

March 30, 2005

Secretary Ellen Roy Herzfelder
Executive Office of Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Attn: Richard Bourre, MEPA Unit

Re: *Urban Ring Phase 2 Draft Environmental Impact Report, EOE # 12565*

Dear Secretary Herzfelder:

The Urban Ring is a critical public transit project for the Boston metropolitan area and its future economic and environmental well-being. As you recognized in the certificate on the Expanded ENF, the project accords with environmental justice principles and will bring better access to jobs, housing and public services to many citizens within the urban core.

The Charles River Watershed Association (CRWA) submits the following comments on the Draft Environmental Impact Report (DEIR). While fully supporting bus rapid transit (BRT) in Phase 2, we believe that a supplemental DEIR (SDEIR) should be required on several issues.

Fenway Impacts and Tunnel Alternative:

According to an analysis by the Fenway Alliance and statements in the DEIR, the # 5, 6 and 7 BRT routes will result in 108 buses per hour on the Fenway and through this area during weekday a.m. and p.m. peak commuting hours. This will triple the current volume of buses during commuter hours. While the DEIR discusses impacts to historical "structures" it is silent regarding impacts to the Fenway and other Department of Conservation and Recreation (DCR) parkways from this project. The parkways are an integral part of the parkland and impacts from the overlapping RBT routes on this historic resource should be discussed in the SDEIR. The Fenway would have east and west bus lanes with a contra flow bus lane westbound and a dedicated BRT turning lane to access the contra flow lane. Three BRT routes would utilize a section of the Fenway. In

addition to historic parkway impacts, the intensive use of the Fenway raises concerns about pedestrian safety. The SDEIR should analyze the tunnel alternative and alternative routes proposed by the Fenway Alliance in its comment letter. It should also discuss parkland impacts and effects on the surrounding area from this intensive use of the Fenway and the measures for minimizing and mitigating those impacts.

Implementation Strategy:

We agree with the Urban Ring Citizen Advisory Committee (CAC) that the DEIR lacks an implementation strategy. Cost, funding and phasing should be discussed in the SDEIR. The SDEIR should also contain a discussion of what actions in Phase I of the Urban Ring have been implemented and the timing of additional Phase I implementation.

We also agree with the CAC that purchase of the CSX right-of-way in Chelsea is very important to this project and that steps should be taken to accomplish this now. This is pressing in light of CSX's notification of its intent to sell this land. We note that the certification on the Expanded ENF requires the MBTA to report on its ongoing efforts to permanently protect the rights-of-ways for all phases in the Phase 2EIR/S.

Stormwater Management:

The project's multi-jurisdictional roadways present a challenge for stormwater management and best management practices (BMPs). The DEIR states that stormwater systems will be provided along railroad corridor busways "where practicable" and that additional volumes of stormwater may be discharged to municipal and DCR drainage systems. It also states that stormwater BMPs will be provided "if required." (DEIR at 5, 7-5).

We think the MBTA has a significant role to play in the project's stormwater management. Stormwater management for roadway alterations should be discussed in detail the SDEIR, as well as the municipal discharge permit requirements for stormwater flows that MBTA states it will comply with. Stormwater in the North Point area is challenging and the SDEIR should discuss the existing MBTA maintenance yard drainage system and its capacity to handle and treat the Northpoint viaduct stormwater flows. Flow estimates should be included. There will be increased stormwater discharges from the rail corridor BRT busways (DEIR at 5-36) and the SDEIR should identify, and discuss the adequacy of using, "existing trackside drainage" for stormwater. The SDEIR should discuss why 80% TSS removal is not feasible for the BRT busways.

Very truly yours,

Margaret Van Deusen
Deputy Director and General Counsel