks running through it opening the door to layovers or holding of trains (particularly freight trains) within the heart of the swamp. Remember, the New Bedford Main Line will carry only half the number of commuter trains that the tracks north of Myricks Junction will carry. I encourage the South Coast Rail Project to maintain only a single track through the Assonet Cedar Swamp or consider a trestle system for the wettest portion of the Swamp.

O-018-005 There are several tribally recognized Traditional Cultural Property (TCP) sites along the northerly shore of the Assonet Cedar Swamp whose viewsheds subtend the existing freight line between Malbone Street and Howland Road in Lakeville. These sacred sites include several viewing platforms as well as various types of memorials including stone piles and effigies which mark prayer stations. The peace and tranquility of these sites will be severely jeopardized by the greatly increased ambient noise levels generated by the proposed high speed train traffic. Presently, noise from even the infrequently passing slow freight trains never fails to evoke a negative comment from Native Americans visiting the sites which, without trees, would have a direct line of sight to the trains. The finite probability of physical damage to some of the more delicate sacred stone structures from ground transmission of low, or ultra-low frequency sound from the proposed high speed trains suggests an analysis of this potential threat is also warranted.

O-018-006 The Lakeville Conservation Commission has had an extremely difficult time working with CSX on rail maintenance issues. Since 2005, two separate Requests for Determination of Applicability (RDA's) initiated by CSX have not been completed. Today, wetland areas along both rail lines in the swamp are classified as limited spray (1 year interval). The only no-spray areas are directly over the Assonet River and several perennial stream. Because the RDA process has not been completed, I do not know if any spraying is being done. If the Conservation Commission is asked to review an RDA, a system must be in place to allow for access to the rail line that will allow them to make a proper determination.

O-018-007 With EOT recommendation to advance the Midddleboro simple alternative, Lakeville faces new threats, with the impacts of high speed commuter rail through the Poquoy Brook area and the closing of the Lakeville station to train traffic with use of the land for satellite parking for a new Middleboro station. Middleboro must also have concerns with this proposal and the effect it will have on on-street parking in the residential neighborhoods surrounding this new Middleboro station. An extremely important Native American site was destroyed when the Lakeville Commuter Rail Station and surrounding development were built. And still today, as the new 40R project is built, more information on what has been lost is coming to light. It would be a shame now to close the Lakeville Station. No benefits accrue to Lakeville in choosing the Middleboro simple alternative for the South Coast Rail Project.

O-018-008 I applaud the Commonwealth's desire to work with communities to help manage the growth expected in the South Coast region with efforts like the Priority Development &

O-018-004

A single track system is proposed in this segment to reduce impacts to the swamp.

O-018-005

The Corps has initiated consultation with the Native American Tribes to identify and evaluate impacts to sites of significance to the tribes. There are no designated traditional cultural properties recognized by the MHC as meeting National Park Service criteria within the South Coast Rail study area.

O-018-006

As described in DEIS/DEIR Chapter 4.14, Section 4.14.3.2.2, MBTA will adhere to an approved Vegetation Management Plan, as implemented with its Yearly Operating Plans, which restrict the use of herbicides in areas adjacent to wetlands or sensitive resources such as Hockomock Swamp and Assonet Cedar Swamp. Specifics of the Vegetation Monitoring Plan, potentially including "no-spray" zones, will be developed for the LEDPA, when selected. MassDOT will ensure the appropriate parties have access to the rail line, as necessary, during review of Requests for Determination of Applicability or Notices of Intent.

O-018-007

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

O-018-008

Chapter 3, Section 3.3.3.1.4 of the DEIS/DEIR summarizes the regional planning effort described in detail in the Corridor Plan, prepared with input from each community as well as the regional planning agencies and other stakeholders across the South Coast. The Regional Open

O-018-008 Protection Areas document and soon to be scheduled technical assistance program. Rural towns, which rely primarily on volunteers, have a difficult time putting into effect and regulating Smart Growth land use strategies. I would like to see a more regional approach to planning and support the regional planning initiatives set as set forth in the Regional Open Space Plan for Berkley, Fall River, Freetown and Lakeville, four communities in the "Southern Triangle".

Thank you for this opportunity to comment.

Respectfully submitted,

Linda Grubb
22 Pierce Avenue
Lakeville, MA 02347-1801

Space plan was used in creating priority areas identified in the Corridor Plan. The Commonwealth is assisting local communities on a range of tasks proposed by the municipalities that will help implement the Corridor Plan through the technical assistance program.

Eglington, Aisling (EEA)

From: Praslin77@aol.com
Sent: Monday, March 16, 2009 11:08 PM
To: Eglington, Aisling (ENV)
Cc: board.selectmen@lakevillema.org; screis@usace.army.mil; rgarbitt@lakevillema.org
Subject: ENF, South Coast Rail Project EEA No. 14346 Supplemental Ridership Momorandum

March 16, 2009

Secretary Ian Bowles

Executive Office of Energy and Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114

Attn: MEPA Office, Aisling Eglington via email aisling.eglington@state.ma.us

RE: Environmental Notification Form, South Coast Rail Project EEA No. 14346 Supplemental Ridership Memorandum

Dear Secretary Bowles:

O-019-001 The travel demand analyses presented in the Supplemental Ridership Memorandum of February 17, 2009 do not appear to reflect any statistically significant differences between the various alternatives. Further, changes in Linked Transit Trips and Vehicle Miles of Travel are shown to vary less than 1/2 of one-percent as a result of the proposed system. These results suggest the model, as presently configured, is either not sensitive to these measurement parameters, or it is correctly indicating ridership as well as highway congestion will be essentially the same, no matter which alternative is selected. It would then seem that some other measure of O-019-002 effectiveness should be used to decide between the alternatives, projected costs of construction, maintenance and subsidy, for example.

Thank you for providing an opportunity to comment on the Supplemental Ridership Memorandum.

Respectfully,

Linda Grubb, Lakeville Representative to the South Coast Commuter Rail Task Force

CC: Lakeville Board of Selectmen, board.selectmen@lakevillema.org
Alan Anacheka-Nasemann, US Army Corps of Engineers, screis@usace.army.mil
Rita Garbitt, Lakeville Town Administrator, rgarbitt@lakevillema.org

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O-019-001

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. These results present ridership projections that have been refined since the February 17, 2009 CTPS memorandum.

O-019-002

As described in Chapter 3, Section 3.1.2.2 of the DEIS/DEIR, the alternatives were analyzed with respect to their ability to meet the project purpose and need.

January 7, 2009
Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751
By email: screis@usace.army.mil

Secretary Ian Bowles, EEA
Attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston MA 02114
By email: aisling.eglington@state.ma.us

RE: Comments on Proposed "South Coast Rail Project"; Executive Office of Transportation and Public Works

Dear Sirs:

O-020-001 Initial Comment on Process: Although the Army Corps' representative stated that it welcomed and desired public input on this project, the failure to hold a hearing in either Easton or Stoughton where there is much concern about this project, creates an appearance that public input is not actually desired. Additionally, running the time for written comment over the holidays is not conducive to a full and fair comment solicitation.

Comments: We ask that the following be included in the scope of project review.

O-020-002 **1. All previous alternatives rejected by the Executive Office of Transportation (EOT) should be independently re-considered in this review.**

The EOT's past actions indicate a pre-selection of the Stoughton Alternative for political reasons. Although the EOT is sophisticated enough to not come right out and say that its project purpose is "to build a commuter rail line to Fall River/New Bedford through Stoughton", in fact, that is what the legislature has directed and no other alternative can be a satisfactory or "viable" alternative for the EOT. This has been shown through the agency's past actions and its previously submitted alternatives analyses.

For non-Stoughton alternatives, the EOT always finds reasons that they are not acceptable and some reasons are self-created. For example, Attleboro was the preferred alternative in 1995. Then, political opposition arose over that alternative and the politicians (through

O-020-001

The Corps held two public hearings during the scoping process (Taunton, Dartmouth). It was not feasible to hold scoping hearings in all study area towns. However, MassDOT has held numerous civic engagement meetings to allow local residents to comment on the project.

O-020-002

As required by the Certificate on the ENF, three rail routes (and two power sources for each) and one highway route, along with the No-Build Alternative, are analyzed in the DEIS/DEIR. Other alternatives previously considered have been eliminated from further evaluation because they did not meet the project purpose or were not practical. EOEEA and the Corps concurred with this range of alternatives.

legislation) ordered the EOT to go the other way. The EOT now maintains that the Attleboro alternative is not practicable. The EOT's most recent alternatives analysis which led to its de-selection of certain alternatives was also skewed toward selection of the Stoughton Alternative.

O-020-003 EOT's analyses did not quantify or consider, but should have quantified and considered:

- the dollar costs of damage to habitat, damage to wildlife, or any other damage to the Hockomock Swamp resource or ecosystem
- dollar costs of damage to the larger resource/ecosystem that runs from the Hockomock Swamp to Borderland State Park
- dollar costs of damage to communities that have invested in open space to enhance the Hockomock Swamp ecosystem and the larger system of which the Hockomock is a part, such damage caused to its open space by the fragmentation of the larger system of which it is a part
- dollar costs of environmental mitigation required by the Stoughton alternative
- dollar costs of potential damage to water supplies caused by the rail line's proximity to public drinking water wells
- dollar costs of damage to drinking water wells resulting from the alteration of the Hockomock Swamp, a critical part of the Taunton River Watershed
- O-020-004 impacts of global warming and climate change on future ground water supplies and how altering the Hockomock Swamp could exacerbate increased drought conditions that are predicted to occur as a result of climate change
- O-020-005 a carbon study of each of the alternatives and assignment of costs of damages resulting from a carbon-heavy alternative or the benefits of a carbon-neutral alternative. (The alternatives analysis of EOT led to the de-selection of a forward-thinking "22nd-Century" alternative - such as a Route 24 monorail - by not quantifying the long-term benefits of using a modality that does not use fossil fuel.)

When one does not consider the above costs, the Stoughton Route could appear to be the least "costly" alternative when, in fact, it could actually be the most costly alternative in dollars to build and in the cost of lost resources.

O-020-006 **2. The scope of review should include each of the bulleted items set forth in number 1 above.**

O-020-007 **3. EOT should be required to present its overall long-term transportation plan, so that a complete picture is shown and all facts can be considered in this alternatives review. Specifically, EOT should show whether the Old Colony Main Line will be expanded within the next three decades and the effect of such expansion on all**

O-020-003

Environmental cost accounting has not been conducted.

O-020-004

This kind of evaluation would not inform the analysis of impacts that are directly attributable to the alternatives under consideration.

O-020-005

Qualitative analyses of the secondary and cumulative effects of the Project on air quality, including CO2 emissions (e.g., the carbon footprint), are provided in DEIS/DEIR Chapter 5, Sections 5.3.2.7 and 5.4.1, respectively. A monorail system is not practical or feasible to construct, and has been eliminated from consideration as an alternative, as described in Chapter 3, Section 3.1.3.5.1.

O-020-006

Environmental cost accounting has not be conducted as it would not contribute to a useful comparison between the alternatives.

O-020-007

MassDOT has no plans to expand the Old Colony Main Line within the next three decades. Alternative 2- Through Middleborough has been eliminated from further review as it does not meet the project purpose. Projects being planned by MassDOT are listed in Chapter 3.

Alan Anacheka-Nasemann, U.S. Army Corps of Engineers
Secretary Ian Bowles, EEA
January 7, 2009

O-020-007 **Middleboro Alternatives - with and without Old Colony Main Line Improvements - in the South Coast Rail Project. All Middleboro Alternatives should remain in the review process.**

One argument put forth against use of the Middleboro Alternative for the South Coast Rail project (with or without Main Line improvements) is that the Old Colony Main Line is becoming too "crowded" to adequately accommodate the desired six trains for the South Coast project.* If existing conditions on the Main Line act as a constraint on service in this proposed project, but those constraints will inevitably be addressed by Main Line improvements in a future project, the effect of those improvements should also be considered in this alternatives review.

The Middleboro Alternative (with Old Colony Main Line Improvements) is not being recommended by EOT for further analysis due to the costs of the Old Colony Main Line improvements. Because the expansion of the corridor as a separate transportation project is inevitable due to ordinary growth, the costs of the Main Line improvements/projects should not be allowed to be considered as a project cost of this alternative.

The Middleboro alternative for the South Coast Rail Project is the least environmentally destructive rail alternative (as shown through past reviews). As a result, the EOT should not be allowed to deselect any Middleboro alternatives due to service constraints or costs of improvements to the Old Colony Main line as those issues will inevitably be addressed in a separate transportation project.

* It is also noted that perhaps to avoid other more environmentally destructive alternatives, such as Stoughton, EOT should "live with" a Middleboro Alternative (without Main Line improvements) that provides less than six trains per day until the Main Line is improved in the future. A new ridership analysis, as described in comment number 8, may also determine that less train trips are actually needed.

O-020-008 **4. The scope of review should include a review of all contracts regarding Attleboro and Middleboro alternatives, with Amtrak, CSX, and otherwise, that affect or cause constraints on the use of these alternatives for the South Coast Commuter Rail project. The EOT should be required to review the use of such alternatives without the constraints of such contracts as they are self-made hardships that are within the power of EOT to change.**

In past alternative reviews, the EOT has stated that the Attleboro route does not meet the EOT's Service Delivery Policy because of agreements it entered into with Amtrak and CSX for freight trains which eliminated time slots for commuter rail service on the Attleboro

From Patricia Hunt and Philip Tanner
Comments on Proposed "South Coast Rail Project"

3

O-020-008

All proposed passenger and freight service improvements by Amtrak, CSX, Mass Coastal, and the MBTA have been considered with respect to the South Coast Rail project. There are no proposed improvements that would affect the operation of alternatives. MassDOT continues to work collaboratively with passenger rail providers and freight railroads with which infrastructure is shared in order to advance the larger goals of supporting public transportation and freight rail transport.

line. The same thing is true for the Middleboro Alternative - freight trains also use that line during rush hour. Why did the EOT enter into these agreements? What is a freight train doing on a commuter line at rush hour? It appears that the EOT is creating peak hour service constraints on all but the Stoughton Alternative.

O-020-009 **5. The review should include the impacts of each alternative on historic districts, buildings, landmarks and other historic resources and quantify the costs of damages to same as a project cost.**

The Stoughton Alternative runs the train line through the North Easton National Historic District, past historic HH Richardson landmark buildings and FL Olmsted landscapes. The line is so close to the historic railroad station that it will inevitably cause damage to the building. The view of the majestic Oakes Ames Memorial Hall from Main Street in North Easton will be eliminated by the alteration of Main St to accommodate an elevated roadway under which the trains will run. Historic features have value; the Stoughton alternative will cause irreparable harm to precious and beloved landmarks. The damage should be quantified and considered as a project cost.

O-020-010 **6. The alternatives review should examine how each alternative will exacerbate sprawl and contribute to increasing carbon emissions.**

Transportation policies should not encourage people who live in New Bedford and Fall River to work in Boston. Nor should people who work in Boston be encouraged by transportation policies to move to Fall River/ New Bedford and commute therefrom. A main justification for running the commuter rail to Fall River and New Bedford is to bring "economic development" to those cities and allow those people to access jobs in Boston. But true and permanent economic development should result in employment opportunities within the New Bedford and Fall River regions. Any policy which encourages people to commute 3 to 4 hours a day to work is wrong-headed, bad for the environment, bad for communities and bad for families. We should not be encouraging people to spend more time traveling to and from work. Economic development should promote regional centers, not centering all things in Boston. Eventually, you're too far from Boston for a daily commute.

This project will encourage sprawl. It will cause people who work in Boston to move farther away from where they work; people who would not otherwise do so. In fact, the demand that the EOT says will exist for commuter rail service is, in fact, created in large part by the construction of the rail itself. The extension of the rail will put more people and cars in the suburbs causing the use of more gasoline and releasing more carbon. The

O-020-009

DEIS/DEIR Chapter 4.8, Section 4.8.3 describes the potential impacts to cultural resources (comprised of archaeological and historical resources) within the South Coast Rail project area. Potential impacts to historic resources would be minimized by implementing the mitigation measures described in Section 4.8.5.3. Mitigation costs are included in the capital cost estimates for each alternative in Chapter 3.

O-020-010

These project-related effects were evaluated in the secondary and cumulative effects analysis of the project. The South Coast Rail project's approach toward integrating smart growth and transit-oriented development is provided in the Corridor Plan, and the Commonwealth will provide municipalities with resources to control future development patterns.

Alternatives review should include a quantification of how each alternative would cause people who work in Boston to move further away from Boston and the attendant costs.

O-020-011 **7. This review should include how each alternative will cause a loss of affordable housing.**

The EOT alleges that economic development will result from an increase in property values in the Fall River/New Bedford area which necessarily means an increase in housing costs. When the commuter rail moves out from Boston, workers will move out and away from Boston to places they had not considered before. This increased pressure on housing causes increased housing prices and lower income persons can no longer afford to live in these areas. Housing is no longer affordable. The very people who are supposed to be served by this so-called "economic development" will be pushed out by increased housing costs when the Boston workers move further away from Boston.

O-020-012 **8. The EOT's Ridership Analysis should document how it accounts for riders who are diverted from other commuter rail stations and for riders who would not have moved to the service area but for the extension of the commuter rail.**

Ridership calculations have been a reason for prior EOT arguments in favor of the Stoughton alternative. Ridership calculations form the basis for calculations on air quality, traffic reduction issues, traffic safety issues, costs per new rider, desired train trips, and, naturally, ridership itself. Even though this information is crucial, it has never been substantiated by the EOT.

This lack of a comprehensible explanation of ridership calculations has existed throughout the many years of this review process. The total daily inbound boardings include both new transit boardings and boardings attracted to the alternative from an existing transit service and commuters that have moved to the area because of the construction of the alternative. ("If we build it, they will come.") It is crucially important that ridership be calculated accurately and that all existing commuter rail riders are taken out of the "new riders" figures together with all riders moving to the service area only because of the extension of the train. Insofar as the Stoughton alternative is concerned, there are already a number of existing commuter rail stations that currently serve the riders who would be boarding in Easton. These stations include Mansfield, Stoughton, Canton Center, Canton Junction, Montello, Brockton, Campello, and Bridgewater.

Once new ridership is calculated in this way, other issues such as train trips, costs per new rider, traffic reduction, and air quality benefits should be re-calculated.

O-020-011

There would be no direct loss of affordable housing. Socioeconomic impacts of the South Coast Rail project, including potential impacts to residential values, are described in Chapter 4.3, Section 4.3.3 of the DEIS/DEIR.

O-020-012

The total increase of linked trips per alternative represents the shift in mode choice due to a South Coast Rail project. This number represents the number of people who, without the project, would have otherwise driven to work. New system-wide boardings represent the overall draw to the commuter rail transit system due to the South Coast Rail project, which also represents an increase in capacity along other commuter rail lines as particular alternatives attract system-wide new ridership.

O-020-013 **9. The (EOT) should be required to demonstrate any reductions in traffic on Route 24 that EOT claims will result from each alternative.**

One of the stated reasons for this project is to increase air quality by reducing traffic congestion on Route 24. As a result, Route 24 traffic should be reviewed. From personal knowledge of the traffic patterns on Route 24, the congestion is not caused by cars going to Boston. After passing the "Route 128 Split" from 24 North and heading toward Boston, the congestion is alleviated. The traffic on Route 24 can be attributed not to the cars going toward Boston, but those going toward Dedham. The EOT should be required to perform traffic counts to determine where the cars on Route 24 North are going: (1) toward Dedham and the employment centers on Route 128? (2) toward Quincy and Boston? (3) And of the cars going from Route 24 toward Quincy and Boston on Route 128, how many of these cars are going to work in places like Braintree and Quincy, and not traveling to Boston? It is only the cars that are going to Boston that the South Coast Rail project could potentially remove from the road. And then, the question should be why are not these folks in cars already taking commuter rail from the many stations along Route 24 already?

In addition, the EOT should demonstrate that the Route 24 traffic is not caused by the poorly-designed ramp system from Route 24 North to Route 128 North, which brings two left lanes of Route 24 traffic into a merge with the high-speed lane of Route 128 North. This causes congestion back-up into Route 24 that the South Coast Rail project will not eliminate.

O-020-014 **10. The EOT should be required to quantify the negative impacts on air quality of diesel trains.**

In regard to the Greenbush rail project, the EPA, on February 8, 1999, stated "...in addition to the oft-cited positive benefits from mass transit commuter rail, there are also negative air quality impacts from operation of diesel-fueled commuter rail. Planning agencies cannot assume that, simply because a project promotes alternatives to automobile commuter trips, it will necessarily result in overall cleaner air quality. In the case of the Greenbush Line Corridor, we have found that the project would lead to both air quality benefits (in the form of overall reduced emissions of carbon monoxide and volatile organic compounds) and negative impacts (in the form of overall increased nitrogen oxide emissions). In the past, the restoration of the Greenbush Line was assumed to be an air quality improvement measure, and indeed was included as a commitment in the Massachusetts air quality state implementation plan (SIP) to mitigate the impacts of the Central Artery/Third Harbor Tunnel Project. Given the overall increases of smog-forming nitrogen oxide emissions resulting from the diesel-fueled trains, we can no longer view this project as an unqualified

O-020-013

Reasonably foreseeable environmental consequences of the South Coast Rail alternatives on transportation systems are presented in DEIS/DEIR Section 4.1.4.

O-020-014

The air quality analysis for emissions from the diesel train alternatives is described in DEIS/DEIR Chapter 4.9, Section 4.9.2.

air quality improvement project.... The air quality impacts of the project are not significant enough to serve as either an endorsement for, nor an argument against, restoration."

O-020-015 **11. A review should include the impact of air pollution particles generated by diesel train alternatives.**

Diesel fuel results in particulates that fall on and into wetlands and vernal pools. They fall on plants and food supplies and affect animals and plants. They also fall in aquifer recharge areas for public water supplies. The impacts of these particulates should be quantified in a review.

O-020-016 **12. A review should include the impacts of a diesel fuel spill in each alternative.**

The Stoughton alternative runs through the Hockomock Swamp, an Area of Critical Environmental Concern, by vernal pools, and adjacent to three public water supply wells in Easton. A fuel spill would have a devastating effect. A review should quantify such impacts.

O-020-017 **13. The EOT should be required to address the safety hazards resulting from the lack of planned grade separations at Routes 123 and 106 in Easton in the Stoughton Alternative. And the EOT should be required to include the costs of these two grade separations in any cost analysis of the alternative.**

The EOT's Stoughton Alternatives costs do not include grade separations at Route 123 and Route 106 in Easton. Both of these roads are state roads and are heavily traveled, especially during the peak hours. At-grade crossings at these roadways would be not only completely disruptive to peak hour car travel, but downright dangerous to the traveling public.

O-020-018 **14. The North Easton "walk-up" station described in the Stoughton Alternative will cause traffic and illegal parking throughout the North Easton Village. A review should include the impacts of such a station and the project costs should include such costs to the community.**

It is common knowledge that a "walk up" station, one without a parking lot, results in commuters parking their cars along side streets and in business parking areas. All of the impacts of such a station - traffic on streets leading to the station, illegal parking, noise, pollution, increased police activity, quality of neighborhood life - should be reviewed and quantified.

O-020-015

The airquality analysis for the diesel train alternatives, described in DEIS/DEIR Chapter 4.9, Section 4.9.2, includes modeling of particulate emissions.

O-020-016

MassDOT does not anticipate a diesel fuel release to occur in connection with development or operation of the South Coast Rail alternatives; therefore, has not evaluated the potential impacts of such an event. However, in the unlikely event that a release should occur, it will be managed in accordance with the Massachusetts Contingency Plan and other relevent state and federal regulations.

O-020-017

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project and are included in Section 4.1.4, analysis of Impacts by Alternative. At this time, Route 123 and Route 106 would utilize at-grade crossings. Therefore, costs for separating these two crossings were not included in the project.

O-020-018

Traffic impacts in North Easton are presented in DEIS/DEIR Chapter 4, Section 4.1.4. Proposed traffic mitigation measures, associated with the various alternatives, are presented in Section 4.1.5.

Alan Anacheka-Nasemann, U.S. Army Corps of Engineers
Secretary Ian Bowles, EEA
January 7, 2009

O-020-019 **15. The alternatives review should address the impacts that fencing and other barriers will have on wildlife.**

Wherever fencing or barriers are shown on an alternative's plan, the EOT should include a review of the impacts that the barrier will have on wildlife and wildlife corridors.

O-020-020 **16. A review should quantify the increase in population that will result from each alternative and determine the effect on each community. What are the costs of increased demand on community resources, including water supply, and the community's ability to deliver necessary services, including fire, police, DPW and educational services. These increased demands should be quantified and included as a cost of each alternative. It is not just the EOT's costs that should be included in a cost analysis; it should be all the costs of an alternative.**

The EOT ignores the effect that the commuter rail will have on water supply and other municipal services. The commuter rail expansion will cause accelerated growth and increased demand for services and water. Where does the EOT suggest that additional water supply come from? Where will a community obtain the funds to pay the costs of providing additional services? The EOT does not consider the effect that the expansion of commuter rail service has on the communities it traverses. It cites "economic development" as one of its project purposes. But, this economic development is aimed at Fall River and New Bedford. What about the negative economic effect this project will have on the other communities?

O-020-021 **17. An independent reviewer qualified to assign dollar value to environmental attributes and features should determine the dollar value of the Hockomock Swamp. The impacts of the Stoughton Alternative cutting a rail line through the Hockomock Swamp should then be determined and the environmental damages assigned a dollar cost. The costs of this damage should then be included in any cost analysis of the Stoughton Alternative.**

Running a train through the Hockomock Swamp (even with a trestle) will result in the swamp's fragmentation and damage caused by the widening of the forest canopy. Vernal pools will be affected by increased light and heat caused by the increased opening in the canopy. "Moving" vernal pools will not help the animals who expect them to be located where they've previously been located.

It was in a Northern New Hampshire forest that we saw our first Pileated Woodpecker. We also will never forget the first time we heard the beautiful song of the hermit thrush, also in the Northern New Hampshire forest. The song of the hermit thrush is described in *The*

From Patricia Hunt and Philip Tanner
Comments on Proposed "South Coast Rail Project" 8

O-020-019

Potential wildlife impacts associated with the South Coast Rail alternatives, including impacts associated with fencing and other barriers on wildlife, are described in Section 4.14.3 of the DEIS/DEIR. Mitigation measures to minimize these impacts are discussed in Section 4.14.3.6 of the DEIS/DEIS.

It should noted that fencing will be installed only in residential areas, not in undeveloped areas and/or open space.

O-020-020

Environmental impacts that would result from growth induced by the South Coast Rail project are described in DEIS/DEIR Chapter 5, Sections 5.3.2.1 and 5.4.4 for indirect and cumulative effects, respectively. To the extent feasible, increased burdens on community infrastructure are described in Section 4.3.3.

O-020-021

DEIS/DEIR Chapter 4 describes the potential impacts to the environmental resources of the Hockomock Swamp from construction and operation of any of the Stoughton Alternatives (including the Whittenton variations). Environmental cost accounting has not be conducted as it would not contribute to a useful comparison between the alternatives.

Audubon Encyclopedia of North American Birds, by John K. Terres, as "exquisite song... opens with clear flutelike note, followed by ethereal bell-like tones, ascending and descending in no fixed order, rising until each dizzying vocal heights and notes fade away in silvery tinkle...." His description is perfect, and once you hear its song, you cannot forget it. You find yourself listening for it, wanting to hear it again. We've never heard the song of the hermit thrush or seen a pileated woodpecker in Massachusetts, but they are here - in the Hockomock Swamp. Both are described as sensitive to reductions in forest density and both are found in interior parts of the forests, not edges. The rail will necessarily have a negative impact on these and other like species because the rail bisects the Hockomock Swamp into smaller areas, reducing uninterrupted forest size, creating more edge. The effect of the Stoughton Alternative upon these and other animals should be quantified and included in a cost analysis.

The February, 1999 issue of National Geographic was dedicated to "Biodiversity The Fragile Web". In that issue, a Biodiversity Millennium Map was enclosed and included this text, which is relevant to the damage to be caused by the Stoughton Alternative:

"The fragile balance of plants and animals that share the Earth took millions of years to develop. Some life-forms have persisted in nearly their original state, surviving episodes of mass extinction. Some, like ourselves, are relative newcomers. The ones that have perished will not return. Neither will the thousands of species that are disappearing each year due in large part to such human influences as habitat destruction, introduction of invasive species, and overharvesting. If we continue reducing Earth's biodiversity at this rate, the consequences will be profound. The web of life connects the smallest bacterium to the giant redwood and the whale. When we put that web in peril, we become agents of calamity."

The biodiversity map depicted the various extinction periods that have occurred in our past history. As to the sixth extinction, it stated:

"In each ecological cataclysm some species slipped through to the other side, but recovery took millions of years. Biologists warn that we are in the sixth extinction. It is the first to be caused by and affect humans. The recovery period, if there is one, has little meaning on the timescale of *Homo sapiens.*"

The National Geographic's Millennium Map depicted many of the threats to biodiversity. With regard to habitat fragmentation, it stated the following:

"Roads are like daggers into the heart of remaining forests. Build a road and settlers will follow, bringing farming, mining, logging, hunting and other activities that fragment the

natural habitat. Even the road itself does damage, exposing the forest interior to wind, sun, weeds and predators.

Power lines, pastures, and suburbs all create 'edge' that can change a forest forever. A pair of warblers, for example, might need only one acre for breeding territory, but it must be deep within a hundred acres of unbroken forest for their chicks to survive. Their low nests mean easy picking for raccoons, feral cats, and egg-eating birds like crows and blue jays.

Forced into ever smaller islands of habitat, many native species face a lethal threat."

The commuter rail is a dagger through the heart of the Hockomock Swamp. The harm it causes to rare species is tremendous and its damage should be quantified.

As more and more land is gobbled up by development, undisturbed and natural places become rare. Upland is developed first, placing more and more development pressure on our precious wetlands and wild areas. The Hockomock Swamp is a rare jewel, and its value should be quantified in the EOT's analysis. The EOT should be required to engage a qualified consultant to place a dollar value on the Hockomock Swamp. There are no other places like this. We've developed just about everything that can be developed. We have to draw the line somewhere. Perhaps the Hockomock Swamp doesn't provide economic development to Fall River and New Bedford and perhaps running a train through it will satisfy some politicians, but we have to withstand this pressure and save this precious and unique resource.

The Mass. Natural Heritage and Endangered Species Program has created a map entitled "BioMap and Living Waters: Guiding Land Conservation for Biodiversity in Massachusetts". The most important habitats are colored in a dark green. The map covering the Town of Easton and surrounding towns includes the Hockomock Swamp, shown as a large, dark green, unfragmented system, an "***undisturbed natural environment for native vegetation, wildlife, and public access***". According to the map, the Hockomock Swamp (BM1166) is a "BioMap Core Habitat" containing "habitat for rare species" and "exemplary natural communities". Within the Hockomock, area LW023 is also located - a Living Waters Core Habitat, containing "habitat for rare freshwater species" and "exemplary freshwater habitats".

In addition, and perhaps more importantly, the map also shows a corridor of supporting landscapes that run all the way from the Hockomock Swamp to another large, dark green Core Habitat - Borderland State Park. It is well known that it is critical for biodiversity to connect important "bio-parcels" and avoid "islands" of unconnected habitat. Fortunately, much of the land between the Hockomock Swamp and Borderland, including Wheaton Farm, has already been placed under permanent protection through strategic acquisitions

O-020-022 completed by the Town of Easton over the past 40 years. Some of these acquisitions used grant funding from the Commonwealth. The primary intent of these acquisitions has been to preserve the critical corridor between the Hockomock and Borderland because together it all comprises a much larger system. The Stoughton alternative cuts not only through the heart of the Hockomock, it cuts through the larger corridor of which the Hockomock is a part.

O-020-023 All of these impacts must be determined and quantified.

Thank you for your consideration.

Very truly yours,
Patricia F. Hunt
Philip A. Tanner
220 Center Street
Easton, MA 02356

O-020-022

Comment noted.

O-020-023

The potential environmental impacts of the South Coast Rail project alternatives on a broad range of resources are described throughout DEIS/DEIR Chapter 4.

994 West Street
Stoughton, Massachusetts 02072-3838
781-344-2276
9 January 2009

Secretary Ian Bowles
Massachusetts Executive Office of Transportation
EOEEA, attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston MA 02114

Dear Secretary Bowles:

I am writing to comment on the South Coastal Rail Project.

O-021-001 First, I want to emphasize that Massachusetts and the rest of the United States must increase rail travel, both passenger and freight. Thus, I believe that expanded rail in the southeastern sector of the state, including Cape Cod, is necessary. However, great caution in decisions about the routes must be taken.

O-021-002 The Stoughton alternative has major limitations. My greatest concern is the high level of impact that this route will have on the Hockomock Swamp. This great wetland is of unparalleled value, and nothing should further impinge upon it.

O-021-003 In addition, the historic district of North Easton must not be harmed, with its great H.H. Richardson buildings, it's Olmstead Park, and the Ames shovel shop buildings. Nor can any harm come to the historic Stoughton Train Station.

O-021-004 The expansion of the railway will have benefits for the entire region, but the towns through which the rail will run will take the brunt of negative impacts of noise and traffic. Thus, those towns should receive considerable and long-lasting compensation and benefits.

No decisions should be made without thoroughly studying and taking into consideration all impacts, including those extending beyond the immediate footprint of the project. The impacts on the entire area are so great that a rushed decision will cause great harm.

Thank you for considering my views.

Sincerely,

Ardis Johnston

O-021-001

Thank you for your support of the South Coast Rail project.

O-021-002

The potential direct and indirect impacts to the wetlands of the Hockomock Swamp that would result from any of the Stoughton Alternatives (including the Whittenton variations) are described in Chapter 4.16, Sections 4.16.3.3 and 4.16.3.4 of the DEIS/DEIR.

O-021-003

As described in DEIS/DEIR Chapter 4.8, Sections 4.8.3.5.1 and 4.8.3.10.6, the proposed changes to the Stoughton Line and the introduction of a new station at Easton Village would affect the visual setting of the three historic properties closest to the project through the introduction of new elements. Similarly, vibration levels at the Easton Historic Train Station and other historic buildings in Easton Village would be below the 100 VdB vibration threshold for the onset of minor structural damage (such as small cracks in plaster walls) to fragile and historic buildings. Section 4.8.5.3.1 describes how increases in noise levels may be mitigated by installing sound insulation or constructing sound barriers.

O-021-004

MassDOT has noted and considered your comment. As described in Sections 4.1.5 (*Transportation, Mitigation Measures*) and 4.6.3.6 (*Noise, Mitigation*) of the DEIS/DEIR, appropriate mitigation will be provided for adverse impacts due to noise or traffic associated with the South Coast Rail project.

AE

March 14, 2009

RECEIVED

MAR 16 2009

MEPA

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Aisling Eglington
100 Cambridge Street, Suite 900
Boston, MA. 02114

Dear Secretary Bowles:

My name is Fred Kurtz, a resident of North Easton, Massachusetts. I am writing to express my concerns re: the South Coast Rail Project.

O-022-001 First of all, I think it is ludicrous that our current state of economic crisis that we are considering a rail project that is estimated to cost between $1.3 B and 1.8B. I have lived in this state for 21 years as a tax paying adult. I will cite the most recent infrastructure project: *The Big Dig* as an example of our state's inability to estimate, budget and manage a large scale project.

$1.3 -1.8 B is just that, an estimate. This price tag could be much higher, the brunt being born on others like the Town of Easton that clearly does not want the train, nor do we have the resources or revenue to maintain this on an annual basis.

O-022-002 O-022-003 Secondly, the disruption to our town would be significant. We have our water supply at risk for contamination due to proximity of the rail. Additionally, we would have more than 7 grade crossings within 1-2 square miles of the proposed route through our town. This would cripple our ability to travel within the center of our town where most of the school traffic and main access roads lie.

O-022-004 Lastly, we have the Hockomock Swamp, a protected wetlands, rich in animal, plant, and ecologic diversity at risk of being violated with the proposed Stoughton Alternative. The swamp itself and the 17,000-acre "Area of Critical Environmental Concern" (a designation granted by the state in 1990) in which the swamp sits, serve as a sponge and release valve for rain water and melting snow, thus protecting the area from flooding. The swamp and its environs represent the largest freshwater vegetated wetland system in Massachusetts.

O-022-005 Clearly, there are more prudent options that need more consideration. Most obvious to me would be the Bus service. **This would be a responsible alternative providing the fastest travel time with the least cost.** Estimated at $500M, this is a sound alternative whose route already largely exists, that being Route 24. This would not *"disrupt and dissect"* towns like Easton with numerous grade crossings. It is also scalable, meaning

O-022-001

MassDOT has noted and considered your comment.

O-022-002

As described in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2, all of the Build Alternatives would pass through drinking water protection areas. However, with mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources. The railroad is not a source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast.

O-022-003

The DEIS/DEIR evaluated the impacts at grade crossings as a result of the South Coast Rail project. This analysis is included in Section 4.1.4, Analysis of Impacts by Alternative.

O-022-004

DEIS/DEIR Chapter 4 describes the potential impacts to the listed resources in Hockomock Swamp from construction and operation of any of the Stoughton Alternatives (including the Whittenton variations).

O-022-005

The Rapid Bus Alternative was advanced for evaluation in the DEIS/DEIR. This alternative is described in DEIS/DEIR Chapter 3, Section 3.2. Rapid Bus is compared to other Build alternatives in Section 3.3.

O-022-005 you can add buses as the ridership requires without spending billions with no "real" ridership numbers to support the investment.

O-022-006 At a recent town meeting hosted by the MBTA, they used the term "Smart Growth." I do not believe "Smart Growth" is adding a train line that offers a commuter a 90 minute train ride into Boston, and disrupting Towns like Easton who have tried to preserve "open spaces," quality of drinking water and have respected the Hockomock Swamp and its respective designation. "Smart Growth" to me would be establishing a South Coast Technology/Business Park, enticing the corporations like Fidelity, Cisco, EMc, Partners Healthcare, Genzyme, Ratheon, and Verizon, etc to open a South Coast operation to boast the economy, creating more "local jobs" so workers would not spend 3 hours each day commuting.

It is time that our leadership embrace fiscal responsibility and prudent decision making both today and the future. Pride and promises (Mr. Patrick's campaign promise to provide train service from Fall River and New Bedford) must not be obstructed by common sense and prudent judgement.

My hope is that these options are carefully considered. If the ridership is truly there, than a bus service with the lowest cost, least disruption, and fasted travel time should be the elementary, prudent outright winner.

Signed, a very concerned and appalled resident and tax payer,

Fred

Fred Kurtz

11 Laurel Drive

North Easton, MA. 02356

O-022-006

MassDOT has noted and considered your comment.

Doug and Heather Lewis
97 Kennedy Circle
South Easton, MA 02375

MEPA
JAN 6 2009
RECEIVED

RECEIVED
~~DEC 3 1 2008~~
MEPA

January 2, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Mr. Bowles,

We write this letter to express our views about the scope of the Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the proposed South Coast Rail Project. As residents of both Stoughton and Easton for many years we have closely followed the lengthy progress of this project and hope our concerns will be carefully addressed during your review process.

O-024-001 We have followed the rules regarding the content of this letter and addressed environmental concerns only. However, we take this opportunity to state we strongly believe if the whole project is correctly examined and the environmental issues are considered, the Corps and State will see the entire premise of the project is flawed and does not warrant the spending of billions of taxpayer's dollars and the multitude of potential disastrous environmental impacts. First and foremost, we ask the Corps and the State to return to the main goals of this project and review the true need and feasibility.

O-024-002 It became clear while reading the Environmental Notification Form the state plans to rely heavily on the 2002 Final EIR for the further progress of the Stoughton Alternative. We strongly oppose this approach to the review process. Instead, all five alternatives should be equally considered by the Army Corps and State, allowing a comparison of "apples to apples." The 2002 FEIR contains old data, pertaining to the state's earlier project, not up-to-date data gathered for the current project. In addition, the 2002 FEIR contains incorrect data, impacting the costs and timeframe of the project. As one example, we know of a home listed incorrectly in the FEIR as a home with "no impact", yet the home correctly falls under a "severely impacted" home. How does a family's home get missed, when the home has been in its' location since 1991 and not newly constructed? We believe the state should be required to present equitable, current and correct information for each alternative, so all five options begin on the same playing field.

O-024-003 We have numerous environmental concerns which we believe the Corps and State should carefully examine during the review process. Our first concern is groundwater degradation along the Stoughton Alternative, both during construction of either a diesel or electric rail and later during rail operation. We ask special review be taken of the current water flow over the abandoned rail bed and have included with our letter a DVD containing video and photographs of water swiftly flowing along the abandoned rail bed, specifically between Purchase Street and Prospect Street in Easton, on multiple dates between 2001 and 2008. As a matter of fact, our family refers to this measurable flowing water as the 'river' and regularily builds wooden boats attached to long strings to float speedily down the 'river'. The town of

O-024-001

MassDOT has noted your opposition to the South Coast Rail Project.

O-024-002

Each of the alternatives listed in the Certificate has been subjected to a full evaluation in accordance with MEPA and NEPA requirements. The evaluation is provided in the DEIS/DEIR and is based on data collected in 2008 and 2009.

O-024-003

The perennial stream along the Stoughton Line railroad bed in Easton is described in DEIS/DEIR Chapter 4.16, Section 4.16.2.2.4.

O-024-003 Easton labels this water as an intermittent stream, regulating and protecting the area as required by the law. How then will the state be allowed to build a rail line along this protected stream? We ask the Corps to examine where this intermittent stream will go during construction of the rail line, where this water will be permanently redirected to once the rail line is installed and how that area will be impacted? Also, how will the water quality be impacted once redirected?

O-024-004 The Stoughton Alternative, whether diesel or electric, will run directly through the Hockomock Swamp (ACEC), the largest vegetated freshwater wetland system in Massachusetts, creating numerous issues which we believe are required to be reviewed. Running a rail line through the Hockomock Swamp will cause or contribute to significant degradations of water in the U.S and we ask the Corps and State to carefully examine these impacts, including impacts on public drinking water currently supplied by the Hockomock Swamp for water wells in Bridgewater and Raynham.

O-024-005 Besides the impact on public water supply provided by the Hockomock Swamp, we ask the Corps and State to carefully review the impacts of both a diesel and electric rail line on drinking water in Easton. The rail will run directly past the Zone 1 of Easton wells, within 400 feet of the well head. Interesting to us, when you walk to the end of Gary Lane in Easton there is a sign, "Warning – well head protection area" and it is closed off to foot traffic, yet the state would consider placing an operating train track right beside this same location, Easton's public drinking water supply!

O-024-006 The Corps and State need to also consider the indirect impacts created by either Stoughton Alternative. The Hockomock Swamp is the habitat for at least 13 species listed as rare or endangered or of special concern. What will be the indirect impacts on these species? Also, the indirect impacts on vegetation should be considered, in particular, the loss of vegetation during construction, both within the Hockomock Swamp and along the remainder of the train bed. As well, the long term impacts of this lost vegetation and how vegetation will then be controlled? Will chemicals be used? What are those indirect impacts?

O-024-007 We also ask the Corps and State to carefully examine how the construction of a diesel rail line will meet the project's goal of "improving regional air quality?" It seems a bit of an oxymoron? Throughout this
O-024-008 process we have been unable to locate clear cut ridership numbers on the alternatives and ask the Corps to require those numbers and the State to provide those numbers prior to choosing an alternative. Important to your review, are the number of NEW riders and at what point along the rail line their cars comes off the road? We do not believe the current riders, who may only choose a different train station, should be accounted for in the ridership numbers. They are already accounted for and bring very limited increased revenue to help offset the enormous cost of the project. We believe the Corps and State
O-024-009 should review the impacts of induced traffic once the rail line is up and running. In addition, now that
O-024-010 smart growth has been incorporated into the project goal, we ask that the direct and indirect impacts of this growth and development also be reviewed.

O-024-011 This ridership topic is twofold, one its' impacts on the environmental issues. How many drivers will actually come off the road? What truly will be the decrease in greenhouse gas reductions? How will the estimated decrease then be impacted by the emissions of a diesel train? Secondly, and basic to the
O-024-012 whole premise of the project it should be determined if the project is warranted for the accurate number of new riders projected to ride the train? We have yet to see clear cut ridership evidence for the need of this enormous project? In addition, we ask how the revenue from these projected new riders will pay for

O-024-004

As described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.5, the Zone II areas crossed by the Stoughton Line already contain developed areas and residential neighborhoods that are likely to have much larger impacts on water quality than a rail corridor. No Zone I areas would be affected by the construction on this line. This section also describes the potential risk that the Stoughton Alternatives present to the drinking water supply provided by the Hockomock Swamp. 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.

O-024-005

As described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.5, the Zone II areas crossed by the Stoughton Line already contain developed areas and residential neighborhoods that are likely to have much larger impacts on water quality than a rail corridor. No Zone I areas would be affected by the construction on this line. The railroad is not a source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast.

O-024-006

Potential impacts to state-listed species from construction and operation of the South Coast Rail alternatives are described in Sections 4.14.3, *Biodiversity,* and 4.15.3, *Threatened and Endangered Species,* of the DEIS/DEIR. The analysis includes an evaluation of direct, indirect, and temporary (construction) impacts to wildlife habitat within the study area.

O-024-007

The results of the air quality analysis for emissions from the diesel train

O-024-012 the project? The number of riders will never significantly help to offset the cost or impacts of the project.

O-024-013 Our last grave concern, and one which we feel is integral to the core of the entire project, is that of travel time once the rail is operating. In the ENF, Table 4-15, travel times for all alternatives to be considered by the Corps and State are included. When we originally read the travel times, we thought there must be a mistake or we're reading the data incorrectly? After further review, however, there are no mistakes and we are reading the data correctly. If the Stoughton Alternative, with a diesel train, is chosen the travel time will be 88 minutes, a savings of two minutes over Governor Patrick's arbitrary 90 minute travel time threshold - TWO MINUTES - at a cost of billions of dollars and severe environmental impacts. What are the REAL numbers of riders from New Bedford and Fall River who will take the train to Boston for a savings of two minutes? Important to note, this travel time of 88 minutes begins with boarding the train and ends with arriving at the train station in Boston. It does not incorporate commuting to the train station, walking to the train boarding area, waiting for the train and then getting to work from the train station in Boston. This is certainly not an 88 minute commute for a New Bedford or Fall River resident. This commute will far exceed Governor Patrick's 90 minutes! Even if a faster electric train is chosen, the time decrease on the Stoughton Route will only be 14 minutes, not enough savings for the environmental impact and cost of the project, nor will it meet the 90 minute goal. Again, we ask, is the premise of the project being fulfilled?

O-024-014 We ask the Corps and State to seriously consider the Rapid Bus Alternative, the fastest commute into Boston (68 minutes from New Bedford), with the least environmental impact and the lowest cost.

In closing, we thank the Corps for the opportunity to play a role in this process and invest our time and energy with the sincere belief the State is honestly taking a 'fresh' look at the project and not just pushing forward with its' 2002 FEIR results and a train along the Stoughton Alternative.

Sincerely,

Doug Lewis Heather P. Lewis

Doug & Heather Lewis

Enclosures:
DVD (2 discs)
CD (photographs)
Photographs

alternatives, described in DEIS/DEIR Chapter 4.9, Section 4.9.4, indicate that each of the diesel-powered alternatives would result in improved air quality as compared to the No-Build Alternative.

O-024-008

Ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Chapter 3, Section 3.2.4.3.

O-024-009

Indirect and cumulative impacts of the South Coast Rail alternatives, including induced traffic, are described in DEIS/DEIR Chapter 5.

O-024-010

Indirect impacts and cumulative effects of the project, including increased traffic from induced growth and other development impacts, are described in DEIS/DEIR Chapter 5, Sections 5.3 and 5.4, respectively.

O-024-011

As described in DEIS/DEIR Chapter 4.9, Section 4.9.4.1, the reduction in vehicle miles traveled (a function of the number of drivers on the road) is directly related to the new transit ridership, which varies by alternative. Between 81,495 and 296,569 fewer VMT per day would result from the alternatives. CO_2 emissions would be reduced by 6,588 to 62,333 tons per year, depending upon the alternative. Diesel train alternatives would not result in as great a reduction in CO_2 emissions than the electric train alternatives. For example, the overall CO_2emissions from the Attleboro Electric Alternative would be 27,739,761 tons per year, while the CO_2emissions from the Attleboro Diesel Alternative would be 27,752,483 tons per year. This compares favorably to 27,802,094 tons per year of CO_2 emissions under the No-Build Alternative.

O-024-012

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3 Summary of Ridership Modeling Results. Cost per rider for each alternative is provided in Table 3.3-12.

O-024-013

How well a transit alternative appeals to potential riders is directly related to how easily patrons can get to stations. The travel demand model that estimates ridership takes into account the surrounding transportation infrastructure and any barriers that make access to the station difficult, which could potentially add to the in-vehicle travel time to the station.

O-024-014

The Rapid Bus Alternative is described in Chapter 3, Section 3.2.1.5, and potential environmental impacts to various resources are described throughout Chaper 4.

Doug and Heather Lewis
97 Kennedy Circle
South Easton, MA 02375

March 12, 2009

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
attn.: MEPA Office
Aisling Eglington
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles,

We write this letter as a follow up to our letter sent this past January.

O-025-001 We once again state our strong opposition to the Stoughton Alternative being considered for the South Coast Rail project. After sending our January letter, we have attended several meetings including the Stoughton and Easton Civic Engagement meetings and the South Coast Corridor meeting held at the Easton Town Hall. In addition, we have received the updated ridership information.

As previously outlined in our letter, there are serious environmental concerns associated with the Stoughton Alternative. After further review of the ridership materials and participation in the meetings, we continue to be convinced of the environmental dangers of the Stoughton Route. In addition to the negative environmental impacts, we believe the Stoughton Alternative does not warrant the enormous cost based on projected ridership and travel time.

O-025-002 Should this project move forward, we strongly believe the most economical and least environmentally impacted option is the rapid bus alternative.

Sincerely,

Doug and Heather Lewis

O-025-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

O-025-002

MassDOT has noted and considered your comment.

30 December, 2008

RECEIVED
JAN 8 2009
MEPA

Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
And
Secretary Ian Bowles
Attn: Aisling Eglington, MEPA Office

Thank you for the opportunity to comment on the South Coast Rail Project as part of the EIS and EIR public consultation.

As anyone who has experienced a lifelong presence in southeastern Massachusetts, the heartland of this region has always been the cities of Taunton, New Bedford and Fall River. Those of us who have are also painfully aware of the economic struggles that these three once thriving industrial centers have endured for the past several decades. At the risk of sounding flippant, these three cities have been the "Bermuda Triangle" of economic depression in this region of the Commonwealth.

O-028-001 It is with this experience that I believe the only viable alternative for the South Coast Rail Project is the Extension of the line through the town of Stoughton to Taunton and on into Fall River and New Bedford.

Based on my understanding from attending the public consultation/scoping meeting held at Taunton High School on 3 December, 2008, the "Stoughton " alternative offers the potential of being implemented within the time frame and budgetary limitations established for the project by the Commonwealth. I also understand that the Stoughton alternative presents several significant challenges with respect to environmental impacts. However, with more than forty (40) years of civil engineering experience , including land development and environmental permitting, I believe that effective mitigation of environmental impacts is achievable, but, more importantly, recapturing socio-economic viability in the heart of southeastern Massachusetts through "smart growth" is absolutely necessary.

It is also my understanding that other public meetings are forthcoming with respect to station "locations" and, as I commented in the ENF, there is an opportunity in this project to infuse significant benefits for the revitalization of downtown Stoughton. Presently, the center of Stoughton exhibits a serious economic decline with numerous storefront vacancies while the existing station, which is located one block from the center of downtown, is saturated with hundreds of parked vehicles each weekday which actually inhibits economic opportunity in the center of town. Although there has been some recent mixed-use development in the vicinity of the station, the area is dominated by some large, vacant and, in one case, condemned buildings.

O-028-002 The greatest potential for revitalization of Stoughton center would be to relocate the station southerly to the area where the trains now lay over awaiting the return trip to Boston. This area has two sets of tracks and is immediately adjacent to three (3)

O-028-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated.

O-028-002

A conceptual Stoughton Station redesign, as part of the Stoughton rail alternatives, is included in DEIS/DEIR Section 3.2.5.2.8. The conceptual design features platforms moved to the south of Wyman Street.

significantly under-utilized land parcels that offer substantially more area for parking as well as two (2) primary points of access/egress (Morton Street and Brock Street just off Route 138).

O-028-003

Obviously, if the Stoughton station was relocated, the existing MBTA land parcels at the station, if not saturated with parking, would become a viable opportunity for mixed-use/smart growth development. Further, if examined very closely, the development costs for a relocated station would be somewhat offset by the sale or leasing of the existing MBTA land for development with controls that specifically target smart growth goals.

It is understood that the South Coast Rail Project has a future horizon for ridership projections and the attendant impacts of such projections on development around stations. However, given the circumstances that we have all experienced in the past year with respect to exorbitant costs for oil, projections of exhausting the world's oil reserves and the fracturing of the world's economy, it is imperative that we recognize that any planning effort should include some thought as to what might the project look like perhaps 50 or 100 years beyond the planning horizon. In so doing one must recognize that expandability and adaptability to sustainable operations is most important. Clearly, in my opinion, the Stoughton alternative would offer those intangibles if the station were to be relocated.

Again, thank you for the opportunity to comment on this project which is so vitally important to southeastern Massachusetts.

Respectfully,

Forrest C. Lindwall
175 Swanson Terrace
Stoughton, Massachusetts

O-028-003

MassDOT is providing ongoing technical assistance to help Stoughton plan for the redevelopment of its downtown area.

Eglington, Aisling (EEA)

From: Leon Litchfield [Leon.Litchfield@umb.edu]
Sent: Friday, January 09, 2009 9:43 PM
To: Eglington, Aisling (ENV)
Subject: South Coast Rail Project

Secretary Ian Bowles, EOEEA
Att.: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles:

O-029-001 As a long-time resident of Easton, I am writing to strongly oppose the Stoughton Alternative and in favor of the Easton Board of Selectman's support of Alternative 44, bus rapid transit service from Fall River and New Bedford to Boston. I feel that allowing the railroad to cross through Easton will pose significant safety and environmental problems, while the alternative supported by the Easton selectmen will be safer and will not harm the environment or threaten endangered species.

Thank you very much for consideration of these comments.

Sincerely,

Leon Litchfield
30 Pond Street
North Easton, MA 02356

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O-029-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

The Rapid Bus Alternative was also advanced for evaluation in the DEIS/DEIR. This alternative is described in DEIS/DEIR Section 3.2. Rapid Bus and the other Build alternatives are evaluated in Section 3.3.

#14346

AE

M Frederic Magee
148 Turnpike St.
W. Bridgewater, MA 02379

See Ian Bowles
ex office of Energy & Environmental
100 Cambridge Street
Boston, MA. 0214.

RECEIVED 3-13-09
MAR 16 2009
MEPA

Dear Sir,

In regards to trains to N. Bedford & Fall River.
I grew up in Stoughton, MA. Coal fired engines went thru
to N Bedford & Fall River. The road bed is still here
in the towns, had double track.

Did not kill any swamp life or the enviroment, as
some do gooders would say today.

The steam trains are gone, the bridge over 495
was built so future trains could go thru, whithout
delaying trafic.

The Easton do gooder do not whoot to pay MBTA
tax. But fill Mansfield parking, Stoughton or Canton Tax
parking lots.

While no trains have used the states road bed.
Some have used the bed for drive to new homes,
three bridges where taken out & filled with gravel.

O-031-001 I believe the best & shortest route now, talk & money being
wasted for over ten years, run the trains over this
state owned road bed to N. Bedford & Fall River MA.
Stop wasting tay payer money, to greedy do gooders

Sincerly,
Frederic Magee

O-031-001

MassDOT has noted and considered your comment.

January 8, 2009

Secretary Ian Bowles, EEA,
MEPA Office
Attn: Aisling Eglington
100 Cambridge Street, Suite 900,
Boston, MA 02114
(by e-mail : aisling.eglington@state.ma.us)

Re: Comments Re South Coast Rail, Project EEA #14346

Dear Secretary Bowles,

I write in opposition to the selection of the Stoughton Route.

My main feeling is that the MBTA and their consultants have "sidetracked" an economic stimulus plan that could have been in place years ago.

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 18 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. Note that traffic congestion on Route 3 has not improved as a result of the various Old Colony lines. The true solution is to improve the regional transportation infrastructure and stimulate employment closer to people's homes.

O-032-001 **Back the current situation**. It is my strong conviction that several alternatives are less environmentally harmful than the Stoughton Alternative which will cause great harm to the Hockomock swamp. Indeed the MBTA and their consultants in 1995 came to the same conclusion when they put forth the Attleboro route as their preferred route due to the extreme environmental concerns associated with the Stoughton Alternative.

O-032-002 Also the EOT 's own studies to date have proven that other options will likely provide better service to the South Coast and Southeastern Massachusetts. This is especially so when one considers the longer run, including a possible casino in Middleboro and the continued massive development of the former Weymouth Naval Air station, which could and should both be served by the Middleboro option.

Transportation decisions that are likely to cause environmental damage, need to be looked at in a very comprehensive way that considers likely development patterns for

O-032-001

Each of the alternatives listed in the Certificate has been subjected to a full evaluation in accordance with MEPA and NEPA requirements. The evaluation is provided in the DEIS/DEIR and is based on data collected in 2008 and 2009. The 1995 conclusion was not based on a comparable full evaluation of the alternatives.

O-032-002

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

the next 50 years, not just what is in place now, or 5 years from now. The environmental damage will be forever. Mayor Lang of New Bedford is working to hard to revitalize that city, working for a focus on "green" initiatives. He should drop his quest for high polluting diesel train service and embrace clean bus technology.

O-032-003 The long term outlook should include potential service to Cape Cod, the Middleboro option would best accomplish that. Also, expected needs on the AMTRAK line should be part of the review process. **For these reasons the Attleboro option and all Middleboro options must be subjected to the full Federal and State environmental analysis.**

It is clear that the SCR evaluation would rate the Bus Option and any rail project through Middleboro as less environmentally damaging than the Stoughton Alternative. And they are "practicable". Not only "practicable", but:

-much less costly to create
-much faster to be "up and running"
-much more flexible for the riders (and operators)
-lower travel times
-much lower costs to operate/maintain (hence lower state subsidies for fares)

A **clean, high tech bus** with several new stations could:

-connect people from New Bedford to Fall River, directly/quickly (the train will not)
-connect people from NB/FR/Taunton to **Providence RI**, Nice! (the train will not)
-connect people from NB/FR/Taunton to **Brockton**, (the Stoughton train will not)
-offer better weekend and night service to all
-connect people from NB/FR/Taunton to **Bridgewater State College** and other destinations
(the train will not)
-connect people from NB/FR/Taunton to existing Rail lines and stations:
Providence/Attleboro Line, Old Colony Line, Franklin Line, Stoughton Line
Whatever there is need or demand for ! NICE!

O-032-004 This option seems to be the best as it relates to "regional mobility" and the LEDPRA standard. **For these reasons, it should be subjected to the full Federal and State environmental analysis.**

O-032-005 In my mind the impact on Stoughton are secondary to these regional concerns and just having the state act in a prudent fiscal and environmental way. The Stoughton alternative and it came to be the MBTA preferred route (Politics!) are what I find most troubling. That said the impacts on Stoughton will be dramatic:

Freight trains:
- slow, long trains impacting down town Stoughton (3 highways, at least 4 crossings) that could be affected by one train)
-Hazardous chemical, trash trains (coming from a processing facility in Raynham)

O-032-003

The operations analysis includes the future needs of Amtrak and all services on the Northeast Corridor. The ability to provide service to Cape Cod was taken into consideration in the evaluation of alternatives.

O-032-004

The alternatives analysis process described in Chapter 3, Section 3.1 of the DEIS/DEIR considered a wide range of alternatives. Those alternatives not meeting the project purpose and need were eliminated from further analysis, and the seven alternatives described in Section 3.2 were subjected to the full analysis provided in the balance of the DEIS/DEIR.

O-032-005

The potential impacts of the Stoughton Alternatives (both- diesel and electric-powered), along with the other alternatives under consideration, on a broad range of environmental and social resources, including traffic, safety, and air quality, are described throughout Chapter 4 of the DEIS/DEIR.

O-032-005 **Traffic:**
- Stoughton Center; where route 138, route 27 and route 139 all converge and cross within an extremely short distance

Grade crossings:
-8 in less than 2 miles,
-4 of these in the center of the town, with little space to stack vehicles when trains come through

Double track through the entire town, now there is one track through only half the town

Possible high speed **express trains** (to improve the on travel times that will occur)

Schools: 3: West Elem. School, O'Donnell Middle School, Stoughton HS

Please come and take a look, and see how additional train traffic, electric train service or long freight trains would impact this town.

O-032-006 In conclusion, a $1.4 billion (or more) project with long term benefits and consequences needs to be reviewed carefully and objectively by all. The political maneuvering that has occurred to date, has only slowed down and increased the cost of a transportation project that if done right can be a benefit for all citizens of the state.

I wish to thank you for your time and consideration of these comments.

Regards,

Gerald J McDonald
Stoughton Conservation Committee, Vice Chairman
Stoughton Town Meeting Representative, Chairman Precinct 4

O-032-006

MassDOT has noted and considered your comment.

January 9, 2009

Dear Sir,

Thank You for the opportunity to comment on the ENF regarding the South Coast Rail Project. I have been interested in this project because:

1. I am a resident of East Taunton
2. I am employed by a Regional Planning Agency
3. I am an abutter to the Middleboro Secondary, and
4. I am interested in the future of the Commonwealth.

I am a proponent of the Stoughton Line.

I believe,,,

1. It is the fastest rail alternative from the South Coast.
2. I understand the physical and environmental constraints of going through the Hockomock Swamp, and the possible impact on the species that dwell there, but I believe that mitigation planning will address those issues.
3. I believe that electrification is necessary, because old diesel technology just will not do.
4. It will be the most efficient route from Fall River and New Bedford, and will also avoid many grade crossings in Taunton & East Taunton.
5. I think it is short sighted to use the Middleboro Line as an option for Fall River & New Bedford, which would forever clog the bottleneck. I would like to have the option to jump on the train in Lakeville (current train station), and head south for a day trip to Wareham and beyond, transfer to the OWL bus, spend the day in Buzzards Bay antiquing, go to the scallop festival, go to the beach in Onset, take the boat through the canal, and jump on the train to go home.
6. All of the proposed routes in Southeastern Massachusetts have issues requiring mitigation, whether it is crossing the Taunton River or traveling along the bank, bisecting Priority Habitat and Wildlife Corridors, constructing Noise Barriers, or designating Whistle Free Zones.

O-033-001 Please consider the Stoughton Alternative as the most practicable alternative.

Thank You,

Susan McGrath
1471 Middleboro Avenue
East Taunton, MA 02718

508-822-3314

O-033-001

MassDOT has noted and considered your comment.

Eglington, Aisling (EEA)

From: Kari Mekler [kmekler@gmail.com]
Sent: Tuesday, January 06, 2009 8:36 AM
To: Eglington, Aisling (ENV)
Subject: Comments on the Environmental Notification Form (ENF) for the South Coast Rail project

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JAN 6 2009
MEPA

January 6, 2009

Secretary Ian Bowles
EOEEA, attn.: MEPA Office (Aisling Eglington)
100 Cambridge Street
Suite 900
Boston MA 02114

O-034-001 I write to voice my opposition to extend the commuter rail service via the Stoughton Alternative. The Stoughton route will result in irreversible environmental damage as well as erase any quaintness that remains in the town of Easton. With people and businesses making "going green" a priority for the livelihood of our future, contaminating a freshwater wetland and contaminating Easton's wells should be unthinkable.

O-034-002 I urge you to support the selection of Alternative 44 as the only viable and practical alternative for the South Coast Rail Project. Alternative 44, Bus Rapid Transit in Dedicated Lane to South Station via Route 24, Route 128 and Southeast Expressway HOV Lane, offers the best alternative by fully meeting the requirements of MEPA/NEPA while resulting in the least environmental impact. Alternative 44 is the only solution that meets all conditions of the Clean Water Act.

Let's continue our pursuit of a "green" country. Please vote against the Stoughton Alternative.

Kari E. Mekler
South Easton, MA

1/6/2009

O-034-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

O-034-002

The Rapid Bus Alternative was advanced for evaluation in the DEIS/DEIR. This alternative is described in DEIS/DEIR Chapter 3, Section 3.2. Rapid Bus is compared to other Build alternatives in Section 3.3.

Eglington, Aisling (EEA)

From: Melz, Robert J [RJMetz@statestreet.com]
Sent: Friday, January 02, 2009 12:22 PM
To: screis@usace.army.mil; Eglington, Aisling (ENV)
Cc: rmelz@hotmail.com
Subject: RE: Stoughton extension

O-035-001 As a resident of Easton, I wanted to pass on my comments. I support the extension to Easton (and beyond) but think the lack of parking is an issue that needs to be addressed. If the line is extended, I will still need to drive to Stoughton since there is no parking and the proposed station is too far to walk to.

Thank you

Rob Melz

7 Forest Edge Rd

Easton MA 02.375

O-035-001

MassDOT has noted and considered your comment.

PAGE 1 OF 3 PAGES

436 Richardson Avenue
Attleboro, Massachusetts 02703
December 8, 2008

TO:
Mr. Alan Anacheka-Nascmann
U. S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Ma. 01742-2751

RECEIVED
DEC 8 – 2008
MEPA

COPY TO:
Secretary Ian Bowles, EEA
ATTN: MEPA Office (Aisling Egington)
100 Cambridge Street, Suite 900
Boston, Ma. 02114

SUBJECT: MAKE YOUR VOICE HEARD ON SOUTH COAST RAIL

O-036-001 **NONE of the Attleboro hybrid, bypass or alternatives should be selected for the proposed Fall River/New Bedford South Coast Rail Project.**

O-036-002 **Of all the alternative I favor 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 and (4) its reduced travel time is the advantage over the bus option.**

Stoughton (without Whittendon) with Dean Street is the best also because of these facts:

FACT: It has the best cost/ benefit/ effectiveness versus the others
FACT: The trip time is 74-82 minutes, which is better than the Other alternatives.
FACT: Less acres of wetlands will be taken compared to the

PAGE 2 OF 3 PAGES

Attleboro By-pass and alternatives. Stoughton is

O-036-001

MassDOT appreciates your input and will take these issues into consideration.

O-036-002

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated.

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 live on Richardson Avenue at the proposed site for the ATTLEBORO BY-PASS ALTERNATIVE. I submit the following facts concerning this alternative:

FACT: The electrification of the Boston to New York line for the Acela Train has dramatically increased the train noise from frieght trains and the double tiering of Passenger Trains up and down Richardson Avenue.

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.

PAGE 3 OF 3 PAGES

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 submit these facts for your review and consideration in choosing the final train route for the South Coast Rail, which should be the Stoughton Alternative with the Dean Street Station and the elimination of the Whittendon Station.

Sincerely,

DONALD J. MICHAUD
436 RICHARDSON AVENUE
ATTLEBORO, MA. 02703
PHONE: 508-431-2312
EMAIL: donMichaud@peoplepc.com

From: don [donmichaud@peoplepc.com]
Sent: Saturday, February 21, 2009 5:36 PM
To: Eglington, Aisling (ENV); Charlie Patton
Cc: Charlie Patton; Egan, Kristina (EOT)
Subject: Supplemental Ridership Memorandum for Southcoast Rail Project EEA No. 14346

Dear Secretary Bowles,

The Supplemental Ridership Memorandum for the Southcoast Rail Project EEA No. 14346 included a CORRECTION PAGE to the Table 1: Service Assumptions.

O-037-001 The CORRECTION PAGE stated that the run time and peak headways for Alternative 4, Option 4B(Stoughton Electric) and Alternative 5 (Bus) were transposed in error. The CORRECTION PAGE does reflect those corrections.

The following additional changes were also made to Table 1: Service Assumptions:

--The Peak Headway (min) for Alt.2 Option 2A (Middleboro-full) and Alt.2 Option2B were exchanged.
--The Run times to South Station Alt. 2 Option 2B (Middleboro-simple) was changed from 72 to 87 for Fall River (min.).
--The Run times to South Station Alt. 2 Option 2B (Middleboro-simple) was changed from 75 to 90 for New Bedford (min.).
--The Run times to South Station Alt. 1 Option 1B (Attleboro-electric) was changed from 87 to 72 for Fall River (min.).
--The Run times to South Station Alt. 1 Option 1B (Attleboro-electric) was changed from 90 to 75 for New Bedford (min.).

The reasons for these changes were not stated on the revision.

What was the reason for these additional changes?

Should the changes for Run times to South Station have been only to the Middleboro Alt. 2, 2A (full) and 2B (simple)? Should the changes to the Run times to South Station made to the Alt. 1,1B (Attleboro-electric) of 87 to 72 for Fall River and 90 to for New Bedford been made to the Alt. 2, 2A (Middleboro-full)?

Best Regards,
Donald J. Michaud
donmichaud@peoplepc.com
508-431-2312

O-037-001

The South Coast Rail Travel Demand Analysis Results, February 17, 2009, Table 1, presented incorrect service assumptions. These were corrected and reissued. The remaining tables in the memorandum were presented correctly in the original and were not revised.

AE

don

From: "don" <donmichaud@peoplepc.com>
To: <aisling.eglington@state.ma.us>; <screis@usace.army.mil>
Cc: <kristina.egan@eot.state.ma.us>; "Heather Graf" <heathergraf1@comcast.net>
Sent: Thursday, March 12, 2009 11:19 AM
Subject: Extended Public Comment Period for South Coast Rail ENF

Donald J. Michaud
436 Richardson Avenue
Attleboro, Massachusetts 02703
March 12, 2009

TO:
Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston Ma. 02114

RECEIVED
MAR 13 2009
MEPA

COPY TO:
Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Ma. 01742-2751

SUBJECT: EXTENDED PUBLIC COMMENT PERIOD
FOR SOUTH COAST RAIL ENF

O-037-002 As an addendum to my letter and e-mail of December 8, 2008, I would like to include the need to provide the construction and cost of a Sound Barrier and Safety Wall to Alternative 1, Option 1A and 1B in the Attleboro By-Pass.

The electrification of the Boston to New York rail line in the Attleboro area for the Acela train has resulted in an unacceptable high level of noise from passenger and freight trains twenty-four hours a day. Apparently, No consideration was given to protecting the people environment from this constant noise invasion. Since all options for this train are moving forward, you should include a sound barrier or other provisions to markedly reduce the noise from your forty tons of train on this line before and after the Attleboro By-Pass.

Additionally, Richardson Avenue crosses the Attleboro By-Pass. There are 35 Homes on the South side of the By-Pass and 95 Families on the North side of

O-037-002

MassDOT will evaluate the severe impact locations to determine if a noise wall can be provided. As described in DEIS/DEIR Chapter 4.6, Section 4.6.3.6.1, noise barriers are usually cost effective only when designed to shield a large number of residences spaced close together. Under circumstances when a noise barrier is either not feasible because of engineering or economic issues, building noise insulation will be considered. Table 4.6-32 in Section 4.6.3.6.3 includes the length and projected costs for sound barriers.

the Attleboro By-Pass. The homes on the South side are approximately 12 years old. These noisy trains will be just as heavy and will be extremely close to these family homes. To protect the people environment at the Richardson Avenue site, the construction and cost estimates need to be included in Alternative 1, Option 1A and 1B, for a Sound and Safety Barrier Wall OR comparable alternative.

These two recommendations are submitted for your review and implementation.

Sincerely,

DONALD J. MICHAUD
436 RICHARDSON AVENUE
ATTLEBORO, MA. 02703
PHONE: 508-431-2312
EMAIL: donmichaud@peoplepc.com

3/12/2009

POLITICUS — by DAVID A. MITTELL, JR.

Cut here for camera ready logo

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Jamaica Plain, Massachusetts 02130
617-JAmaica-2-5520
damittell@gmail.com

Also E-mailed
to raith maith agat!
Dáithí

[These comments are excerpted and amended from a column published in The Providence (R.I.) Journal on May 28, 2008, before the Attleborough and hybrid alternatives were rejected -- decisions I agree with. David A.Mittell, Jr.]

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JAN 9 2009
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"Whither To Fall River & New Bedford?" by David A. Mittell, Jr. Revised January 7, 2009, for Public Comment on the South Coast rail project.

Text:

The Massachusetts Executive Office of Transportation is considering options for future public transportation from Boston to Fall River and New Bedford. It has whittled a large piece of lumber whose position hadn't shifted much in the 50 years since passenger rail service ended in 1958 to five working options — improved bus service and four -- recently reduced to two -- possible routes for restoring train service.

Bus service doesn't concern us here, though it could prove to be the only feasible alternative. Of the two remaining rail options one is due to be chosen within a year. These are:

1) The Stoughton line extended on an abandoned right-of-way through Easton to a split south of Taunton, and thence to Fall River and New Bedford. 2) The current Lakeville line to Middleborough, and thence to Taunton and beyond.

O-038-001

Of the two, I favor the Stoughton route because it is the most direct, and reduced travel time is the more costly trains' advantage over buses. We want to bring Fall River and New Bedford closer to the Greater Boston economy and housing market. But this route goes through the 6,000-acre Hockomock Swamp. Even though the embankment through the swamp was built in 1855 and will be there whether or not new tracks get put on top of it, environmental opponents can be counted on to delay it until death breaks my pen and stills the darting eye of many of you my readers!

O-038-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

As currently proposed, the Middleborough option would add a station in Moddleborough
and stop serving the present park-and-ride station in Lakeville. Passengers using the lot would be shuttled by bus to the Middleborough station, which would not be built to accommodate significant parking.

O-038-002 The Middleborough option is a poor idea because it would add distance and therefore time to Fall River and New Bedford trips. One of the shortcomings of the reasonably successful restoration of service on the Old Colony branches was that they were not built to the standards of modern train technology: When my father takes the train from Kingston to Boston today it takes him longer than when he took the New Haven Railroad's "Myles Standish Express" 71 years ago.

Creating a break-in-transportation by busing passengers from Lakeville to Middleboro is bound to drive riders back into being drivers. It is a fundamentally unsound concept; moreover, it is inconsistent with an arguably desirable future extension from Lakeville to Buzzard's Bay and Cape Cod.

From having covered the restoration of the Greenbush branch for more than 30 years until it opened in 2007, I learned that we were building infrastructure for a century and more. "Frills" — for example tunnels under Weymouth Landing and downtown Hingham — which I at first was against on account of their cost — were worth doing for the long run. If we do it at all, let's do Fall River/New Bedford right by, among other things, not selecting a route containing both extra miles and a gratuitous break-in-transportation.

O-038-003 But I believe the best rail option is neither of the above. The best option is to use an 8.5 mile right-of-way between Whittendon Junction in Taunton, and the Providence line in Mansfield. Built in 1836 and abandoned in 1965, for the most part it remains unobstructed. This route was considered but was rejected for the following reasons:

1) In downtown Mansfield the right-of-way has been turned into parking and a street fronting many businesses. Restoring rail would mean an expensive tunnel and would no doubt arouse opposition. 2) The route runs too close to Mansfield Municipal Airport. 3) A sewer runs under part of it. 4) A bicycle path runs along it south of Mansfield Center.

There was a sewer under part of the Greenbush line, too. Opponents used that as one of their never-ending objections. But it was successfully dealt with. If we decide to build South Coast rail for 100 years and more, sewerage should not stop it. The only real problem with the "Mansfield option" is Mansfield itself. In addition to the redevelopment of the center of town, and the airport, the bicycle path is the World War II Veterans' Trail, "dedicated to those who rode the Old Colony Railroad to fight in World War II." It is integral to the residential neighborhoods through which it passes, and should not be removed.

O-038-002

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

O-038-003

Using the abandoned right-of-way between Whittenton Junction and Mansfield was evaluated and eliminated from further consideration during the South Coast Rail Phase I analysis. Should it be reintroduced for consideration, it would face similar constraints as the Attleboro Alternatives north of Mansfield, as described in DEIS/DEIR Chapter 3.

O-038-003

But there is a marvelous solution. The rail right-of-way crosses Route 495 near where that highway intersects with Route 140. (I have walked it, photographed it and may have gotten Lyme Disease from it!) Both highways have extra real estate. Where the right-of-way (heading north) crosses Route 495, it could easily run along that highway as far as Route 140, then run next to 140 the short distance to the Providence line south of downtown Mansfield — leaving the town, the airport and the Veterans' Trail alone.

The marvelous part is that this would allow for a major station to be built at a point near Routes 495 and 140 — drawing automobile traffic from the four winds, and also lessening the impact of the project on towns such as Easton and Norton. Fall River and New Bedford won't want to hear this, but the Mansfield option would allow the South Coast project to be opened in phases — which, given fiscal reality — could be the only way it will be feasible.

The historic name for the station near where the right-of-way crosses Route 495 was "Crane's." I'm usually a stinker about changing historic names. But in this case I would propose that the park-and-ride station serving these major highways be called the "Michael S. Dukakis Transportation Center."

Mike Dukakis's third term ended badly, but never in his political career did he fail to give whole-hearted support to public transportation. His service should be permanently honored during his lifetime. When the original version of these comments ran in The Providence Journal on May 28, 2008, Mr. Dukakis wrote me: "I don't care if they name a switch after me. Just get it done!"

End Text.

[Respectfully submitted as Public Comment, January 7, 2007. David A. Mittell, Jr., P.O Box 301023, Jamaica Plain MA 02130. 617-522-5520; 617-524-5520 (Fax); 508-514-0398 (Cell); damittell@gmail.com]

AE

Ronald O'Reilly
29 Union Road
Norton MA 02766

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JAN 12 2009
MEPA

January 9, 2009

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

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office (Aisling Eglington) EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: SOUTH COAST RAIL PROJECT
Comments on the EIS and ENF (EOEA #14346)

To Whom It May Concern:

Chartley Pond

I am writing as an individual and as a charter member of Citizens Concerned About Tracks (CCATS). I am an appointed member of the Town of Norton Conservation Commission since 2003 and I am also the Dam Keeper for the Chartley Pond Dam. In my position as Dam Keeper I record daily observations of the water level of Chartley Pond. As the Dam Keeper I am required by Commonwealth of Massachusetts Office of Dam Safety to take and record observations after a rain fall of more than one inch until the water level returns to normal.

Over the past five years I have noticed two changes in the affect of large rainfalls on the Pond. Due to the growth of weeds, primarily purple loosestrife, in the swamps which drain to the Pond, it takes longer for the

Pond to reach its high water level after a rain storm. When I first started taking measurements of the water level at the Chartley Pond Dam, the high water level occurred within twenty-four hours. Presently it takes almost forty-eight hours for the Pond to reach its high water level after a heavy rainfall, defined as more than one inch of rain.

The second change is the increase in the water level which I suspect is a result of residential development in the areas adjacent to the swamps. When I began taking observations in 2003, a hundred year storm would increase the water level of the pond two to three times the amount of the rainfall. Presently the increase is four times the amount of the rainfall.

The proposed Attleboro by-pass would add a second track to the existing single track line. The addition of the second track would require filling-in of a significant area of Chartley Pond which presently covers only seventeen acres of land. Filling-in of the Pond would increase flooding in the residential areas drained by the swamps flowing into the Pond and downstream of the Pond below the Barrowsville Pond Dam. There is not enough undeveloped land adjacent to the Pond to compensate for the amount to be filled for the second track.

O-039-001 Neither the South Coast Rail Project nor the ENF addresses the consequences of filling-in Chartley Pond.

O-039-002 Proposed Station Site off South Worcester Street at the Intersection of Barrows Street

The proposed site at the South Worcester Street at grade railroad crossing is located in an older section of Norton known as Barrowsville. Barrowsville was the home of the former Defiance Bleachery which employed many immigrants and others who settled in that area in the early 1900's. Many small houses and a number of three deckers were built to accommodate the housing needs of the influx of people who came to live in Barrowsville to work at Defiance Bleachery. These are now older, privately owned, mostly single family homes with the exception of some three deckers that have been divided up into apartments. The area is residential except for a combined deli and package store across the street from the proposed South Worcester

2

O-039-001

Chartley Pond would not be filled by the South Coast Rail project. There is one open water crossing associated with Chartley Pond that the Attleboro Alternatives, if one is selected as the LEDPA, would cross on an existing bridge. Wetlands associated with Chartley Pond would be potentially impacted by the Attleboro Alternatives as summarized in Table 4.16 of DEIS/DEIR Chapter 4.16, Section 4.16.3.3.3.

O-039-002

MassDOT has noted and considered your comment.

O-039-003 Street station and a mill building located on Barrows Street. There is no land available for growth or commercial development except the small site of a former bar room that has been closed for many years, or by dislocation of tenants in the three deckers. This site is not conducive to the stated objective of proposed station sites as being a location for "smart growth".

O-039-004 The main issue with the proposed South Worcester Street station site is the access roads. South Worcester Street is a narrow two lane country road with many curves. One curve is a 75degree left turn approximately one hundred yards south of the proposed station site. Barrows Street is another narrow road with many curves. Dean Street starts where South Worcester Street makes the aforementioned 75 degree left turn and is also a narrow, winding road. Many of the homes on South Worcester Street are now located close to the road as the road has been widened over the years. Many of the residents back out of their driveways on to the street because the house lots are small. This road is not a candidate for widening to improve traffic flow. Barrows Street is a road with a mix of older and newer homes with the older ones closest to the road, especially the three deckers. Barrows Street is not a prospect for widening as the three deckers are all located in close proximity to the side walk. The land across the street from the three deckers is wet lands and is the out flow from Barrowsville Pond. The area is in a flood plain and is highly susceptible to flooding during a "hundred years' storm. Such torrential rain storms tend to occur every five to ten years, despite the nomenclature used to describe their expected statistical frequency.

O-039-005

O-039-006 Access to major highways is another issue with the proposed South Worcester Street station site. Barrows Street is a narrow, road with many curves along its one-and-two-tenths (1.2) miles length. Barrows Street ends at Route 140 (Taunton Avenue) that is a dangerous intersection and was the scene a recent fatal accident. Accessibility for the proposed South Worcester Street site is terrible.

O-039-007 MBTA parking at the proposed Barrowsville Station site might be limited as a review of the satellite image shows the site has been previously disturbed for gravel removal leaving a number of depressions that appear now to be isolated wetlands. The egress from the site would be difficult because of the abutting home to the left and a curve in the road restricting the view of those leaving the proposed parking area. The probable limitations on development and the less than desirable egress would likely encourage neighboring property owners to open their yards to parking, especially at the commercial

3

O-039-003

MassDOT has noted and considered your comment.

O-039-004

MassDOT has noted and considered your comment.

O-039-005

Potential stormwater impacts at the proposed Barrowsville Station are described in DEIS/DEIR Chapter 4.17, Section 4.17.3.3.10. If one of the Attleboro Alternatives is selected as the LEDPA, the Barrowsville Station would be designed and constructed in compliance with the Massachusetts Stormwater Management Standards and Regulations, which are summarized in Section 4.17.1.2.5.

O-039-006

MassDOT has noted and considered your comment.

O-039-007

Potential wetland impacts that would result from constructing the Barrowsville Station are described in DEIS/DEIR Chapter 4.16, Section 4.16.3.3.10. Existing traffic conditions in the vicinity of the Barrowsville Station are described in Chapter 4.1, Section 4.1.3.5.2, and potential impacts to traffic in Norton (where the proposed Barrowsville Station would be located for the Attleboro Alternatives) are described in Section 4.1.4.2.5.

O-039-007
O-039-008

building on South Worcester Street that has been closed for many years. All of the private property that has potential for parking is located on South Worcester Street and Dean Street east of the proposed station site. People who park off site would be walking along streets without side walks and rushing to cross the tracks as the train sounds its horn approaching the South Worcester Street at grade railroad crossing. Human nature being what it is people will be ducking under the gates to beat the approaching train. This site is a fatal accident waiting to happen unless it is permanently manned by MBTA Police. That is not going to happen as evidenced by the lack of police presence at other stations in this area which handle ten times the volume of commuters as this proposed site is planned to handle. Two of the stations in communities neighboring Norton have experienced a number of fatal accidents in recent years, when commuters rushing to catch the approaching train crossed the tracks, so a fatal accident is not an unrealistic scenario. Neither of these large commuter stations have MBTA Police present on a daily basis, so it is unrealistic to think that would occur in Norton.

O-039-009

The proposed South Worcester Street station site should be dropped from further consideration for the following reasons:

1. The surrounding area is fully developed with many homes.
2. Accessibility to Routes 140 and 123 is poor.
3. The local roads, South Worcester Street and Barrows Street, are narrow and curved with many of the homes close to the road. Additional traffic on these roads would have a negative impact on the quality of life of these residents.
4. The proposed South Worcester Street station land available for parking appears to be restricted for development due to wetlands and possibly vernal pools on site. Much of the land along the tracks from Barrowsville to Chartley Pond is wet lands and is located in a flood plain. The tracks, laid out in the late 1800's, are surrounded by wetlands. Apparently the most expeditious method was to fill the wet lands to raise the track bed. Some of these wet lands were also formed when the adjacent land was excavated for fill used to raise the track bed. Excavation along the track bed resulted in the formation of isolated wet lands and vernal pools. There is

4

O-039-008

MassDOT has noted and considered your comment.

O-039-009

MassDOT has noted and considered your comment.

O-039-009

standing water along much of the aforementioned single track, for a good part if not all of the year.

5. The proposed commuter rail route through Norton, on the Attleboro Alternative, would adversely affect school bus schedules in both the City of Taunton and the Town of Norton. When school buses are inevitably delayed at the on grade crossings in these communities, both of these school departments would be forced to add additional buses to serve the needs of their students.
6. With the MBTA taking ownership of the existing CSX Rail road freight line, a stated objective of the South Coast Rail Project, the cost of freight service to the South Coast Region will increase assuming that CSX continues to service the Region. The loss of this freight service is likely if CSX no longer has an equity stake in the tracks that service the South Coast.

Taunton and Norton School Busses

O-039-010

An issue that I have not read about or heard discussed is the impact on the cost of additional school buses in both Taunton and Norton. Taunton will have school buses tied up at as many as fifteen on grade crossings throughout the city delaying the pick-up and drop-off of children from kindergarten through high school. The slowing down of bus routes due to the delays at one or more of the fifteen at-grade crossings in Taunton will necessitate the addition of more buses to serve the needs of their children at a cost which has not been determined but which would be borne by the city.

In Norton: four of the five schools' bus routes will be affected due to buses being delayed at the South Worcester Street and John B. Scott Boulevard at-grade crossings. The buses for these four schools start their morning routes for high school pick-ups at 6:45 AM and end the morning run at the Joseph C. Solmonese Elementary School at approximately 9:15 AM. The buses for the high school, middle school and two elementary schools travel the roads that would be impacted by the commuter trains during the morning hours. The Norton bus routes would be slower as the buses would be delayed at one and possibly both of the at-grade crossings. Slower bus routes would require the town to add additional buses. The number of buses and the cost is not

5

O-039-010

Community impacts due to grade crossings will be evaluated during the Final EIR/EIS phase of the project once the LEDPA for the South Coast Rail project is selected. The brief period of time that each crossing would be closed would not adversely affect school bus schedules.

determinable at this time, but there can be no doubt that there would be additional school bussing costs for the Norton School Department. These additional local costs are conveniently being ignored by the South Coast Rail Project "planners".

CSX Freight Service to the South Coast

O-039-011 The South Coast Rail Project has indicated that, if the Attleboro Alternative is selected, one of its objectives will be the acquisition by the MBTA of the existing CSX Rail Road, (CSX) Attleboro freight line. This freight line serves the South Coast Region of Massachusetts. If CSX does not reach an agreement to continue using the line for its one-hundred-twenty-five car freight trains at times convenient for the MBTA commuter line, freight service to the South Coast areas of New Bedford, Fall River, Middleboro and the Cape might be terminated or reduced. CSX currently runs these long freight trains to the South Coast area and returns approximately twelve times a week, some times more often. In any event, the movement of freight will be at a higher cost because CSX would be paying the MBTA a fee to use the tracks it now owns at times dictated by the MBTA, not necessarily at the most convenient and cost efficient time for CSX and its South Coast customers. This is another negative impact of the Attleboro Alternative that is ignored by the South Coast Rail Project "planners".

The termination or minimization of freight service to the industries and commercial entities in the South Coast Region will have a far greater negative impact on the area than the hoped for benefits of commuter rail service. Massachusetts manufacturers are already burdened with high costs for transportation; energy; health care; unemployment and income taxes compared to their counter parts in other areas of the country. The loss or increased cost of freight service to the South Coast Region as a result of the MBTA acquiring the tracks, a stated objective of the South Coast Rail Project, will only increase the exodus of manufacturing from Massachusetts. Every employment statistic supports the fact that manufacturing is crucial to the state's economy and should be encouraged, but industry will not be served with the loss of the current freight service to the South Coast.

O-039-012 The increase in trailer trucks to the South coast region in the event of termination of freight train service has not been addressed in terms of traffic or the environmental impact in the South Coast Rail project or the ENF.

O-039-011

MassDOT has acquired the rail right-of-way in the South Coast Region, and Mass Coastal has acquired the freight operating rights from CSX. Impacts to freight rail operations are presented in DEIS/DEIR Section 4.1.

O-039-012

The South Coast Rail passenger service would be coordinated with existing freight service by private providers. There would be no increase in truck traffic due to termination of rail freight service.

O-039-013 The preservation of the existing industrial and commercial employers in the South Coast Region is another argument that the Attleboro Alternative should be dropped from further consideration.

I have lived in Norton for over fifty years and have resided near Chartley Pond for thirty-six years. Due to my familiarity with Norton, especially the Barrowsville and Chartley sections of town, I can say with some authority and knowledge that there is not a good train location anywhere in Norton along the existing or proposed railroad tracks for the Attleboro Alternatives.

O-039-014 The Attleboro Alternative rail route and the proposed South Worcester Street station site should be dropped from further consideration for the South Coast Rail Project for the aforementioned reasons. The negative affects of converting the existing CXS freight line to a commuter rail service far out weigh any perceived benefits to the South Coast Region.

Yours truly,

Ronald O'Reilly

Ronald O'Reilly
Charter Member and Assistant coordinator of Citizens Concerned About Tracks (CCATS) since 1995
Member of Norton Conservation Commission since 2003

7

O-039-013

The Attleboro Alternatives are not expected to adversely impact industrial and commercial employers in the South Coast region.

O-039-014

MassDOT has noted and considered your comment.

Eglington, Aisling (EEA)

From: Rick Pace [rpace@landtruth.com]
Sent: Wednesday, January 07, 2009 9:40 AM
To: Eglington, Aisling (ENV)
Subject: RE: South Coast Rail Project

RECEIVED
JAN 7 2009
MEPA

January 7, 2009

Secretary Ian A. Bowles
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office [Aisling Eglington], EEA No. 14346
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Bowles,

I have two grandchildren, their parents, and a number of friends who will be impacted by the South Coast Rail Project, particularly the Stoughton Alternative, now under consideration by the State and Army Corps of Engineers. My daughter presented a number of issues to a group of us and I would first include what I believe to be their well-thought inquiries.

From their letter of concerns:

We have an array of project concerns as well as significant environmental issues which should be extensively reviewed.

At the outset, the Army Corps of Engineers and State should re-evaluate the true need and feasibility of the project as a whole.

O-040-001 • *What are the accurate ridership numbers? Has the MBTA proven enough residents of New Bedford and Fall River will ride the train into Boston to pay for construction of the project and then continue to pay for its' daily operation? What will be the true tax dollars needed to close the gap? Who will pay the difference?*

O-040-002 • *Has the MBTA demonstrated that the service they plan to offer will far exceed the current commute into Boston, thus enticing riders to begin travel into Boston from New Bedford and Fall River or to make a change in their current form of transportation?*

O-040-003 • *Has the MBTA proven the arbitrary timeframes involved with this project (less than a 90 minute commute and train up and running by 2016) lead to the Least Environmentally Damaging Practicable Alternative or do these timeframes wrongly eliminate several alternatives?*

O-040-004 • *Has the MBTA proven the plan (if using Governor Patrick's arbitrary goal of less than a 90 minute travel commute) will meet this time target, including not only the actual train ride, but additionally the commute to the train station, waiting for the train and getting to work from the train station once in Boston?*

O-040-001

Ridership projections for each alternative are discussed in DEIS/DEIR Chapter 3, Section 3.2.4.3, Summary of Ridership Modeling Results. Cost per rider for each alternative is provided in Table 3.3-12. A detailed Finance Plan for the LEDPA will describe how the project will be funded and will be released after the publication of the DEIS/DEIR.

O-040-002

DEIS/DEIR Chapter 3, Section 3.2.4.1, provides a summary of travel times per alternative. With the exception of the Whittenton Diesel Alternative and the Rapid Bus Alternative, the remaining alternatives all have a travel time less than that of the average commute time by car during rush hour of 90 minutes.

O-040-003

MBTA can control the in-train travel time but none of the other factors, which have a wide range of variation and therefore have not been taken into consideration.

O-040-004

Construction impacts to land use and the socioeconomic environment from the Stoughton Alternatives are described in Chapter 4.2, Section 4.2.3 and Chapter 4.3, Section 4.3.3 of the DEIS/DEIR.

O-040-005 • *Has the MBTA proven this project justifies the cost to taxpayers and the negative environmental impacts to our state?*

Now I ask the following concerns regarding the environmental impacts created from either Stoughton Alternative (diesel or electric) be addressed:

O-040-006 • *Impacts on public drinking water supply:*

What will be the impacts on Stoughton's drinking water supply? In Easton the proposed rail bed will run past the Zone 1 of Easton wells at the end of Gary Lane. These wells provide the Easton's public drinking water supply. What will the impacts be to their drinking water during construction and operation of the train? How will community's drinking water be protected?

The train bed will run directly through the Hockomock Swamp (ACEC), currently providing public drinking water for Bridgewater and Raynham and possibly additional communities in the future. What will be the environmental impacts on the Hockomock Swamp and its' ability to further provide safe drinking water supplies for local communities?

O-040-007 • *Direct and indirect impacts to the Hockomock Swamp (ACEC):*

What will be the direct environmental impacts on the swamp?

What will be the indirect impacts on the Hockomock Swamp and the habitat for the 13 species listed as rare, endangered or of special concern?

What will the indirect impacts be to vegetation in the Hockomock Swamp and throughout the length of the rail bed?

O-040-008 • *Direct and indirect impacts on the water which now flows over many areas of the abandoned railbed during construction of the train track and the train track once in operation.*

• *Direct and indirect impacts of a diesel or electric train running through Southeastern Massachusetts:*

O-040-009 *What will be the direct and indirect impacts of the diesel smoke discharged into the air we breathe, both while the train is traveling though? And idling at the stations?*

O-040-010 *What will be the direct and indirect impacts of both noise and vibration created by the trains on our homes, businesses and town?*

Their issues seem relevant, compelling, and – as I'm certain you realize – critically important to the protocol of EIR and EIS.

I would also ask that the study include

O-040-011 1) Careful research on the climate and carbon emission impacts of both the construction phase and the daily planned usage of the rail service. The study should include a

O-040-005

A preliminary evaluation of the alternatives can be found in Section 3.3 of the DEIS/DEIR. Information on costs, impacts, and benefits for each alternative is provided.

O-040-006

As described in DEIS/DEIR Chapter 4.17, Section 4.17.2.2.2, all of the Build Alternatives would pass through drinking water protection areas. The railroad is not a source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. With mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources. Potential impacts to the Gary Lane wells were identified in Section 4.2 of the 2002 FEIR.

O-040-007

DEIS/DEIR Chapter 4 describes the potential impacts to the listed resources in Hockomock Swamp from construction and operation of any of the Stoughton Alternatives (including the Whittenton variations).

O-040-008

The Stoughton Alternatives' potential impacts to surface water are described in DEIS/DEIR Chapter 4.17, Sections 4.17.3.5.3 and 4.17.3.5.4.

O-040-009

The air quality analysis for emissions from the diesel train alternatives, described in DEIS/DEIR Chapter 4.9, Section 4.9.2, includes both running and idling operations.

O-040-011 comparison, based upon best known comparables, of the current auto commute carbon and climate impacts vs. the projected rail carbon and climate impacts vs a rapid bus alternative.

O-040-012 2) Careful comparisons of the environmental economic impact and costs for changes to the environment that result from construction and operation of the rail service vs a rapid bus system. These ecosystem services related economic calculations should be included in the overall economic impact calculations.

All of us in America understand that we will be spending large sums of economic stimulus monies over the next few years on rehabilitation and improvement of our infrastructure – let's be certain we are developing projects that are economically and environmentally sustainable.

Thank you for the opportunity to include my letter in your review process. Since I am a newcomer to this issue, I would appreciate a response that would outline the plans of the Corp of Engineers.

Sincerely,

Mr. Richard Pace
Chief Executive Officer
EcoAsset Markets, Inc.
203 South Main St.
Providence, Rhode Island 02903
401-831-6640

1/7/2009

O-040-010

Direct and indirect noise and vibration impacts associated with each of the South Coast Rail alternatives are evaluated and described in Section 4.6 and 4.7 of the DEIS/DEIR, respectively.

O-040-011

As described in DEIS/DEIR Chapter 4.9, Section 4.9.4, comprehensive mesoscale and microscale air emissions modeling was completed for each of the alternatives, including direct emissions from the South Coast Rail vehicles (trains or buses), off-site power plant emissions for electric-powered alternatives, and automobile emissions that would be reduced due to transit ridership.

O-040-012

DEIS/DEIR Chapter 4.9, Sections 4.9.3 and 4.9.4 provide the results of the air emissions modeling for the construction phase and a comparison of the air emission impacts of the alternatives, respectively.

Eglington, Aisling (EEA)

RECEIVED
JAN 6 2009
MEPA

From: Paolucci, Linda (EHS) [Linda.Paolucci@state.ma.us]
Sent: Tuesday, January 06, 2009 7:12 AM
To: Eglington, Aisling (ENV)
Subject: FW. Comments on the Environmental Notification Form (ENF) for the ~~South Coast Rail~~ project

O-041-001 I most strongly oppose the Stoughton alternative to expand commuter rail to Fall River & New Bedford. As someone who commutes to Boston daily & would like a better alternative, the Stoughton proposal would provide more harm than good. It's environmental impact on our town of Easton's water resources, wetlands and endangered species would be irreparable. The traffic congestion and pollution, as well as the noise factor would increase the negative impact. It would also affect the historic resources that the town has continued to preserve for future generations.

Linda M. Paolucci

Operations Analyst
MassHealth Agency
Policy Implementation Unit
600 Washington St, 5th floor
Boston MA 02111
617-210-5680

Before printing, please consider the environment

O-041-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

RECEIVED
JAN 7 2009
MEPA

Eglington, Aisling (EEA)

From: Michelle Fiola & Bill Reidy [fiolareidy@verizon.net]
Sent: Wednesday, January 07, 2009 10:01 PM
To: Eglington, Aisling (ENV)
Subject: Written comments for the South Coast Rail project ENF

I would like to submit the follow comments on the Massachusetts' Executive Office of Transportation ENF report for the proposed South Coast Rail project.

O-043-001 I am writing to express my concerns with the Middleborough option under consideration for the proposed South Coast Rail project. I ask that this option not be selected as the preferred alternative for several reasons, as follows.

As outlined in section 6.2 of the project's ENF report, the Middleborough Simple option does not meet the evaluation criteria. It would not be "operationally compatible with existing transportation infrastructure," as this option would require the abandonment of direct rail service from the existing Middleborough/Lakeville station, adversely affecting commuters who currently use that station and development currently underway around that station. Routing trains away from this station would "significantly adversely affect the existing ... reliability (and) quality of the regional transportation system" by requiring existing Middleborough/Lakeville station users to board a bus shuttle to catch trains at the proposed Middleborough Center station (described in section 4.7.2). The inconvenience that would be caused by this arrangement would deter existing rail commuters living along the I-495 corridor from using the service, which would lead to a significant loss in ridership. This option also does not "provide sufficient capacity to meet demand" as there is not enough existing capacity in the Middleborough Line to provide the addtional trains required to meet the minimum service acceptable under the MBTA Service Delivery Policy, as outlined in section 4.7.2. Without the very expensive construction outlined under Option 2A to increase track capacity on the Old Colony Main Line through Quincy and Dorchester, the MBTA would be unable to provide three peak period trips to each terminal.

In addition to the above criteria, the Middleborough Simple option would only provide marginal improvement over the travel times for highway traffic. This, coupled with the limited train service due to track capacity, would serve to severely limit the number of commuters who would be attracted to this service.

The Middleborough Simple option would also effectively eliminate the possibility of extending existing Middleborough/Lakeville service to Wareham and Buzzards Bay along the Buzzards Bay secondary. A 2007 Boston Metropolitan Planning Organization study found this service extension could be completed at a fraction of the capital cost per passenger of the South Coast Rail project (New Bedford Standard-Times, February 21, 2007). Wareham and Bourne town leaders have strongly endorsed the Buzzards Bay extension. While I understand consideration of the Buzzards Bay extension might not be in the scope of this ENF, I would hope common sense will prevail, and the impact on a Buzzards Bay extension will be taken in consideration.

Should the Middleborough Simple option be implemented, it would only be a matter of a short time before the Middleborough Full option would be required to meet the growing capacity requirements of the Greenbush, Plymouth/Kingston, New Bedford and Fall River lines. Ultimately, this would lead to a much higher cost to the taxpayer than routing South Coast trains via Stoughton.

O-043-002 Routing South Coast Rail via Stoughton would ease the severe traffic congestion around Stoughton Square and the Stoughton commuter rail station. A large number of residents from Easton and other communities along Route 138 use the Stoughton rail station. Building stations in Easton and Raynham, along with proposed street changes in Stoughton (described in section 4.9.3) would greatly mitigate the existing traffic problems in Stoughton. In addition, new rail stations in Easton and Raynham would take pressure off busy commuter rail stations along the Providence Line, notably in Sharon and Mansfield.

Thank you for your time and consideration.

William H. Reidy

1/8/2009

O-043-001

Alternative 2 (Through Middleborough) and Alternative 3 (Through Attleboro/Middleborough) have been eliminated from further review as they do not meet the project purpose.

O-043-002

MassDOT has noted and considered your comment.

73 Fensview Drive
Westwood, MA 02090
781 255-7922

1/8/2009

Eglington, Aisling (EEA)

From: Warren Ross [WarrenRoss@comcast.net]
Sent: Friday, January 02, 2009 11:17 PM
To: Eglington, Aisling (ENV)
Cc: screis@usace.army.mil
Subject: Another major Massachusetts process that will be decided politically rather than predicated upon the best interests of its people

O-044-001 As a Director of the Industrial Development Financing Authority in Stoughton since 1979, I feel that I am in a professional position to represent the interests of Stoughton. Our IDFA has approved more than 25 industrial revenue bond issues for more than $39,000,000 that have served everyone's interests equally. Given your present options in the South Coast Rail Project, I implore you to select the No-Build Alternative or the Rapid Bus Alternative until your statistics regarding actual usage indicate an overwhelming need that busing will not manage.

R. Warren Ross

781-975-1595

O-044-001

MassDOT has noted and considered your comment.

From: Paula Schmidt [paula.noreast@gmail.com]
Sent: Sunday, January 18, 2009 9:57 AM
To: Eglington, Aisling (ENV)
Subject: Rail to SE MASS

O-045-001

I am writing to support extending commuter rail service to Taunton, New Bedford and Fall River. As a long-time resident of the area, I believe an ability to commute to the Boston area would have an enormous impact on the economy of the region. This area is always to first to suffer and the last to recover from economic hardships and, in these troubled times, we need all the help we can get. Paula Schmidt CPA MBA, 412 West Clinton St., New Bedford, MA 02740 (508) 991-4853

O-045-001

MassDOT has noted and considered your comment.

Eglington, Aisling (EEA)

From: sheawood@comcast.net
Sent: Monday, January 05, 2009 5:06 PM
To: Eglington, Aisling (ENV)
Subject: South Coast Rail Project/Comments for ACOE and MEPA

RECEIVED
JAN 5 2009
MEPA

RE: SOUTH COAST RAIL PROJECT - EOEA# 14346
Comments From: Jean Shea
100 Richardson Ave, Norton, MA 02766
E-mail: HYPERLINK HYPERLINK "mailto:sheawood@comcast.net" sheawood@comcast.net
January 5, 2009 Five Pages

THE ATTLEBORO ALTERNATIVES

O-046-001 I have spent a lot of time the past few years exploring the area in the National Grid High Tension Power Line Right-of-Way between the N.E. Corridor/Shore Line tracks, Richardson Ave. and Rte.123 in Norton, Attleboro and a corner of Mansfield. This unique area of open space, although relatively small compared to some, contains a wide variety of wildlife habitats, including: uplands, open fields, mixed deciduous woods, vernal pools (MANY), fresh water marshes, ponds and bogs. It is also home to many RARE species. Unfortunately this area doesn't have a catch name or special designation like some other places. Then perhaps it would have received the attention and respect it equally deserves.

O-046-002 Several brooks traverse the area, which eventually empty into the Wading River. I have tried to determine where these brooks originate, but am still unsure. Some appear to just come up out of the ground, possibly springs. But others, seem to flow from the direction of Lindsey Street in Attleboro, which is where the Bungay River Conservation Area is located. This conservation parcel is not even ¾ of a mile from where the proposed Attleboro By-Pass train tracks would cross under the National Grid power lines.

Most of the proposed Attleboro By-Pass area is truly very, very wet. Residents of Richardson Avenue in Attleboro and Norton have yards that flood every spring, and any other time of the year during a heavy rain storm. By flooding I mean there are puddles in yards in many cases a foot or more deep, some so large that ducks move in to spend time. These puddles sometimes take several weeks to disappear. It is not uncommon for Richardson Avenue to be shut down at the Norton/Attleboro line due to flooding, where the wetlands rise up and over the road.

O-046-003 You only have to drive near this area on a warm rainy spring night to hear the sounds of spring peepers and wood frogs. Or go for a walk on an early May morning, when the first wave of migratory birds have arrived, as they do every year, from their winter homes in Central and South America. Their distinctive songs fill the air as they let us know they have returned to spend another summer raising their young here. Wave after wave of migrating birds return through the month of May and into June. Most stay for the summer, but others just rest up for a few days, before pushing further north. I do believe the area is an important resting spot for migratory birds.

O-046-004 Individual parcels of open space, woodlands and wetlands in this part of Norton, Attleboro and Mansfield may not be as large as some in other towns, but that is what makes saving them even more important to the environment.

I think it is very sad that there are individuals and organizations pointing their finger at the Attleboro Route as the way to go, when they have never set foot in the place they are quick to condemn.

It's time someone started speaking up for the wildlife here who cannot speak for themselves.

O-046-005 So, as I was exploring the area in and around the power lines, I kept a list of the creatures I encountered. It includes 124 species of birds that I have been able to identify, 8 of which are on the Massachusetts Endangered, Threatened or of Special Concern List. I am an experienced birder and do birding events for Mass. Audubon every May. I worked at the Moose Hill Audubon Sanctuary in Sharon, Mass. as a part- time teacher/naturalist managing nature programs for school children, so I do know a little about this subject.

I also have lists of all Amphibians and Reptiles I have been able to identify in this particular area, some of which are on the Mass. Endangered, Threatened and Special Concern List.

Several rare moth and butterfly species have been found here as well.

Additionally, on hand written notes which I have taken on my walks over the years, I have listed plants, with many again: Endangered, Threatened or of Special Concern.
I would love for an expert to spend some time here documenting the plant life.

O-046-006 And certainly, if the Attleboro Alternative is to move forward into the full EIR/EIS process, there needs to be more attention paid to the wetlands, woodlands, vernal pools, brooks, streams, flood plain, bog and wildlife habitat by experts conducting actual field studies at the appropriate times of year.

1/6/2009

O-046-001

MassDOT has noted and considered your comment. Section 4.14 of the DEIS/DEIR describes existing biological resources within and adjacent to the South Coast Rail study area, including the Attleboro Bypass, and the potential impacts to these resources.

O-046-002

MassDOT has noted and considered your comment.

O-046-003

MassDOT has noted and considered your comment. Existing biodiversity conditions within the South Coast Rail study area, including the presence of migratory birds, is described in Section 4.14 of the DEIS/DEIR.

O-046-004

MassDOT has noted and considered your comment.

O-046-005

MassDOT has noted and considered your comment.

O-046-006

Potential wetland impacts from the Attleboro Electric Alternative and the Attleboro Diesel Alternative are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.5 and 4.16.3.3.6, respectively. If either of the Attleboro Alternatives is selected as the LEDPA, field delineations of wetlands, vernal pools, and rare species would be required.

O-046-007 There also needs to be a much more serious and in depth evaluation of impacts of any SCR construction on Chartley Pond, Chartley Swamp and its associated wildlife habitat area.

Since the Original Stoughton Alternative was selected in 2000, there has been much attention devoted to all manner of environmental concerns in the Hockomock Swamp.

The Army Corps of Engineers November 10, 2008 'Notice of Intent' even makes mention of 'threatened, endangered or species of special concern' found in the Hockomock Swamp that are on the Commonwealth of Massachusetts List.

O-046-008 The fact that such creatures have been identified somewhere in a 10 square mile, 16,950 acre parcel of land, encompassing much of the northern part of Southeastern Massachusetts, and spanning six different communities (including Norton and Taunton) which has been designated as an ACEC for 19 years (since February 10, 1990) should come as no surprise.

Interestingly, in the same paragraph of the 'NOI' it is stated that no federally-listed threatened or endangered species are known to be found in any of the alternative route areas.

Of greater significance than state vs. federal listings is the operative phrase "in any of the alternative route areas".

One can easily imagine (over the course of almost twenty years) finding every conceivable creature somewhere in the entire 17,000 acres designated as the Hockomock Swamp ACEC. That does not necessarily mean they are all crawling around the small area where the existing rail bed runs, anymore than they are making their way through all of the areas that would be impacted by the Attleboro Alternatives.

But naturalists and conservationists on this side of the tracks, believe most everything of an environmentally sensitive nature that can be identified along the rail bed in the Hockomock, will likely also be found in the areas of wildlife habitat along the proposed Attleboro Route, which have equal or greater value in untouched woodlands and virgin wetlands.

As was noted in responses to the previous DEIR for this project, with regard to the Attleboro Alternative, you will not find what you do not look for.

And unfortunately, the land that would be impacted by use of the proposed Attleboro Route for South Coast Rail, has received too little scrutiny for environmental issues.

O-046-009 Those of us most familiar with the area (including myself, Norton Conservation Agent Jennifer Carlino and Frances Shirley – President, Land Preservation Society of Norton) are convinced that the degree of wetlands reported in studies thus far for the By-Pass area is a gross underestimate, and identification of vernal pools also falls far short of the actual mark.

If any of the Attleboro Alternatives remain on the table, we will expect a much greater effort/field studies conducted by experts at the appropriate time of year - to accurately identify all of the environmental issues inherent in the use of this ill-conceived route.

Please see (below) my list of species identified in the Attleboro By-Pass Area.

As Of December 31, 2007

E= Endangered T=Threatened SC= Special Concern

124 Bird Species:

Brown Thrasher, American Robin, Northern Bobwhite, Northern Oriole, Common Grackle, American Goldfinch, Purple Finch, Eastern Meadowlark, Brown-headed Cowbird, Orchard Oriole, Red-winged Blackbird, Field Sparrow, Dark-eyed Junco, Chipping Sparrow, Rufous-Sided Towhee, Indigo Bunting, Scarlet Tanager, Common Yellowthroat, American Redstart, Rose-breasted Grosbeak, Ovenbird, Blackburnian Warbler, **Golden-winged Warbler (E)**, Prairie Warbler, Black-throated Green Warbler, Blue-winged Warbler, Pine Warbler, Chestnut-sided Warbler, Red-eyed Vireo,
Yellow-throated Vireo, Wood Thrush, Warbling Vireo, Northern Mockingbird, Gray Catbird, Hermit Thrush, Eastern Bluebird, House Wren, Red-breasted Nuthatch, **Barn Owl (SC)**, Tree Swallow, Eastern Kingbird, Purple Martin, Barn Swallow, Great Crested Flycatcher, Eastern Phoebe, Eastern Wood Peewee, Chimney Swift, Yellow-billed Cuckoo, American Woodcock, Killdeer, Red-shouldered Hawk, Wood Duck, Green Heron, House Sparrow, White-crowned sparrow, House Finch, Snow Bunting, White-throated Sparrow, Song Sparrow, Swamp Sparrow, Clay-colored Sparrow, Northern Cardinal, Yellow-breasted Chat, Wilson's Warbler, Black-and-white Warbler, Bay-breasted Warbler, Yellow-throated Warbler, Magnolia Warbler, Black-throated Warbler, Blue Warbler, Yellow Warbler, Hooded Warbler, Cerulean Warbler, Palm Warbler, Prothontary Warbler, **Blackpole Warbler (SC), Northern Parula (T)**, Cedar Waxwing, European Starling, Blue-gray Gnatcatcher, Veery, Northern Waterthrush, Golden-crowned Kinglet, Carolina Wren, Tufted Titmouse. Fish Crow,

1/6/2009

O-046-007

Potential wetland impacts along the Attleboro Alternatives, including wetlands associated with Chartley Pond, are described in DEIS/DEIR Chapter 4.16, Sections 4.16.3.3.3 and 4.16.3.3.4 for the electric and diesel options, respectively. If either of the Attleboro Alternatives is selected as the LEDPA, field delineations of wetlands would be required.

O-046-008

MassDOT has noted and considered your comment.

O-046-009

Please see response to Comment No. O-046-007.

Sedge Wren (E), Brown Creeper, Black-capped Chicadee, American Crow, White-breasted Nuthatch, Blue Jay, Hairy Woodpecker, Downy Woodpecker, Red-bellied Woodpecker, Ruby-throated Hummingbird, Northern Saw-whet Owl, Common Nighthawk, Barred Owl, Black-billed Cuckoo, Great Horned Owl, Mourning Dove, Eastern Screech Owl, Wild Turkey, Red-tailed Hawk, Ruffed Grouse, Northern Bobwhite, **Bald Eagle (E),** American Kestrel, **Broad-winged Hawk (E), Northern Harrier (T),** Osprey, Turkey Vulture, Cooper's Hawk, **Sharp-shinned Hawk** ***nesting pair*** **(SC),** Canada Goose, Mallard, Great Blue Heron, Winter Wren, Pilated Woodpecker, Evening Grosbeak, Raven, March Wren, Ruby-crowned Kinglet, Pheasant.

Amphibians, Reptiles Etc.:

Newt, Dusky Salamander, Red-backed Salamander, Spotted Salamander, **Blue-spotted Salamander (SC)** (also known as Jefferson Salamander), **Four-toed Salamander** (SC),
Marbled Salamander (T), American Toad, Spring Peeper, Gray Tree Frog, **Eastern Box Turtle (SC),** Bullfrog, Green Frog, Leopard Frog, Wood Frog, Painted Turtle, **Spotted Turtle (SC)** *Spotted turtles far outnumber painted turtles here, at least 20 to1*, Snapping Turtle, Racer Snake, Milk Snake, Brown Snake, Ring-neck Snake, Ribbon Snake, Garter Snake,

Crustaceans:

Fairy Shrimp (SC), Crayfish

Mammals:

Gray Squirrel, Flying Squirrel, Red Squirrel, Chipmunk, White Footed Mouse, Meadow Vole, Meadow Jumping Mouse, Muskrat, Coyote, Red fox, Gray Fox, Raccoon, Short-tailed Weasel, Opossum, Skunk, Mink, River Otter, White-tailed Deer, New England Cottontail, Snow Shoe Rabbit, Big Brown Bat, Short-tailed Shrew.

End of List.

Thank you for this opportunity to comment,
Jean Shea
Member of 'Citizens Concerned About Tracks' (CCATS)

1/6/2009

Eglington, Aisling (EEA)

From: Slate, Arthur (DTA) [Arthur.Slate@state.ma.us]
Sent: Tuesday, December 09, 2008 2:18 PM
To: Eglington, Aisling (ENV)
Subject: Stoughton Alternative

RECEIVED
DEC 9 - 2008
MEPA

Secretary Ian Bowles, EEA, attn.: MEPA Office
(Aisling Eglington)

O-047-001 I am a Stoughton resident that opposes the New Bedford/Fall River
O-047-002 Commuter Rail extension through Stoughton. The neighborhood of homes from Plain Street through Morton Street and Washington Street need protection from any potential train noise and safe access to Route 138 from Plain Street and Morton Street.

Arthur Slate
65 Holland Avenue
Stoughton, MA 02072-3250

12/9/2008

O-047-001

MassDOT has noted and considered your comment.

O-047-002

MassDOT will evaluate the severe impact locations to determine if a noise wall can be provided. As described in DEIS/DEIR Chapter 4.6, Section 4.6.3.6.1, noise barriers are usually cost effective only when designed to shield a large number of residences spaced close together. Under circumstances when a noise barrier is either not feasible because of engineering or economic issues, building noise insulation will be considered. To mitigate safety concerns, as described in Chapter 4.1, Section 4.1.4.2.4, Morton Street and the private driveways to the south would be closed and a bypass roadway constructed to the private grade-separated crossing on Totham Farm Road.

Eglington, Aisling (EEA)

From: Jim_Sullivan@ltx-credence.com
Sent: Friday, January 09, 2009 9:36 AM
To: screis@usace.army.mil; Eglington, Aisling (ENV)
Subject: MBTA Rail Project comments 10509

To Whom it may Concern

O-048-001 I am writing to ask that your organization conduct a non biased review of the entire project regarding commuter service from Boston to Fall River/ New Bedford.

It will be easy to assume that work done to date is unbiased and with tight budgets and busy schedules it may appear that taking past data is good enough. However, if you look past the recent reports and go back to the reports in early stages, you will see that information and opinions regarding the "best " options differ from the prevailing "best" option today.

To go over every detail would literarily take pages of documentation. Instead I would rather use my limited space and attention with you to highlight why I believe every detail of this project should be challenged and this is the right time to challenge it.

First I believe that the work up to 1995 was conducted without a political bias. When that first report was released it started a fire storm of localized activity that altered data for the next decade. I now hope that since this project has moved out of the state politics area and into the federal level that the pressures to pick certain option will be out weighted by the integrity of the reviewing group. I certainly believe that you want to do the right thing and I hope that your organization is allowed to do so.

O-048-002 In particular if you can answer why the early reports had Stoughton Alternative eliminated, but later reports changed the data and now it not only a viable option, but in many political circles and towns it is the only option. Why are the environmental damage figures changing over the years in various reports ? Are changes to these figures real, or are they the manipulation of project planners to make one option look better than another ? If it is real could alterations take place with other options ? In particular, independent studies without state political influence have the Stoughton alternative's environmental impact up to 20 acres, where studies over the years have this figure changing until it finally hit its lowest point as 2.5 acres. How can this figure along with others change so drastically?

In closing you are going to get many letters from political officials asking to pick a particular option. Everyone has concerns, connections and issues. My letter is requesting that you just do an unbiased analysis. That you do not build on recent reports, but look at the true alternative, impacts, and costs and come to a conclusion that will hold up against the future scrutiny that is bound to come with any option selected.

Jim Sullivan
35 Cobblestone rd
Easton Ma

1/9/2009

O-048-001

Each of the alternatives listed in the Certificate has been subjected to a full evaluation in accordance with MEPA and NEPA requirements. The evaluation is provided in the DEIS/DEIR.

O-048-002

As described in the environmental resource sections of DEIS/DEIR Chapter 4, MassDOT has conducted a thorough review of the potential impacts to the environment that would result from any of the Stoughton Alternatives (as well as all other Build Alternatives). Further refinement of the conceptual design of all of the alternatives has resulted in a reduction of the impacts to most (but not all) resources. Similarly, further operational analyses have refined MassDOT's understanding of the practicability of each alternative, as described in Section 3.1.2.2.

January 8, 2009
RE: SOUTH COAST RAIL PROJECT
Comments on the EIS and ENF (EOEA #14346) PART A

From - Mark Sweeney, MEMBER of 'Citizens Concerned About Tracks' (CCATS)
E-mail: mark_c_sweeney@raytheon.com

Comments on Alternative 1 – Through Attleboro, and Alternative 3 – The Attleboro/Middleboro Hybrid

O-049-001 The Mass EOT has made a compelling case that the Attleboro Alternatives could not meet the LEDPA standard of being 'Practicable' and we hope the Army Corps will agree with this conclusion. To summarize the EOT's positions on the Attleboro alternatives, please read the two paragraphs below:

1. Constructability, Schedule, Cost, Impact to Transportation Systems and Impact to Historical Landmark……Choosing the Attleboro alternative would require the a third line be constructed from Mansfield to Readville on the Providence Line as there in NO extra capacity on this line. The existing electrified Acela line would need to be "powered down" at night while the third track is constructed. The third track would require a rebuild of the Mansfield, Sharon and Canton Stations to handle this new third line. The third track would also require the reconfiguration of 22 railroad and highway bridges. A new 700 FT viaduct would be required in Canton and that new viaduct would adversely affect the viewing of the current 173 year old viaduct. These added costs of the third line, station and bridge reconfigurations and the new viaduct would severely impact cost and schedule of the South Coast Rail Line.

2. Impacts to Wetlands……The Attleboro Alternatives would adversely impact wetlands with over 9 acres being lost. Three ACEC's would be impacted such as the Three Mile River, Canoe River and the Fowl Meadow.

O-049-002 Therefore, as recommended by the EOT (based on findings in the November 2008 ENF) Alternative 1 and Alternative 3 should both be removed from further consideration as they are fatally flawed with insurmountable construction obstacles.

Thank you for this opportunity to comment,

Mark Sweeney
14 Laura Lane Norton, MA 02766
Member Citizens Concerned About Tracks' (CCATS)
PH: (508) 226 – 3105

O-049-001

MassDOT appreciates your input and will take these issues into consideration.

O-049-002

MassDOT has noted and considered your comment.

E-mail: mark_c_sweeney@raytheon.com

From: Mark C. Sweeney
Founding Member of CCATs (Citizens Concerned About Tracks)
March 16, 2009

To:
Secretary Ian Bowles
Executive Office of Environmental Affairs
Attn: MEPA Office (Aisling Eglington)
100 Cambridge Street, Suite 900
Boston, MA 02114
E-mail: aislingeglington@state.ma.us

Mr. Alan Anacheka-Nasemann
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742-2751
E-mail: screis@usace.army.mil

Dear Sirs,

I myself, like other members of CCAT's, am truly disappointed with the quality of the information that has been provided by the Central Transportation Planning Staff (CTPS) concerning the ridership projections on the South Coast Rail Line.

CTPS obviously did not do enough due diligence or fact checking before they released the most recent ridership projections in the memorandum on the South Coast Rail Travel Demand Analysis Results.

O-050-001 On Table 4 of the memorandum, the projections for the Attleboro Alternative (Alternatives 1A & 1B) contain 800 new riders from the existing Mansfield Station and a total of 1,115 new riders from the existing Attleboro and South Attleboro Stations.

As CTPS is now probably aware, Mansfield does not have the space to park upwards of 800 new cars and that the existing Attleboro and South Attleboro Stations have absolutely nothing to do with both Attleboro Alternatives.

Therefore, please have CTPS remove 1,915 new riders from the ridership projections of both the Attleboro Alternatives.

With that being stated, the Stoughton Alternatives (4A and 4B) now have the highest ridership projections.

O-050-001

How well a transit alternative attracts potential riders is directly related to regional development, including highway and transit infrastructure improvements. Regional improvement plans included in the travel demand model are listed in DEIS/DEIR Chapter 3, Section 3.2.4.1.2, Regional Plan, and Table 3.2-2, Regional Transportation Plan Highway Improvement Projects Included in the Travel Demand Analysis.

Another issue that I have with Table 4 is the use of the term "Average # of Boardings at New Stations". The CTPS is mixing "Apples and Oranges" when supplying that type of useless information.

They are lumping the ridership of a quiet "Drop Off" Station like Barrowsville in Norton on the Attleboro Alternative with a busy station like the Raynham Dog Track on the Stoughton Alternative which is right on RT 138 and just up the road from RT 495.

That is like saying my freezer is 0 degrees and my oven is 144 degrees but on average my appliances are at room temperature. But room temperature will not make ice or warm up my dinner. Each new station's ridership projections need to be separated from the others and then analyzed on its own merits.

O-050-002 **Please have the CTPS show the "Projected # of Boardings at each New Station". Publish the modeling results for the new ridership for each new station.**

In summary, if ridership projections are the second most important decision maker as to the viability of this Rail Line (after Cost), the CTPS needed to do their homework and produce a much better product than what was presented.

It is unacceptable that such an important decision could be influenced by faulty data and unreasonable conclusions.

The CTPS' misleading data may erroneously sway the opinions of the Massachusetts Legislature and/or the Executive Branch when these representatives may have only the time to glance at an Executive Summary before making a final decision as to the final route of the South Coast Rail Line.

The State can ill afford to make a strategic mistake on a $2B project based on faulty data and unreasonable conclusions.

Mark C. Sweeney
14 Laura Lane
Norton, MA 02766
Founding Member of Citizens Concerned About Tracks'
Former member of Norton Planning Board
Former SRPEDD Commissioner, Town of Norton

O-050-002

Station-specific ridership estimates for each of the Build Alternatives are provided in DEIS/DEIR Section 3.2.4.3.

#54346

AE

RECEIVED

MAR 18 2009

MEPA

March 16, 2009

Secretary Ian Bowles
EEA, attn.: MEPA Office
(Aisling Eglington)
100 Cambridge Street
Suite 900
Boston MA 02114

Dear Mr. Bowles,

O-051-001 I am writing to you as a strong opponent to the proposed South East Rail Extension (Stoughton Line through Easton). I own 5 ½ Acres of property which border the old rail bed where the state is currently considering to extend the train service.

On my property we have wetlands which will be severely impacted, including a beaver shelter area and other wildlife such as deer, coyotes, foxes, various species of frogs, snakes, and many other forms of wildlife. Putting this train through this area, will cause irreparable harm to the environment. In addition the damage to the Hockomock Swamp, the river which flows through my property will be forever changed, and wildlife will die off. My wife and I are planning to send you pictures of this area for your review.

I am asking that you re-consider this option and seek alternative less costly routes such as the extension of the existing line which runs through Lakeville, or even better, Bus Service.

Thanks for your consideration and please contact me if you need any additional information.

Mark Turley

Mark J. Turley
21 Justin Drive
South Easton, MA 02375
508-238-5163

O-051-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

January 7, 2009

RECEIVED
JAN 0 8 2009
MEPA

Secretary Ian Bowles
EEA, attn.: MEPA Office
(Aisling Eglington)
100 Cambridge Street
Suite 900
Boston MA 02114

Dear Mr. Bowles:

O-052-001 My name is Rebecca Turley, I am a resident of Easton MA. I am writing to state my opposition to the South Coast Rail Project and specifically the Stoughton Alternative (that would run through Easton). I have been a resident of Easton for 16 years. I chose to live in Easton because it is a nice quiet town with a lot of historic value, wildlife and beautiful land. I believe that extending the rail project and having a train run through this town would have a huge negative impact to our environment and the quality of life here in Easton. I am concerned about safety, the significant amount of wetlands and the animals that live in those wetlands, how it would affect water supplies and air quality.

O-052-002 We live on five acres of land that is situated in between two golf courses. If this project moves forward and the Stoughton route is selected it would run across our property. This would have a dramatic negative affect to my family. We have two small children. I have significant concerns regarding their safety and the safety of the many other young children in town. There would be a large number of road crossings if the train went through Easton. This would pose a significant risk to our children.

O-052-003 We have a **significant** amount of wetlands on our 5 ½ acres where many animals live. During our 16 years here we have seem so many animals on and around our property, I cannot help but wonder what would happened to all of these animals. One day while walking, I watched a deer for several minutes that was standing on the trail (old rail bed) exactly where the train would run. We have a family of turkeys that live in the area. In addition to deer and turkeys, we regularly see snakes, turtles, frogs, foxes, rabbits, a variety of birds, butterflies and moths, and coyotes just to name a few. .

O-052-004 In addition, I am also concerned about the water supply. The towns water as well as our own. We have well water on our property and would be just feet from where the train would pass. I would have to assume that our water would be affected as well.

O-052-001

As presented in DEIS/DEIR Chapter 3, Stoughton rail alternatives, with both diesel and electric commuter rail modes, were evaluated in the DEIS/DEIR. Variations on these alternatives that follow the Whittenton Branch through the City of Taunton were also evaluated. Reasonably foreseeable environmental consequences of the build alternatives, including the Stoughton and Whittenton alternatives, are presented in Chapter 4.

O-052-002

Safety measures are outlined in DEIS/DEIR Section 4.1. Further safety measures will be evaluated as part of preliminary engineering, after a LEDPA has been selected.

O-052-003

The MassDOT has noted and considered your comment. Section 4.14.2 of the DEIS/DEIS describes existing biological resources within the South Coast Rail study area, including along the Stoughton Alternative corridor which would run through Easton. Section 4.14.3 evaluates the environmental impacts to these resources that may result from construction and operation of the South Coast Rail alternatives.

O-052-004

An analysis of individual impacts to private wells was not performed, but the steps taken to minimize the potential for ground water contamination and drinking water supply impairment under each alternative would also reduce the potential for any impacts to private wells. The railroad is not a significant source of surface or groundwater contaminants. The moving trains generate negligible pollutants, and any incidental drips are adsorbed by the crushed stone of the ballast. With mitigation and best management practices (such as drainage features) in place, none of the Build Alternatives are expected to impair any water resources.

January 7, 2009
Secretary Ian Bowles
Page 2

In summary I am concerned that extending the South Coast Rail Project could have Negative Environmental Impacts to…

- Our air
- Our water
- Noise
- Wildlife
- Environment-wetlands
- History

O-052-005

In my opinion, the Stoughton Alternative would pose more negative consequences and be less desirable than other options.

1) Water-Does this alternative impact more water supplies than other alternatives?
2) Wetlands- Doesn't the Stoughton Alternative impact more wetlands than other alternatives?
3) History- Easton alone has many historic areas that would be affected. Do other alternative pose such a negative impact to historical landmarks?
4) The Hockomock Swamp- During this time when we are gaining an increased understanding of the importance of protecting our environments, isn't this a perfect example of the part of our environment that NEEDS to be protected?
5) Cost- With all of the environmental challenges the cost of the Stoughton Alternative could be significantly more. In this economic environment can we afford to begin such a potentially costly project?
6) Lack of Riders- The only study I am aware of was done many years ago and projected a low number of riders in this area. We already have sufficient train service in all the surrounding towns, including Brockton and Mansfield.

I am confident that throughout your study you will explore these questions in depth. I hope that you will consider one of the less damaging alternatives. Thank you for your consideration on this matter.

Regards,

Rebecca Turley
21 Justin Drive
South Easton, MA 02375

O-052-005

As described in the environmental resource sections of DEIS/DEIR Chapter 4, MassDOT has conducted a thorough review of the potential impacts to the environment that would result from any of the Stoughton Alternatives (as well as all other Build Alternatives). Further refinement of the conceptual design of all of the alternatives has resulted in a reduction of the impacts to most (but not all) resources. Similarly, further operational analyses have refined MassDOT's understanding of the practicability of each alternative, as described in Section 3.1.2.2.

Eglington, Aisling (EEA)

From: Turner, Fran [fturner@hasbro.com]
Sent: Wednesday, January 07, 2009 1:55 PM
To: Eglington, Aisling (ENV); screis@usace.army.mil
Cc: Ellen Turner
Subject: Comments on the Environmental Notification Form (ENF) for the South Coast Rail project

RECEIVED JAN 7 2009 MEPA

To whom this may concern,

Rout proposal: Through Norton Ma. (Alternative 1 I believe)

O-053-001 **My opinion**: Do not run the rail through or near Norton.

Comments on ENF: Following are my comments regarding the South Coast Rail Project, Environmental Notification Form

O-053-002 **Noise**: The principal omission in this report is regarding the noise impact of operating this rail. This is a quiet town. Many of us live here for this reason. The report does not address the negative noise impact of operating a rail line, or the construction noise. There is one section under Air Quality section II B in the report. This is a significant concern. Noise is the principal reason I am against the project.

I live in Norton. One train already runs in town at night. From my house, it can be herd at night, even when inside with doors and windows closed. And I am miles away! This may have to do with the geography of the area, as I live near 3 mile river which may channel sound. This train even wakes me up at night at times...inside my house. I am not overly sensitive to noise, and so I must believe that this impacts others in the town. Adding a train line and the noise associated with it would be intolerable, and I fear I would have to move. Even if I could afford to do so, I like living in Norton, and do not want to move.

O-053-003 **Environmental impact**: This is a close second on my list of concerns to noise. With many of our rural areas disappearing to development, it is best to leave the ones that are less developed as they are. Run the rail somewhere where there will be less environmental impact! We do what we can in this town to preserve land and open spaces. A rail would hurt that effort.

O-053-004 **Community impact**: The train will not benefit Norton residents, and will add traffic crossings which are safety concerns. To some communities, a train is a good thing. It provides access to transportation, and possibility for town growth. Neither of these things will benefit Norton.

O-053-005 **Smart growth**: The report addresses smart growth. I propose that Norton does not need to grow – the smartest growth of all.

O-053-006 **House values**: Many houses have been built near the proposed rail rout in Norton over the years. Some home owners are already placing their homes for sale along this route. People that live in this town value a quiet rural setting, which is why many of us live here. It is probable that many people will move, possibly lowering house values.

O-053-007 **Positive comments**: First, I very much appreciate that an environmental impact study is being done. I also understand that if the mandate is to create a railway, the tradeoffs are difficult to evaluate. Rails have positive benefits to the community overall, which is hard to balance against people that may not want to be near one like me. There are some critical wildlife habitats in Norton and the potential for other significant negative impact to the community. I hope that when all things are taken into consideration, a better route will be chosen.

Regarding noise, if you are interested in understanding the possible impact, you are welcome to come to my house to take dB readings of the existing train noise.

Best Regards

1/7/2009

O-053-001

MassDOT has noted and considered your comment.

O-053-002

A detailed noise evaluation has been conducted for this project and is described in Section 4.6 of the DEIS/DEIR. The noise analysis is based on the Federal Transit Administration (FTA) Guidelines.

O-053-003

As described in the environmental resources sections of DEIS/DEIR Chapter 4, MassDOT has conducted a thorough review of the potential impacts to the environment that would result from any of the Attleboro Alternatives (as well as all other Build Alternatives). The Corridor Plan, summarized in Chapter 3, Section 3.3.1.4 of the DEIS/DEIR, describes the initiatives proposed to protect open space through the Priority Protection Area and Priority Development Area designations.

O-053-004

The Barrowsville Station, proposed as part of the Attleboro Alternative, is located in Norton and if developed, would improve access to public transportation for the community. As detailed in the *South Coast Rail Economic Development and Land Use Corridor Plan*completed in June 2009, the project would result in an increase of approximately $63-67 million in business output and 500-540 jobs for the 10 northern tier communities, which include Norton. Norton would also benefit from the implementation of smart growth measures at and within one-mile surrounding the proposed Barrowsville Station. Smart growth, which is discussed in Appendix B of the Corridor Plan, can reduce the cost of public services, protect the environment, preserve of the unique character of municipalities, stimulate economic growth, and reduce dependence on automobiles.

Fran Turner
145 Pine St
Norton MA

Date January 7, 2009

1/7/2009

O-053-005

MassDOT has noted and considered your comment.

O-053-006

MassDOT has noted and considered your comment.

O-053-007

MassDOT appreciates your input and will take these issues into consideration. Evaluation of alternatives will include community benefits, noise impacts, and impacts to wildlife habitat.

Eglington, Aisling (EEA)

From: Wendy Van Dyke [wlvandyke@gmail.com]
Sent: Friday, January 09, 2009 5:56 PM
To: screis@usace.army.mil; Eglington, Aisling (ENV)
Subject: South Coast Rail ENF

Dear Sirs:

I am writing concerning the South Coast Rail project ENF. I am quite disturbed that the project continues to list the Stoughton line as an alternative, despite the fact that it would make such a huge environmental impact in the Hockomock Swamp, an Area of Critical Environmental Concern. (ACEC)

Although Alternatives #1 and #3 would fill more wetland acreage, none of those wetlands are part of an ACEC or "a resource of national importance based on its relatively undisturbed natural conditions", as is the Hockomock, according to the Nature Conservancy. A former Secretary of the Commonwealth's Executive Office of Environmental Affairs, John DeVillars, stated that the 16,800-acre swamp "is the largest inland swamp in southern New England, thus providing the mass so necessary and essential to the protection and perpetuation of various plant and animal species.....as fragmentation occurs elsewhere, the 'Hock" will become one of the few places in eastern Massachusetts with relatively large and contiguous habitat."

O-054-001 Yet the Stoughton Alternative #4 would indeed fragment that pristine swamp and the 17 state-listed rare and endangered species that depend on it. It would also impact at least 17 vernal pools, (although that count rises to 30 in an analysis performed by the Public Employees for Environmental Responsibility : PEER), and 3 active and 1 reserve drinking water wells for the town of Easton. Altogether, it would be an ecological disaster. I **strongly oppose** the use of Alternative #4, the Stoughton route.

O-054-002 Alternative #5, Rapid Bus, is the most economically feasible choice out of the 5 alternatives. It also provides the shortest commuter times, a key point in generating and/or sustaining ridership, and it will be operational by 2016, meeting the EOT's projected completion date. In these days of economic hardship, a project which is expected to cost 0.3 of EOT's budgetary goal and which delivers the fastest service to riders seems to be the wisest choice.

Sincerely,

Wendy Van Dyke
12 Woodland Drive
South Easton, MA 02375

1/12/2009

O-054-001

MassDOT has noted and considered your comment.

O-054-002

The capital costs of the alternatives can be found in Section 3.2.5.2.12 of the DEIS/DEIR and comparisons of cost per rider in Section 3.3.2.1. Although Rapid Bus would be less costly to construct and operate, it would not meet the project purpose.

Eglington, Aisling (EEA)

From: Nathan Viveiros [nathan@thinktechonline.com]
Sent: Tuesday, January 06, 2009 9:40 PM
To: sreis@ussce.army.mil
Cc: Eglington, Aisling (ENV)
Subject: Southcoast Rail Support

RECEIVED
JAN 6 2009
MEPA

O-055-001 Hello I wanted to send this email to let you know that I am a strong supporter of the Commuter Rail Extention to the Southcoast. I have lived in the New Bedford area all my life. I am a business owner for over 11 years in New Bedford and I am also a real estate investor that owns several properties in New Bedford. This is just what New Bedford needs to strengthen its economy and grow not only its tax base but better support its population and local businesses. This will fuel job growth and stabilize an slumping real estate market. If you have any questions please do not hesitate to contact me anytime. Thanks

Nathan Viveiros
President & CEO

ThinkTech Computers, Inc
4 Welby Road, Suite 1R
New Bedford, MA 02745

Tel: 508-992-2541
Fax: 508-984-1512
nathan@thinktechonline.com
www.thinktechonline.com

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1/7/2009

O-055-001

MassDOT has noted and considered your comment.

Please use Alternative 44

RECEIVED
JAN 08 2009
MEPA

Eglington, Aisling (EEA)

From: prvs=avery.williams=2528cc165@rbc.com on behalf of Williams, Avery (RBC Wealth Mgmt) [Avery.Williams@rbc.com]
Sent: Thursday, January 08, 2009 3:47 PM
To: Eglington, Aisling (ENV)
Subject: Please use Alternative 44

O-056-001 As a life long resident of Easton I ask that you give full consideration to Alternative 44 as the least adverse proposal environmentally and the least costly approach to providing transportation service to New Bedford and Fall River.

Thank you,

Avery L Williams
29 Spooner Street
North Easton, ma 02356

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1/8/2009

O-056-001

As required by the Certificate, the Rapid Bus Alternative has been subjected to a full evaluation as part of the MEPA and NEPA processes, along with the Attleboro and Stoughton Alternatives (including the Whittenton variation).