BOSTON
TRANSPORTATION
DEPARTMENT

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March 26, 2013

*Via U.S. and Electronic Mail*
Secretary Richard K. Sullivan
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02214

**Reference: EOEEA# 15006**
**Caesars Resort at Suffolk Downs**
**Transportation**

Dear Secretary Sullivan:

The City of Boston is pleased to have the opportunity to comment on the Environmental Notification Form (ENF) submitted by Sterling Suffolk Racecourse, LLC ("Suffolk") for the above referenced project. The City, and specifically the Boston Transportation Department (BTD), is committed to protecting the transportation interests of the City of Boston relative to the resort proposal. The City and the community agree that traffic and transportation are a priority. With that in mind, the City is applying the highest standards to the developer's transportation plans, and asks that the state do the same. Many community members have concerns about transportation impacts from the proposed development. We understand that these concerns include but are not limited to assurances that:

- Mobility will not be degraded on roadways in the site environs;
- Sufficient capacity and improvements will be available on the MBTA Blue Line and area bus routes to meet resident and resort needs;
- Resort patrons and employees will not be parking on City streets in the East Boston neighborhood;
- Proposed transportation analysis and planning addresses all modes – automobile, transit, pedestrian, bicycle and water; and,

- Adequate measures will be employed to mitigate construction impacts.

Accordingly, we view the MEPA (Massachusetts Environmental Policy Act) review process as a valuable complement to the City of Boston's own project review process and an important means to address the concerns of the community.

While the scope of this letter is limited to transportation, the City's interests and review extend well beyond transportation issues. As such, a second letter is also being submitted to your office by the City commenting on non-transportation elements of the project's anticipated environmental impacts. *See Attachment A, March 26, 2013 City of Boston Environment and Energy Service Cabinet Letter.* Likewise, this letter does not encompass all of the City's transportation review of this project, much of which is happening at a local level. In an effort to share with your office the scope of the City's transportation review, attached please find a separate gap analysis letter that the City has sent to the proponent. *See Attachment B, March 22, 2013 Stantec Consulting Letter.*[1] The supplemental information filed with the ENF is informative in describing the project and its potential environmental impacts. Receipt of these materials has enabled the City to informally initiate its own project review process. Under the City's own review process the City will fully consider site plan and roadway impacts within our jurisdiction. However, through the MEPA process we seek to understand potential project impacts, and perhaps influence decisions, regarding transportation facilities and services in the City that are under state jurisdiction.

*A. Importance of Route 1A and the MBTA*

The City has specific transportation concerns that relate to State Route 1A and Massachusetts Bay Transportation Authority (MBTA) operations and facilities. Suffolk's preliminary transportation analysis notes the importance of Route 1A and the MBTA in providing safe and efficient access to the subject site. The analysis estimates that ten percent (10%) of the patron trips and thirty-five percent (35%) of the employee trips will be made by public transportation. Of the estimated 24,600 daily vehicle trips generated to/from the site, eighty-two percent (82%) are expected to use Route 1A, with approximately seventy percent (70%) oriented to the south of downtown Boston. The City is seeking assurances through the MEPA process that Route 1A and the MBTA have adequate capacity to handle these increased travel demands, and to prevent any excess demand spill-over onto City streets. Several City roadway intersections, as indicated in Suffolk's preliminary traffic investigations, are already operating at or near capacity and cannot readily accommodate increased traffic volumes. Therefore, the City asks that the state request from the proponent a detailed impact assessment and recommendations to protect the community from any potential impact, particularly related to Route 1A and the MBTA.

*B. Route 1A*

[1] The City of Boston has hired Stantec Consulting to assist with its review of the proposed resort development.

We look forward to the submission of a Draft Environmental Impact Report (DEIR) by Suffolk that includes a transportation study prepared in full conformance with the *EOEEA/MassDOT Guidelines for EIR/EIS Traffic Impact Assessment (*the *Guidelines)*. We ask that the study include all of the intersections listed in Attachment A/Section 3.2.6 (Proposed Study Area) of the ENF plus the following intersections:

- Route 1A/Curtis Street
- Saratoga Street/Neptune Road
- Bremen Street/Neptune Road

The other study area intersections in the City of Boston, per ENF Attachment A/Section 3.2.6, we understand to include:

- Route 1A at Jughandle/Tank Farm Access
- Route 1A at Tomasello Drive (Suffolk Downs)
- Route 1A Northbound at Waldemar Avenue
- Route 1A at Boardman Street
- Bennington Street at Saratoga Street
- Bennington Street at Neptune Road
- Neptune Road at Route 1A Northbound Off-ramp
- Boardman Street at Saratoga Street

Additional intersections are to be considered in the City of Revere.

Consistent with the *Guidelines,* we would expect the DEIR to describe existing and anticipated future transportation conditions to at least the level of detail provided in the preliminary study with more specific and more firm commitments to transportation mitigation. Likewise, we expect Suffolk to address in the DEIR, and/or at the City level as appropriate, the issues raised in the attached "gap analysis" letter (Attachment B) prepared by the City's transportation consultant for this project.

Due to certain unique elements of the project we ask that the EOEEA require Suffolk to include analyses which may not be specifically identified in the *Guidelines*. First, we ask that a "post-build" analysis be completed for at least Route 1A in the site vicinity. We understand that inclusion of a post-build analysis is typical of traffic studies conducted for gaming resorts that are subject to federal review. Federal reviewers recognize that the introduction of gaming to an

area tends to attract additional "induced" development that will further increase travel demands after the gaming resort is built. In this case individual "induced development" projects may not be subject to MEPA review due to their size and/or location yet the cumulative impact of this type of development could have significant impacts on Route 1A traffic operations. Given the scope, cost and construction duration of improvements suggested by Suffolk for Route 1A, the northbound flyover at Boardman Street, decision-making regarding the Route 1A plan should look beyond the typical five-year time horizon considered in the *Guidelines*. It is standard practice for MassDOT to require preparation of a Functional Design Report (FDR) for a roadway project of this scale. Perhaps the FDR traffic analysis could be included in the DEIR as the "post-build" analysis. Second, we ask that the DEIR include an alternatives analysis for the suggested Route 1A improvements. Again, given the scale and cost of the suggested improvements, whatever is built for the proposed resort is likely to remain in place for many years. We ask that alternative Route 1A treatments be presented in the DEIR and evaluated in a matrix format describing as appropriate:

- AM and PM peak hour traffic operations (level of service and volume-to-capacity ratio) for Route 1A intersections with Boardman Street, Tomasello Drive, Waldemar Avenue and the U-Turn/Tank Farm Access;
- Construction costs;
- Construction time period;
- Land acquisition requirements (number of parcels, number of property owners, total acreage, estimated land value); and,
- Pedestrian and bike accommodations and "pedestrian friendliness," (wider roads will make crossing Route 1A more difficult and/or dictate the need for grade separated crossings).

Supporting traffic flow networks, traffic operations analysis worksheets, cost estimate worksheets, construction phasing plans and preliminary taking plans may also be provided in the DEIR appendix to support the evaluation matrix.

*C. MBTA*

The City asks that a detailed impact analysis is done regarding the MBTA subway and bus line sites and services. The City would like the DEIR to consider project impacts on MBTA line capacities, including availability of service and station improvements. Many East Boston residents, businesses, patrons and visitors depend on these services. A detailed impact assessment is needed to protect and enhance the community from any potential impact. The City recommends that an MBTA analysis include review of shift times for employees at the resort, as well as capacity during rush hours, weekends and nighttime service.

We also ask that in addition to considering project impacts on MBTA line capacities, that the DEIR also analyze the capacity of MBTA parking facilities serving the Blue Line. Presumably, the DEIR will look at peak load factors for Blue Line trains and MBTA buses serving the project site to determine if adequate capacity is available to carry resort-generated riders. Ideally, most of the new riders to the resort will access the MBTA system as pedestrians entering the system by way of downtown subway stations or boarding MBTA buses near their homes. However, employees approaching from communities located north of the project site may choose to park at Wonderland or Beachmont stations, particularly if employee parking on site is limited as part of the project's Travel Demand Management plan. The ability of these stations to handle increased parking demands should be considered.

*D. Parking*

Also, and related to the above comment, is a request that Suffolk provide a comprehensive parking analysis and parking management plan in the DEIR for both the construction period as well as after opening. On-street parking along City streets proximate to Suffolk Downs in the Orient Heights neighborhood should be available to East Boston residents and their guests under both construction conditions and future conditions with the resort built. However, competition for these spaces will occur if adequate parking is not provided by the resort to meet typical and peak resort parking needs. The DEIR should analyze typical weekend and special event parking demands. Gaming activity and related parking demand are expected to peak on weekend evenings. Special events, such as live performances, conferences, and high-stakes horse racing, may add to weekend peaks and/or create peaks at others times. A plan should be provided to ensure that resort-related parking demands will be met in resort-controlled parking facilities at all times and not on neighborhood streets.

*E. Water*

The ENF does discuss the possibility of using water transportation to alleviate roadway congestion, which the City of Boston is assessing and encourages. The City is requesting the proponent look at how the project can tie in to the water transportation network to downtown Boston and the Boston Harbor Islands national park. In addition to considering water transport during casino operations, the City has asked the proponent to evaluate the possibility of using water transport during project construction for construction materials and construction workers.

*F. Construction Management Plan*

Finally, as the project advances, the proponent will be required to develop and submit a detailed Construction Management Plan (CMP) to the Boston Transportation Department (BTD) for review and approval. The CMP will address Traffic Demand Management measures for construction workers, proposed truck routes and hours, street occupancies, equipment staging, sidewalk relocations and hours of construction work.

Once again we thank you for providing us with the opportunity to comment on the Caesar's Resort at Suffolk Downs ENF. We look forward to reviewing the anticipated DEIR.

Regards,

Thomas J. Tinlin
Commissioner
Boston Transportation Department

# Attachment A

**Environmental and Energy Services**
**CITY OF BOSTON**

THOMAS M. MENINO
Mayor

BRIAN R. SWETT
Chief of Environment and Energy

March 26, 2013

*Via U.S. and Electronic Mail*
Secretary Richard K. Sullivan
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02214

Subject: *Environmental Notification Form (ENF) Review*
*Caesars Resort at Suffolk Downs, EEA No. 15006*

Dear Secretary Sullivan:

The City of Boston is pleased to have the opportunity to comment on the Caesars Resort at Suffolk Downs Environmental Notification Form (ENF) filed with the Massachusetts Environmental Policy Act (MEPA) Office on January 31, 2013. The City of Boston (City) is a leader in environmental sustainability and energy efficiency. As such, the City and specifically the Environment and Energy Services cabinet (EES) has very high standards.

**General Policy Goals**

Below is a list of overarching policies and goals that the City recommends the proponent consider:

- Reduce energy intensity to the maximum extent possible;
- On-site alternative energy generation to the maximum extent possible;
- Strive to achieve LEED Platinum status;
- Conserve, maximize efficiency and reuse water to the greatest extent possible;
- Seek innovative green attributes;
- Maximize Transportation Demand Management opportunities for all guests and staff; and
- Create a standard for sustainable resort operations and maintenance.

**Scope of the Comments**

The following comments, prepared by the City and our consultant CDM Smith, offer remarks on the scope of the Draft Environmental Impact Report (DEIR) and on the proponent's latest design concepts, as presented at the March 6, 2013 MEPA consultation session. We note

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that some of these assessments and recommendations may pertain to topics and review that is part of the City's own review process; but we have included it herein to allow your office to understand the City's comments on the proposal.

While the scope of this letter is limited to environmental assessments, the City's interests and review extend well beyond these issues. As such, a second letter is also being submitted to your office by the City commenting on transportation elements of the proposal. *See attached March 26, 2013 City of Boston Transportation Department Letter.*

We have reviewed the Secretary's thorough August 24, 2012 certificate on the Project First Light-Destination Resort Casino (EEA No. 14924) and concur that the DEIR scope requirements and level of detail in the areas listed below also pertain to the Caesars Resort project.

- Alternatives Analysis
- Traffic and Transportation
- Greenhouse Gas Analysis
- Wastewater
- Land
- Wetlands
- Rare Species
- Hazardous Materials
- Historic Resources
- Construction Management
- Mitigation

We suggest similar scope requirements for the Caesars Resort project DEIR.

In addition, we offer the following recommendations on DEIR scope requirements for the Caesars Resort project, presented by topic. Note that while some of these recommendations may pertain to topics that will be part of the City's review process, and/or the Boston Redevelopment Authority (BRA) review process, we have nonetheless included them herein because the filed ENF also addresses them.

**General**

1. The proponent presented some new design and sustainability concepts at the March 6, 2013 MEPA consultation session that are not reflected in the ENF filed on January 31, stating that the project will connect nature, people and place and that it will be the "greenest" casino in the country. We are encouraged by Suffolk Downs' pledge for a

particularly green development, including new plans to reduce pavement by 30% and transform current asphalt into a natural landscape. We expect that the DEIR will describe these general comments in more detail.

2. The ENF cites 2017 as the Build Year and 2020 as the Horizon Year. We suggest that the final Horizon Year be selected with MEPA, MassDOT and MassDEP input (for State Implementation Plan target years), and that it be a year that represents full operation of the project plus reasonably foreseeable growth induced by the project.

3. The study area for each topic in the DEIR should be clearly specified and justified.

4. Impacts of proposed mitigation, as well as direct and indirect effects, and cumulative effects should be addressed in the DEIR.

5. The DEIR should include a description of plans for renovating the existing race track and plans during and after construction. Any intensification of use of the race track facilities over existing conditions as induced by increased visitors to the casino should also be identified and included in the impact analysis.

**Energy and Greenhouse Gas Analysis**

1. At the March 6 MEPA consultation session, the proponent indicated that anaerobic digestion, solar photovoltaic, and geothermal energy would be part of the project. We encourage the proponent's commitment to renewable energy, and look forward to a more detailed analysis and description in the DEIR of these and other innovative technologies including:

   - Anaerobic digestion using wastewater sludge, horse manure, food waste and other nearby organic wastes to produce biogas for use in combined heat and power systems or to produce biofuels for on-site vehicle use
   - Combined heat and power (CHP) systems using natural gas and/or digester gas (engine generators, microturbines, fuel cells, etc.)
   - Solar photovoltaic (including power purchase agreements)
   - Solar thermal
   - Building integrated solar
   - Wind turbines
   - Low-impact hydroturbines
   - Geothermal
   - Water source heat pumps
   - Sewer heat recovery
   - Biofuels

- Biomass boilers
- Purchasing green power

2. The ENF states that the proponent will conduct a greenhouse gas (GHG) emissions analysis in accordance with the MEPA GHG Emissions Policy. The list of GHG sources and proposed approach in the ENF appears complete. The ENF states that both Boston and Revere are Energy Stretch Code communities, requiring high standards for efficient energy use in buildings. The ENF then states that these standards will be included in the "preferred case," but not in the "baseline case" that would be used as comparison. The DEIR should examine the Stretch Code requirements in the "baseline case," along with reasonable energy conservation measures that would be encouraged for any new development at the site, and then show how this project may go beyond these measures.

**Climate Change Preparedness**

1. The City will consider its own climate change preparedness goals in evaluating the proposal.

2. Although sea level rise is discussed in the greatest detail, the ENF acknowledges that other climate change impacts should also be addressed and indicates that the DEIR will include analysis of the following:

   - Storm surge
   - Increased frequency/severity of storms
   - Rising temperatures
   - Increased frequency of extreme heat days
   - Precipitation changes

**Sea Level Rise and Storm Surge**

1. In design review, the City will look for protection for the community in relation to sea level rise and storm surge. The ENF used the historic sea level rise value of 2.65 mm/yr. The ENF assumes a linear progression of sea level rise over the 100-year period, which does not account for the potential for future acceleration in the rate of sea level rise. The ENF also states that sea level rise would be 10.44 inches over the next century. The MA Executive Office of Energy and Environmental Affairs (EEA) Climate Change Adaptation Report suggests a more conservative sea level rise range, taking uncertainty associated with United Nations Intergovernmental Panel on Climate Change (IPCC) models into account, of 1 to 6 feet by the end of the century. The proponent has acknowledged the EEA Climate Change Adaptation Report, and has stated that the DEIR will evaluate site design for consistency with this Report.

2. The ENF looked at the relationship of the first floor elevation to flood elevation. It is more appropriate to compare the ground floor to flood levels, allowing for the protection of all

critical infrastructure. The proponent has agreed to consider both the ground floor, and critical underground infrastructure, for vulnerability to flooding in the DEIR. We recommend the proponent also consider protection of chemicals, manure and other potential pollutants from a flooding event. The City will pursue from the proponent design plans and analysis for the impacts of sea level rise and storm serve on the transportation and energy reliably of the site.

3. The DEIR should evaluate the floodplain, including the Flood Insurance Rate Maps, the 100-year flood plain in the project area, and coastal storm flood issues. If necessary under storm surge conditions, we also suggest that the DEIR evaluate a potential operation of a pumping station.

4. 310 CMR 10.57(4) states that the compensatory storage shall have an unrestricted hydraulic connection to the adjacent water body, meaning that the proposed development plans need to be examined to confirm that existing flow paths are not severed, which can result in localized flooding. This issue should be addressed in the DEIR.

5. The DEIR should also consider and evaluate the impacts on flooding of adjacent sites as it may impact the proposed site.

**Sustainable Design and LEED**

1. At the March 6 MEPA consultation session, the proponent stated its intent to make the project the "greenest" casino in the country, yet the ENF indicates that the project will strive for LEED Gold, which is required in the Expanded Gaming Law, *see* M.G.L. c. 23K, § 18 (8). The DEIR should describe in detail how the project will be certified as LEED Gold or higher.

2. Sustainable strategies should not be limited to or by LEED credit thresholds and certification. The DEIR should include consideration of alternative rating systems and metrics that may provide measurable long-term benefits to the project.

3. It appears that the LEED scorecard in the ENF needs to be updated in the DEIR to reflect the proponent's additional sustainability commitments as presented at the March 6 MEPA consultation session. We offer the following comments on the ENF scorecard to assist the proponent in making revisions:

    - The ENF indicates that the project will be LEED Gold certifiable (60 – 79 points); however, the scorecard indicates a total of 58 points. Typically projects attempt several "extra" credits in case USGBC rejects, or the project misses on, any given credit. This is a minimal effort for LEED certification with most credits coming from non-Energy/Water credits. While the ENF states that the project will set a "new standard" for sustainable gaming facilities, the described sustainable strategies and LEED scorecard indicate only the minimum requirements..

    - LEED Scorecard breakdown:

- Only minimal points are attempted in the Energy and Atmosphere category with no points for On-site Renewable Energy even though the project description mentions possible photovoltaic installation. The ENF indicates on-going investigation with regard to installing solar arrays. These may provide the "visual" sustainable image desired by City of Boston but may not provide enough power to make a significant impact on the project's energy consumption of meet the LEED threshold for credit compliance.
- Only minimal points are attempted in Water Efficiency with no points in Wastewater Technologies.
- Sustainable Sites Credit 8 Light Pollution Reduction is not attempted. While it may be difficult for this type of project to achieve the LEED threshold for this credit, there should be some discussion on the strategy to limit light trespass into the adjacent residential neighborhoods.
- Only minimal points are attempted in Materials and Resources.
- Less than half of the Indoor Environmental Quality (IEQ) credits are attempted. The ENF indicates that the project will not meet IEQ credit for low-emitting flooring systems. The majority of flooring manufacturers can meet these threshold limits. Flooring represents the largest indoor surface in the project. This credit should be achieved as it will have significant impact on visitor and employee health, productivity and comfort.

**Wastewater/Water**

1. The DEIR should include a discussion of the continued coordination with the Boston Water and Sewer Commission (BWSC) to allow for capacity analysis of the downstream sewer system to be performed once those flows are further refined.

2. If the water and/or wastewater estimates exceed 300,000 gallons per day (gpd), the DEIR should include an analysis of potential GHG emissions related to the treatment and conveyance of wastewater or withdrawal, treatment and conveyance of potable and/or non-potable water.

3. In the table on page 3 of the ENF Form, the "Change" in "Water Use" and "Water Withdrawal" should be 395,610 gpd (difference between total of 435,810 gpd and 40,200 gpd existing).

4. The DEIR should address whether there is potential for an increase in the "existing" irrigation or O&M water use based on the overall growth and increase in use proposed at the site. These existing flows are carried forward into the proposed future condition.

5. The DEIR should clarify whether peak water demands have been factored into the capacity analysis of the existing system.

6. For existing sewers on the site that are not proposed to be replaced, the proponent should perform a condition assessment to evaluate infiltration/inflow (I/I) and remove I/I as necessary, including separation of inflow sources throughout the site.

7. The DEIR should include a discussion of I/I mitigation that will be required as part of the BWSC site plan approval process. Note that I/I removal associated with the proposed project will need to be performed in the sewer system downstream of the site and that impacts associated with that work should be considered and addressed.

8. At the March 6 MEPA consultation session, an East Boston resident reported existing low water pressure in the area. The DEIR should examine the effects of project and cumulative demand on the water supply and delivery system in the area, and identify any constraints and mitigation.

9. At the March 6 MEPA consultation session, the proponent described rainwater harvesting as possibly displacing water demand for the Central Utility Plant, track maintenance and irrigation. We suggest that the DEIR quantify this benefit.

**Stormwater**

1. We are encouraged by the proponent's statements at the March 6 MEPA consultation session about decreasing impervious surfaces and we look forward to additional detail in the DEIR.

2. While the ENF states that the proposed drainage system will significantly improve the quality of stormwater that discharges to Sales Creek, the means to achieve this goal should be fully described in the DEIR.

3. Greater description of the stormwater management system for the CAFO is needed in the DEIR to document compliance with the Massachusetts Stormwater Management Regulations, as this is land use with higher potential pollutant loads.

4. At the March 6 MEPA consultation session, the proponent mentioned the possible use of on-site wetlands for the treatment of stormwater. We look forward to evaluation of this approach in the DEIR.

**Historical Resources**

1. We are encouraged by the proponent's statements at the March 6, 2013 MEPA consultation session that the site and building design will be inspired by the history of the site. The ENF includes an inventory of historic and archaeological resources in the project area identified through the National and State Registers. The DEIR should build on this information and provide detail on historic preservation activities and any impacts to historic resources that may occur.

**Travel Demand Management**

While the scope of this letter is limited to environmental concerns, the City's interests and review extend well beyond these issues. As such, a second letter is also being submitted to your office by the City commenting on transportation elements of the project's anticipated environmental impacts. *See Attachment A: March 26, 2013 City of Boston Transportation Department Letter.* The following are some comments in addition to that Department's comments on TDM.

1. The ENF states that "the TDM proposals associated with the project are expected to go beyond traditional TDM concepts to include a multi-modal transportation plan." TDM needs should be thoroughly addressed in the DEIR, with much more focus on non-motorized transportation options.

2. The ENF shows that there is little in the way of bicycle infrastructure north of Suffolk Downs in Revere. The City of Revere, working with the Metropolitan Area Planning Commission (MAPC), is in the early stages of developing a bicycle plan (http://mapc.org/resources/bike-transport). The DEIR should provide more detail on the recommended plan. It should also address the condition of current bicycle and pedestrian network in the DEIR, particularly connection points with proposed improvements. The DEIR should contain an analysis of pedestrian connectivity through the site to the access points presented at the March 6, 2013 MEPA consultation session.

3. The level of service (LOS) analysis should include the development of existing and future pedestrian and bicycle level of service along major corridors and districts adjacent to the site, as well as to transit stops and stations in the vicinity.

4. The ENF does discuss the possibility of using water transportation to alleviate roadway congestion, which the City of Boston is assessing and encourages. The City is requesting the proponent look at how the project can tie in to the water transportation network to downtown Boston and the Boston Harbor Islands national park. In addition to considering water transport during casino operations, the City has asked the proponent to evaluate the possibility of using water transport during project construction for construction materials and construction workers.

**Alternatives**

1. An alternative that involves development of a similar area should be evaluated in the DEIR, as well as any other alternatives, similar to the DEIR scope requirements in the Secretary's Certificate on the Project First Light-Destination Resort Casino.

**Air Quality**

1. It is unclear whether Transportation Conformity will be required. Although the proponent states that roadway improvements will not be federally funded or sponsored, if FHWA approval is required for proposed improvements to Routes 1 or 1A, a Transportation Conformity analysis should be included in the DEIR.

2. The ENF states that a microscale (local) intersection analysis, as required by the BRA, will be conducted. The City and/or BRA will also review a carbon monoxide (CO) impact analysis for 1) intersection most affected by the proposed project, and 2) the "worst" intersection in the study area, based on traffic volume and level of service, determined in accordance with U.S. EPA CO hot spot modeling guidance. This analysis would be required if a Transportation Conformity analysis is required. The cumulative induced traffic impacts of the proposed project in an already congested ozone nonattainment area are important. We agree with the proponent that a detailed analysis of the associated effects on local air quality should be included in the DEIR.

3. The proponent states that a mesoscale (regional) air quality impact analysis will be conducted in the DEIR "in accordance with triggers set forth by the MEPA regulations and/or the BRA." Both the Build Year traffic impacts and Horizon Year induced growth traffic impacts are expected to be significant in an already congested Route 1 corridor. The effects of this traffic on regional air pollutant emissions and concentrations, and on consistency with the MA State Implementation Plan, should be considered in the DEIR, whether or not the specific triggers are exceeded.

4. The possibility of dust impacts due to site grading and fill placement is not included in the ENF and should be quantified and evaluated for mitigation in the DEIR.

5. The DEIR should review the locations of all on-site air emissions sources, such as the CUP stack, idling buses, and engine generators, with respect to adjacent neighborhoods, and site these to minimize potential air quality impacts. For idling buses, the DEIR should reference local and state anti-idling ordinances and regulations, and discuss how enforcement will be managed by the proponent as part of mitigation.

6. The ENF states that the size of the boilers, generators and other combustion units in the proposed CUP have not been determined, and will not be determined until final design. The DEIR should include a worst-case upper bound estimate of the proposed project's onsite combustion equipment, along with estimates of both air pollutant and greenhouse gas emissions from this equipment.

7. MassDEP and MEPA encourage all major construction projects to meet requirements for diesel construction equipment in the MassDEP State Revolving Fund (SRF) requirements (http://www.mass.gov/dep/water/wastewater/diesel.htm). These require that all non-road diesel equipment rated 50 horsepower or greater that will be used on a project site meet EPA's Tier 4 emission limits or be retrofitted with appropriate emission reduction equipment. Emission reduction equipment includes EPA-verified, CARB verified or DEP-approved diesel oxidation catalysts or diesel particulate filters. This should be addressed in the DEIR.

8. The DEIR should include a discussion of regional air quality and public health. The project study area includes a concentration of major transportation sources - highways, Logan Airport, and port and rail activities. Since the proposed project could add to regional air

pollutant emissions through increased traffic and induced growth, possible resulting effects on regional air quality and public health should be considered in the DEIR. This should include references to ongoing MA Department of Public Health and Massport studies of air quality and public health in East Boston neighborhoods.

**Construction and Demolition Debris**

1. Organic deposits that provide a potential source for methane generation are presumably below the groundwater table. Although the groundwater table depth does affect the potential for methane generation and migration, it does not eliminate the potential for methane migration; therefore this potential issue should be addressed in the DEIR. Sampling and analysis of driven vapor points to measure soil gas is an appropriate investigation measure.

**Construction Management**

1. The DEIR should discuss why transportation improvements are starting four months after project construction begins.

2. Substantial site grading and soil movement will likely be necessary at the site to achieve adequate flood protection, stormwater retention and landscaping. We suggest that the DEIR include a soils balance, quantifying how much material will be moved, imported, and exported from the site. The geotechnical section of the ENF states that the proponent intends to keep soils on-site to the extent possible, and that currently the project includes just one level of below-grade parking. We support this approach.

3. The DEIR should specify whether construction materials will be conveyed to the site via water transportation.

4. Each of the following aspects of Suffolk Downs ongoing operation should be addressed in the Construction Management Plan, which should be included in the DEIR:

   - Race track operations
   - Safety – pedestrian and vehicular movement
   - Access – which areas will be closed off due to construction activities
   - Staging areas
   - Worker parking
   - Noise
   - Dust

**Construction Noise**

1. Demolition/construction-period noise is subject to the Regulations for the Control of Noise in the City of Boston (http://www.cityofboston.gov/Images_Documents/noise_reg_tcm3-

13127.pdf), implemented by the Boston Air Pollution Control Commission (APCC), a division of the Boston Environment Department. Please see Regulation 3, Restrictions – Construction Sites.

2. Best Available Control Technologies (BACT) and other best management practices (BMP) should be employed at the project site to minimize noise impacts. Measures should include:
   a. Securing any decking on roadways so that there is no rattling when traffic passes over;
   b. Using vehicles and equipment with either ambient-sensitive or manually adjustable back-up alarms;
   c. Proper sizing of impact equipment such as hoe rams, pile drivers and jackhammers and powering only to the degree needed to perform the work;
   d. Installation of noise suppression enclosures on hoe rams;
   e. Placement of stationary noise producing equipment such as pumps and generators as far away as possible from residential and sensitive receptor locations; and
   f. Keeping engine housing panels on all equipment closed; and when not in use, shutting off equipment.

**Construction Air Quality**

1. All pre-2007 diesel construction vehicles working on the project should be retrofitted using retrofit technologies approved by the United States Environmental Protection Agency (EPA) and that ultra-low-sulfur diesel (ULSD) fuel (15 ppm) be used for all off-road diesel equipment.

2. A plan should be put in place to ensure compliance with the Commonwealth of Massachusetts Department of Public Health, Division of Environmental Health, Bureau of Air Quality Control Regulations for the Control of Air Pollution Regulation 11 – Transportation Media (MGL 90 s16A, 310 CMR 7.11).

3. An enforceable anti-idlng plan should be developed for the project site, the project area and for any vehicle layover/marshaling areas. The plan should be included in the DPIR.

4. In order to minimize the spread of dust and debris, it is suggested to lay one to two inches of gravel no less than ten (10) feet in length at truck entrances and egresses in addition to a wheel wash, with proper provisions for runoff. The use of the wheel wash is needed.

5. Regular vacuum cleaning of streets and sidewalks in the project area should be employed to ensure that they remain free streets of dust and debris. The use of a vacuum sweeper is an important measure for preventing construction-related dust and debris from being transported by air or deposited in storm drains.

6. To the greatest extent possible, aggregate piles and excavated materials should not be allowed to remain on the site overnight and on weekends or holidays. Means to ensure that materials will not blow off site should be identified.

**Chemical Cleaning and Abrasive Blasting**

1. If work at the site will include interior or exterior abrasive blasting or chemical cleaning, a permit must first be obtained from the APCC.

**Contaminated Materials and Hazardous Waste Considerations**

1. The Environmental Site Assessment (ESA) referenced in the ENF notes that the Method 3 Risk Characterization supporting the site Response Action Outcome excluded contaminants associated with background conditions and that a Health and Safety Plan for protection of construction workers and a Soil Management Plan for management and disposal of site soils would be prudent for any future site development. These should be provided in the DEIR.
2. The DEIR should consider the regulatory requirements included in the MassDEP policy regarding Construction of Buildings in Contaminated Areas.
3. The ENF text on Non-Structural Controls mentions that onsite storage of hazardous materials or toxic chemicals during construction will be limited to what is absolutely necessary. Additional details regarding the nature of these materials should be provided in the DEIR, as well as spill prevention and control procedures, especially for construction equipment and vehicles.
4. The ENF text on Dewatering notes that dewatering discharges will be infiltrated into the ground where possible. This may be difficult due to the shallow groundwater table at the site as well as the potential for contamination as noted in the ESA. The DEIR should include:
   - Locations where significant dewatering efforts are anticipated such as the parking garage
   - Best management practices/groundwater treatment options and disposal locations
   - Applicable regulatory requirements
5. Contaminated material management issues that are likely to be encountered during project construction and should be addressed in the DEIR include:
   - Above ground storage tanks
   - Underground storage tanks
   - Existing hazardous materials in the maintenance garage

- Polychlorinated biphenyls (PCBs) – management and disposal of PCB-contaminated materials including building materials (e.g. window caulking) and electrical transformers

**Noise**

1. We are pleased to see that the proponent has agreed to address operational noise for stationary and traffic sources, and to evaluate the effects of this new 24-hour activity on bordering residential areas. The ENF states that based on a review of hourly traffic data over a 24-hour period, the proponent will conduct noise impact analysis for two scenarios, a daytime off-peak hour and a nighttime hour. In the DEIR, 24-hour casino equipment and operational noise, and not just traffic noise, should be used in selecting these scenarios. At a minimum, the two scenarios should be: 1) hour of greatest increase over existing background monitored noise level; and 2) hour of highest combined total noise impact. If neither of these occurs during a nighttime hour, a nighttime hour should be added to assess sleep disturbance impact. A better and more informative analysis would also include a complete hour-by-hour 24-hour noise profile of the facility at build-out.

2. The ENF states that a baseline sound level monitoring program will be conducted in and around residential neighborhoods to the north, east and south of the project site. The DEIR should include the results of 24-hour monitoring for a representative weekday and weekend day at potentially affected sensitive receptor locations in these neighborhoods. Potentially affected sensitive receptors could be those near the project site, near traffic noise sources, and those farther away, but with direct line of site to the proposed facility.

3. The proposed Boardman Street fly-over and increased bus activity in the Suffolk Downs parking areas should be included as possible new noise sources in the DEIR noise assessment.

4. The DEIR should include construction noise impact modeling and not be limited to a generic discussion of mitigation measures. Since the construction period will be 30 months or more adjacent to residential areas, the modeling could inform specific mitigation measures related to activity siting, enclosures, and specifications for equipment muffling.

5. The ENF states that noise impact will be evaluated based on City of Boston noise regulations and Federal Highway Administration (FHWA) Noise Abatement Criteria. The DEIR should also compare project equipment noise levels to MassDEP sound level criteria, and compare total modeled combined noise impacts (equipment, idling buses, other site activity, and increased traffic) at nearby residential sensitive receptors to EPA and HUD day-night residential noise impact criteria.

**Operational Solid and Hazardous Wastes**

1. The ENF does not mention any additional protection to prevent exposure to adjacent tank farms or the onsite landfill in a flooding event. A review of the adequacy of existing protection should be included in the DEIR.

2. The DEIR should describe how and where potentially hazardous materials will be stored on the site.

3. The DEIR should include a detailed discussion of post-construction solid waste management and recycling, as well as abatement of asbestos containing materials and lead based paint. The ENF states that the proponent is committed to studying anaerobic digestion for both solid organic waste diversion and for on-site energy production. We support this approach, and encourage the proponent to commit to implementation, as well.

**Socioeconomics and Environmental Justice**

1. The City is interested in reviewing socioeconomic studies related to induced growth and community impacts, including those referenced in MEPA regulations.

2. Pursuant to the Environmental Justice Policy of the Executive Office of Environmental Affairs this project is within an environmental justice population (see paragraphs 14 and 15 of the Policy). The scope of the DEIR should include provisions to comply with this policy.

**Land Use**

1. The DEIR should include discussion of current land use and character of adjacent areas (within a defined study area) to assess compatibility and visual character.

2. The DEIR should describe in greater detail how the massing and building heights within the project will compare to surrounding neighborhood.

**Wetlands**

1. The ENF presents very general information about wetland impacts and mitigation, although we are encouraged by the new landscaping information provided at the March 6 MEPA consultation session, which indicates that portions of the site will be returned to their natural state as wetland. We look forward to reviewing more detailed information in the DEIR.

2. The ENF indicates that there will be approximately 480,000 square feet of filling within bordering land subject to flooding and that compensatory storage will be provided. The DEIR should provide the locations and plans for providing required flood storage.

Thank you again for this opportunity. Please let us know if you have questions or comments.

Very truly yours,

Brian Swett
City of Boston
Chief of Environment and Energy

Attachments:

A. City of Boston Transportation Department Comment Letter

# Attachment B

**Stantec Consulting Services Inc.**
55 Green Mountain Drive
South Burlington VT 05403
Tel: (802) 864-0223
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Stantec

March 22, 2013

Ms. Elizabeth Dello Russo
City of Boston Law Department
City of Boston
City Hall, Room 615
Boston, MA 02201

**Reference: The Resort at Suffolk Downs**

Dear Ms. Dello Russo:

Per your request we are reissuing our "gap analysis" letter of December 17, 2012 for use as an attachment to the City's comment letter on the Environmental Notification Form filed with the state regarding the above project. On January 7, 2013 VHB issued a response to the December 17, 2012 letter on behalf of the project proponent. In its letter VHB noted that many of the issues raised in the gap analysis would be more fully addressed in the Draft Environmental Impact Report (DEIR) to be filed with the state. The issues for which the City should expect to see more information in the DEIR are listed below. The listed items are generally the same as included in the December 17, 2012 letter except that some comments have been consolidated and all have been grouped by subject matter.

Study Scope

The traffic study area should be expanded to include the following locations:

1. The full Bennington Street/Route 1A interchange area to also include the closely-spaced Saratoga Street, Bremen Street and Chelsea Street intersections with Neptune Road. The Bennington Street/Neptune Road intersection is presently part of the study area.

2. Additional intersections along Bennington Street between Neptune Road and Saratoga Street as necessary to fully understand the potential impact of a proposed bike lane on Bennington Street and to understand opportunities to enhance traffic signal coordination and control along this corridor.

3. The Route 1A southbound intersections with the southbound on ramp from Route 145 and with Curtis Street. These "K-type" intersections are subject to some unique and potentially unsafe queuing and merge conditions that warrant a safety analysis.

The traffic study scope should also be expanded into the following areas:

4. FHWA Permits: Identify any applicable Federal permit or review requirements associated with proposed off-site transportation system improvements. Explain how these requirements will be met.

5. Construction Management: Provide a construction management plan for the proposed development as well as proposed off-site transportation system improvements. Provide a traffic management plan to address traffic impacts associated with construction of off-site transportation system improvements.

Study Assumptions

Certain assumptions used in the traffic analysis should be verified or revised as noted below.

1. Provide the source data used as the basis of the trip generation estimates for the project. It is understood that only one active urban casino resort was counted in developing trip generation rates for the project. Data should be provided for additional locations.

2. Source data used to develop the mode split for project related trips should be provided. Obtain and present relevant data for the existing race track to help define existing trip distribution and mode choice patterns for patrons and guests.

3. Historic traffic volume data for study area roadways, particularly Route 1A, should be provided. Data for pre-recession (2007 and earlier) traffic conditions is specifically requested. Many areas have seen traffic declines since the economic recession began in 2008. It may make sense to use pre-recession traffic volume levels for existing or baseline conditions.

4. Determine the level of racetrack activity occurring during the traffic count program that was done for the project. Adjust baseline traffic volumes as appropriate to reflect typical racetrack activity under existing conditions.

5. A detailed explanation of temporal traffic impacts and derivation of critical analysis period should be provided. Emphasis should be on Route 1A operations looking at hourly background volumes, hourly casino traffic volumes and hourly racetrack volumes in combination. No data has been provided to understand daily and hourly variations in racetrack volumes and how these volumes may change over time with a casino resort constructed on site.

6. Update assumptions related to background development and its anticipated traffic impacts. New projects have been identified by the City since the traffic count program was conducted. Assumptions regarding the inclusion/exclusion of the BJ's Wholesale and Seaport Square projects should be clarified. The applicant should obtain a current list of active projects from both Revere and Boston.

Study Methods/Analysis

Certain study methods should be explained or reconsidered as described below. Additional analyses should also be provided as listed.

1. Provide a systems analysis for the proposed Route 1A improvements to consider coordinated signal operations, traffic progression and vehicle stacking between closely spaced intersections. Presently, the Route 1A intersections have been analyzed as if each were operating in isolation. Explain how

clearance times have been considered in the analysis of the proposed mitigation plans. Some very wide intersections are proposed requiring long clearance times and long pedestrian signal phases.

2. Provide a detailed parking evaluation. This evaluation should look at temporal parking demands for the racetrack, casino, hotels and special events. Comparisons should be made to the proposed future parking supply. The proposed parking management plan should be described indicating how and if off-site parking might be used to serve special event parking demands. The study should also explain how the parking management plan will balance the competing goals of minimizing vehicle trip generation for the facility while precluding casino related parking in adjacent neighborhoods. (If limiting the number of parking spaces on the site is used as a strategy to reduce vehicular traffic demands might this result in increased parking demands on neighborhood streets and at nearby MBTA lots?)

3. Describe transit and pedestrian access in terms of trip distance to/from the front and back doors of the casino. The site is quite large hence; walking distances should be measured to the casino front door for patrons and from the back door for employees not just "to the site". Actual walking distances should be considered in the mode choice and trip distribution evaluations as well as in the mitigation plans. Provide a map or plan depicting the location, width and condition of all pedestrian facilities located within walking distance of the site.

4. Provide a comprehensive transit system impact analysis including a discussion of Existing, No Build and Build condition load factors on routes serving the site. Assess the impact of the project on nearby Blue Line parking facilities recognizing that employees will be encouraged to access the site via public transportation.

5. Develop and analyze post-Build traffic conditions on key study area roadways that consider the potential impact of induced development and redevelopment that may occur if and when approval of the casino project is certain.

6. Describe and compare past redevelopment plans for the subject site to the proposed casino plan. Consider trip generation impacts and traffic mitigation plans.

7. Describe how hotel traffic has been included in the traffic analysis. The one site referenced in developing trip generation rates for the study does not include a hotel.

8. Explain and describe alternative mitigation plans for the Route 1A/Boardman Street intersection. Discuss the positive and negative elements of full grade-separation and other strategies in terms of operations, land impacts, construction timetable and cost.

9. Recalibrate the existing conditions intersection analyses particularly for Bennington Street where some intersections/turning movements are reportedly operating with volume-to-capacity ratios in excess of 5.0.

10. Explain the appropriateness of analyzing traffic circles in the project area as roundabouts. Verify that the analysis model applied reflects field-observed operating protocol. Yield upon entry is assumed for roundabout operations. Drivers in Massachusetts do not always follow this protocol at traffic circles.

Mitigation

The traffic study should better define transportation mitigation plans and/or offer additional mitigation as described below.

1. Provide traffic mitigation plans for Bennington and Saratoga Street to address reported poor intersection levels of service. Describe possible strategies to upgrade signal systems and connect them to the City's traffic control center.

2. Provide 20-scale or 40-scale conceptual plans for the Route 1A improvements with proposed limits of work and rights-of-way shown. The plans should describe proposed improvements to pedestrian areas, treatment of medians and below-roadway areas.

3. Provide documentation regarding the timing of mitigation/transportation improvements proposed along roadways in Revere. It is suggested that some of these improvements will be "built by others" and may not be in place prior to project opening.

4. Provide a detailed description of proposed enhancements to existing pedestrian, bicycle and transit access to and within the site. Identify site access locations for pedestrians and bicyclists. Identify new pedestrian and bike facilities to serve the site including the proposed DCR bike path extension and spur to Bennington Street. Clarify funding and timing for these improvements along with any project contribution to these plans.

5. Develop, describe and commit to strategies to transport transit-dependent employees who may commute during non-operating hours for the MBTA.

6. Consider the need to modify time limits and/or introduce other parking management strategies to ensure that adequate on-street parking remains available to local residents on city streets. Provide "duration of stay" information for site visitors and compare the typical durations to time limits for on-street parking in the site environs.

7. Provide a detailed way finding plan that will aid visitors accessing the site along major routes. Explain strategies that will be used to deter employees, taxicabs, delivery vehicles and other regular site visitors from using "short cuts" through residential areas.

8. Explain in greater detail proposed Travel Demand Management strategies, goals and objectives to minimize site traffic generation. Explain how participation by the casino in the local Transportation Management Association might help reduce the number of vehicle trips generated by other TMA members.

9. Describe any traffic monitoring plans that may be put in place after project opening to: confirm the traffic forecasts offered during the permitting process; determine if the goals of the TDM plan are met; and, inform decision making relative to the implementation of additional post-build mitigation measures. Describe financial resources that would be committed to post-build traffic mitigation to address unforeseen circumstances.

10. Water Transportation: Describe any water transportation plans that may be in place and how the project may be able to make use of water access given East Boston's geographic location.

11. Public Safety: Describe and commitment to any special elements of the site access management plan to facilitate access by emergency vehicles.

12. Discuss possible or proposed MBTA bus route modifications that could provide more convenient site access. Describe possible changes to the MBTA Blueline Suffolk Downs and Beachmont stations to better handle the ridership increases and shuttle bus traffic anticipated at these stations. Similarly, describe and commit to streetscape improvements along Winthrop Avenue as necessary to support increased pedestrian activity between the site and the Beachmont station.

13. Describe existing and proposed accommodations for pedestrians to cross Route 1A in the site vicinity and any pedestrian improvements/ amenities proposed along the Route 1A corridor.

14. Explain how bus staging will be managed on site. Describe measures that will be taken to minimize noise and air impacts to adjacent residential areas.

The above list is not meant to be all inclusive as additional issues will likely be identified as the project moves forward. Please do not hesitate to contact us if you have any questions regarding the above.

Regards,

**STANTEC CONSULTING SERVICES INC.**

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