



Charles River Watershed Association

By Fax and Mail

March 7, 2008

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

Attn: Nick Zavolas, MEPA Office

Re: Single Environmental Impact Report, Redevelopment of 175 Wyman Street, Waltham, MA, EOEEA No. 14134

Dear Secretary Bowles:

The Charles River Watershed Association (CRWA) submits the following comments on the Single Environmental Impact Report (SEIR) for the above-referenced project. The SEIR is inadequate and not responsive to your Expanded ENF certificate in many respects and we request that you require a supplemental EIR. It cannot be said that this project has avoided, minimized or mitigated damage to the environment to the extent feasible.

Despite the opportunities that this redevelopment project presents to reduce site imperviousness, it will only be reduced by 4 percent over existing conditions. SEIR at 6-1. The project will add 385 new surface parking spaces to the 890 existing parking lot spaces and another 400 in structured parking. The proponent justifies the doubling of existing parking on the grounds that a potential tenant has requested it. The project will also add over 3,000 vehicle trips per day to an area that is already often gridlocked during peak commute hours. Traffic conditions in this area will also worsen when the cumulative impacts of other projects such as Prospect Point (EOEEA # 13952) are considered. The project requires an aggressive Transportation Demand Management (TDM) plan.

The TDM measures should be strengthened considerably. While the proponent is capable of making TDM measures binding on its tenants through lease terms, the Section 61 findings merely state that the proponent will make "recommendations" that its tenants implement certain TDM measures. This is simply not adequate to constitute

mitigation and runs counter to your EENF directive that “[a]ll project tenants and businesses should be required to participate in the proposed TDM plan.”¹

The proponent should explicitly commit to requiring its tenants to implement the listed measures and underwrite them, if necessary. Despite your directive in the EENF certificate, the SEIR does not describe the monitoring for ensuring the success of the program or for continuously funding the proposed TDM plan beyond “designating” an on-site Transportation Coordinator and membership in the Route 128 Business Council. EENF Certificate at p. 5. No additional feasible measures to reduce vehicle trips are proposed. *Id.* Nor is any detail about planned cafeteria or café services provided from which to make an evaluation. The proponent says only that convenience store type articles will be sold with the food services. *Improving* coordination with existing transit and shuttle service, let alone what that coordination is, is also not discussed in the SEIR. The SEIR states only that the proponent will “work with” the 128 Business Council to add the site to the shuttle service. SEIR at 3-4. The proponent should commit to providing its own shuttle connections to the site during morning and evening commuting hours from the Fitchburg line and Alewife Station.

It does not appear that the proponent consulted with WalkBoston as you suggested. Other than interior sidewalks, which would in any event be necessary to get employees to the parking lots, and bike racks, it does not appear that the project will promote pedestrian or bicycle access. Lastly, the project should commit to reducing single occupancy vehicle trips by 15 percent.

While stormwater quality will be improved over existing conditions, there is no indication that the proponent evaluated low impact development (LID) techniques for site design and stormwater management, despite your urging that it do so. EENF Certificate at 3. The Response to Comments makes no attempt to address or even discuss CRWA’s concern that this project will fail to reduce the site’s phosphorous loadings per the Charles Lower Basin Nutrient Total Maximum Daily Load issued by DEP and U.S. EPA. While the site will meet the 80% TSS removal required under the MA Stormwater Standards, the current stormwater design will do little to address phosphorous and water quality impairment. DEP Commissioner Laurie Burt convened a stormwater stakeholder group yesterday in which she made it clear that the state is committed to implementing TMDLs and that doing nothing is not an option. At a minimum, DEP expects to regulate direct stormwater discharges (*i.e.*, not into the municipal storm sewer) from large industrial and commercial impervious sites, which this site would clearly fall under. It is far cheaper for this project to design and install stormwater management BMPs to control phosphorous in runoff now than to have to retrofit the site in the future. Many LID techniques are applicable even in a dense industrial redevelopment site like this one.

¹ In fact, in section Section 4.0 of the SEIR at p. 4-5 the proponent states that it will “investigate” possible TDM measures of ridesharing, facilitating bicycle and pedestrian travel and on-site services. There is no basis provided from which to conclude that “the TDM program is expected to improve air quality in the study area by increasing the number of persons in a vehicle and promoting the use of alternative modes of travel[.]” SEIR at 4-5, especially given that the number of parking spaces at the site may double.

At a bare minimum, the proponent should commit to weekly sweeping of parking lots and access roads within the site with high efficiency vacuum sweepers to reduce pollutants including phosphorus. Eliminating fertilizers with phosphorus, and establishing a vegetation management program that removes any leaf litter and lawn clippings from the site can also help reduce phosphorus loading.

By the proponent's own admission, the storm drain system on the western half of the site will discharge to MassHighway's stormwater basin adjacent to Route 128, which was designed over 40 years and is not in compliance with current requirements. According to GIS mapping, an outfall from this MHD basin appears to discharge directly to the Cambridge Reservoir. The supplemental EIR should discuss 1, 5, 25 and 100-year runoff volumes to this basin from the site, the basin itself and its functionality, and whether there is a connection to the reservoir.

Please feel free to call me at 781-788-0007, ext. 234 if you have any questions.

Very truly yours,

Margaret Van Deusen
Deputy Director and General Counsel

cc: Deerin Babb-Brott, MEPA Director
Waltham Conservation Commission
Waltham Planning Board