HCAC

CHARLESTOWN

Spotlight on the

WYNN MA, LLC
ENVIRONMENTAL NOTIFICATION FORM

CITY OF BOSTON COMMENTS

HOST COMMUNITY ADVISORY COMMITTEE

City Hall, Room 615 Boston MA 02201

HCAC

July 29, 2013

Dear Charlestown Community:

We would like to share with you some of the City's assessments and recommendations of the environmental review of the proposed development by Wynn MA, LLC. The Proponent has submitted an Expanded Environmental Notification Form to the state. This is an important step in the process of reviewing the development, and ensuring that the development works for the community. The City has assembled a specialized team of City officials, independent consultants and subject matter experts to review this filing and the overall development. Included below are a series of requests and recommendations related to the environmental filing that the City is encouraging the state to consider in its environmental review process.

The City, with community input, believes 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 state do the same. The City recommends that the state request from the developer:

- A detailed analysis of the compatibility of the proposed development with the recently concluded design development for Sullivan Square;
- Details regarding the capacity building strategies for surface roads, including those in the City of Boston, to accommodate the anticipated increase in vehicle trips;
- A detailed analysis of vehicular, pedestrian, bicycle and boat access connections to the site;
- An analysis of the MBTA, including availability of service, station improvements and details for proposed stations;
- An overall comprehensive parking study;
- A detailed construction management and demand management plan.

Please see the attached Boston Transportation Department comment letter to review all of the City's transportation comments to the state.

As a leader in environmental sustainability and energy efficiency, the City is encouraged by the Proponent's plans to thoroughly clean up a brownfield site that carries with it a high likelihood of soil and particulate contamination. At the same time, the City has very high environmental standards. Therefore, the City asks that the state also request from the developer environmental material and studies in many areas, including the following:

- Detailed plans for engaging in a site clean-up strategy that includes Best Practices and thoroughly sound environmentally responsible standards to ensure that the aforementioned decontamination process does not present risk to adjacent neighborhoods, air quality or waterways;

- Detailed consideration of energy and water conservation and alternative energy measures, and use of sustainable building materials;
- Thorough information on a harbor plan;
- Detailed evaluation of local and regional air quality impacts, and information on soil and hazardous materials;
- Information on storm-water management, sea level rise, and storm surge preparedness;
- In all of these areas, the City suggests that the developer consider impacts for the construction period as well as future effects.

Please see the attached Environmental and Energy Services Office comment letter to review all of the City's environment and energy comments to the state.

Finally, the City encourages the Proponent to engage with the community and present the City and the community with a detailed impact assessment and recommendations to protect the community from any potential impacts, including on neighborhood parks. Please see the attached Parks & Recreation comment letter to review the City's comments to the state on neighboring parks.

We want to reiterate that the City's critique of the Wynn MA, LLC, Expanded Environmental Notification Form is one of many reviews of the overall development, all of which are improved by community engagement and feedback. We look forward to working with the community and the state throughout this process.

Sincerely,

Elizabeth Dello Russo
Assistant Corp. Counsel
Executive Director,
Host Community Advisory Committee

BOSTON
TRANSPORTATION
DEPARTMENT

ONE CITY HALL SQUARE • ROOM 721
BOSTON, MASSACHUSETTS 02201
617-635-4680 • FAX 617-635-4295

July 23, 201

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# 15060
Wynn Resort
Transportation

Dear Secretary Sullivan:

The City of Boston Transportation Department is pleased to have the opportunity to comment on the Expanded Environmental Notification Form (ENF) submitted by Wynn, MA, LLC ("Wynn") for the above referenced project. The City of Boston is committed to enhancing and protecting the quality of life of Boston residents and is particularly concerned for those who live and work in Charlestown and may be impacted by this project. The transportation components of the project as currently proposed will have significant impacts on local roadways as well as pedestrian, transit and bicycle facilities located in Boston. With that in mind, the City will rely in part on the MEPA process to fully define project related transportation impacts and necessary mitigation measures while we concurrently pursue strategies to directly engage Wynn in a discussion of these matters in other forums. Our principal concerns at this point in the process relate to the viability of the project from a transportation perspective and enhancing recognition for Boston's role in the project entitlement process. Furthermore, potential project related traffic impacts in Boston will be significant and any proposed strategies to mitigate these impacts may be incompatible with on-going planning efforts by the City to enhance the urban environment in Sullivan Square and along Rutherford Avenue. Each of these items is discussed below.

A. Boston's Review Authority

Based on information provided in the EENF it appears that the City of Boston will have a significant role in the project permitting process. The proposed development

project will at a minimum require an access permit from the Public Improvements Commission of the Boston Public Works Department. (Table 2-1 of the EENF lists anticipated local permits and makes no mention of permits required from the City of Boston.) Similarly, any proposed roadway improvements in Charlestown triggers the need for a community outreach process. Wynn should initiate discussions with the City relative to this significant permit issue and Wynn must engage the community as well.

1. Access Permit-The existing driveway serving the Wynn property intersects Alford Street (Route 99), a city street, at the Boston/Everett city line with half of the driveway located in Boston and the other half in Everett. Wynn proposes to relocate this driveway approximately 175 feet to the north such that the driveway curb cut will be located fully within the City of Everett. The EENF does not offer a specific access plan for the site but indicates that a double left-turn lane may be provided on Route 99 northbound to accommodate traffic entering the site from the south. The mere act of abandoning and closing the existing site driveway would require an access permit from the Public Improvements Commission. Furthermore, the proposed relocation of the driveway into Everett does not exempt the project from City of Boston review as the proposed double left-turn lanes would be constructed on a Boston roadway.

The City of Boston through its Public Improvement Commission has approval authority over any proposed changes to Alford Street. With the proposed driveway located only 175 feet north of the city boundary, construction of left turn lanes with appropriate tapers would extend the limits of work well south into the City of Boston. The EENF states that the project will generate up to 2532 peak hour entering trips (EENF page 4-12) with 59 percent of those trips arriving from the south (EENF page 20). Consequently, the double left turn lane would be expected to accommodate 1494 left-turning vehicles. In order to accommodate this volume of left-turns each turn lane would need to be approximately 750 feet long. (As a general "rule of thumb" each left-turning vehicle per hour adds one foot the 95th percentile left-turn lane queue.) With tapers, turn lane construction would extend 900 to 1000 feet into the City of Boston.

2. Community Process-The Boston Transportation Department oversees the development of significant roadway improvement projects within the City of Boston. Part of the project development process includes extensive community engagement to understand the issues of concern to local residents and business owners. As noted below, a three-year process of community engagement was just completed relative to changes proposed along Rutherford Avenue and at Sullivan

Square in Charlestown. Any changes to Boston streets proposed as traffic mitigation for the Wynn project would similarly be subject to a public participation process including meetings with the Charlestown residents and the Charlestown Neighborhood Council.

B. Project Viability

The site access issue described above is just one of many that raise doubts about the viability of this project from a transportation perspective. As noted, two left turn lanes, each at least 600 feet long, would be required to accommodate the projected peak left turn demand. A practical limit for left-turn lanes is 500 feet as longer lanes and the volumes they would handle result in inefficient signal operations and long traffic delays. Consequently, the proposed left-turn lane strategy is not an appropriate solution for this location and use. Similarly, even if shorter lanes were viable from a traffic operations perspective, they may not physically fit within the Alford Street right-of-way. No information has been provided regarding the available right-of-way within the Route 99 (Alford Street/Broadway Corridor) yet a field visit indicates that fences, generally indicating property limits, are located immediately adjacent to the existing sidewalks. As such, there is no room within the existing roadway layout to add turn lanes. More importantly, there are building faces located within a few feet of the back of the sidewalks in many areas. Building relocation or demolition may consequently be required to implement the proposed turn lane additions. Other project feasibility issues are listed below.

1. Broadway Widening-The EENF indicates that Broadway in Everett will also be widened to provide a fifth lane for left-turns as well as bicycle and pedestrian accommodations. No information is provided relative to the available right-of-way along Broadway to facilitate the suggested roadway changes however, the same widening constraints observed along Alford Street in Boston also appear to be present along Broadway in Everett. It is unclear how the proposed roadway changes can be accomplished without significant land takings and building demolition.

2. Revere Beach Parkway-The EENF indicates that Santilli Circle along the Revere Beach Parkway will be reconstructed as a grade-separated, single-point diamond interchange in order to address existing operational issues and to accommodate casino resort related traffic. Revere Beach Parkway is a historic roadway. As such there may be restrictions in place to preclude such dramatic changes to the roadway configuration. The EENF provides no indication that the Massachusetts Historical Commission and the Massachusetts Department of Conservation and Recreation would approve the suggested changes.

3. Wellington Circle Operations-Further west along the Revere Beach Parkway, site traffic must pass through Wellington Circle when approaching from or returning to

Interstate Route 93. Wellington Circle is a known traffic bottleneck yet no mitigation strategies have been offered for this location. (Failure to address capacity constraints at this location will force I-93 motorists to access the casino resort through the City of Boston via Sullivan Square.) Significant land development adjacent to the roadway may again preclude the implementation of meaningful capacity improvements at this intersection.

4. Transit Use-The EENF indicates that project related traffic impacts will be mitigated in part by visitors and employees using public transportation to access the site. A ten percent transit mode share is assumed. However, the EENF goes on to state that the nearest Orange Line station is more than a mile away and will be linked to the site by way of a shuttle bus service. The required transfers and wait times between subway and shuttle will make it difficult to achieve a ten percent mode share. Assuming that a ten percent mode share can be achieved, accommodations may not be available at the Orange Line stations for shuttle bus loading, unloading and waiting. With more than 2500 projected peak hour entering vehicle trips as noted above, a ten percent transit share would generate 500 peak hour entering visitors assuming two persons per vehicle. Twenty fully-loaded, 25-passenger shuttle bus trips would be required per hour to handle this volume. No information has been provided to suggest that there is space at the MBTA station to handle this volume of shuttle bus traffic.

5. Parking-The parking supply at the project site may not be adequate. As noted above, more than 2500 vehicles per hour are expected to enter the facility at peak times. Other studies of gaming facilities indicate an average duration of stay of approximately four hours for visitors. Consequently, a sustained travel demand of only 1500 entering vehicles per hour over a four-hour period would create a need for 6000 parking spaces not including employee spaces. The proposed project will include only 3575 parking spaces. This figure appears to be completly inadequate.

6. Bicycle Access-The EENF describes various measures (page 4-19) that will be implemented to establish bicycle access to the site from the north. There are no similar proposals to make connections from the south yet as noted above, 59 percent of the resort trips are oriented to the south. The City of Boston is developing a multi-use path that will run along the eastern side of Rutherford Avenue linking Sullivan Square to City Square and the Charles River Basin. The EENF offers no discussion of the feasibility of widening Alford Street and the Alford Street Bridge to safely accommodate bicycle traffic between Sullivan Square and the resort site.

C. Compatibility with Sullivan Square Design

In February 2013 the Boston Transportation Department concluded a three-year long community process to develop a new design for Sullivan Square and Rutherford Avenue. The proposed project does not take into consideration and is not compatible with improvements proposed in the redesign of these adjoining roadways in Boston. The EENF (page 22) states that improvements proposed for Lower Broadway in Everett will be consistent with plans generated by the City of Boston for Sullivan Square. However, Boston's Sullivan Square plans and Rutherford Avenue plans did not anticipate development of a casino resort generating nearly 36,000 vehicle trips per day and more than 21,000 new vehicle trips per day on Boston's Alford Street just north of Sullivan Square and Rutherford Avenue. The EENF (page 9) cites the goal of Everett's Lower Broadway District Master (LBDM) Plan "to transform the Lower Broadway District into a vibrant mixed use urban neighborhood with an improved public realm and enhanced local and regional identity as a high quality residential, employment, commercial district with pedestrian friendly streets, civic spaces and recreational amenities." In fact, the City of Boston has comparable goals for Sullivan Square and Rutherford Avenue in Charlestown which are not acknowledged by Wynn. The key elements of Boston's redesign of Sullivan Square include replacement of the rotary and underpass with a neighborhood-scaled network of surface streets and reducing Rutherford Avenue to two lanes in each direction with appropriate turn lanes. This design effectively distributes existing and projected traffic across a regular street grid. Traffic projections include a conservative five percent growth to 2030 and new traffic from Assembly Square development in Somerville.

The Wynn project fails to recognize this future constrained traffic capacity at Sullivan Square. The traffic information provided in the EENF indicates that Saturday traffic volumes on Alford Street, which links the casino resort site with Sullivan Square and Rutherford Avenue will increase from 25,000 vehicles per day to 46,096 vehicles per day. Similarly, Friday volumes are expected to increase from 26,000 vehicles per day to 43,338 vehicles per day. These expected increases, 67 percent on Friday and 84 percent on Saturday, are more than six and eight times the increases considered in the current roadway design plans. These increases are clearly not consistent with, nor are they compatible with, the transportation plans developed for these principal Charlestown roadways. Furthermore, the traffic signal coordination improvements that the proponent *does* propose (page 4-18) only perpetuate existing deficiencies at Sullivan Square by failing to reconfigure the rotary itself.

In light of the above we look forward to the submission of a Draft Environmental Impact Report (DEIR) by Wynn 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 at least all of the intersections listed on pages 4-13 and 4-14 of the EENF with special emphasis on Sullivan Square and Rutherford Avenue. The DEIR should demonstrate how the traffic generated by the project will be accommodated assuming the new design and capacity for Sullivan Square and Rutherford Avenue in Charlestown. The study should also consider proposed

transportation system improvements in these areas along with potential traffic increases associated with redevelopment of underutilized parcels in Sullivan Square. (The City of Boston is currently conducting a study to consider land use potential in Sullivan Square with the proposed new roadway configuration.) The study should include a viable strategy for shuttle bus service to/from Sullivan Square or decrease the assumed ten percent transit mode share. Finally, the proponent must contact the City of Boston to understand the full scope of its right-of-way permitting jurisdiction relative to the proposed project and commence an extensive community process in Charlestown to discuss transportation impacts.

Once again we thank you for providing us with the opportunity to comment on the Wynn EENF. We look forward to reviewing the Draft Environmental Impact Report and commenting on that document as well.

Regards,

Thomas J. Tinlin
Commissioner
Boston Transportation Department

v:\1953\active\195310830\018-btd casino\planning\wip\study docs\letters\2013-07-13_enf comment letter on wynn.docx

Environmental and Energy Services
CITY OF BOSTON

THOMAS M. MENINO
Mayor

BRIAN R. SWETT
Chief of Environment and Energy

July 23, 2013

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

Subject: *Wynn Resort - Expanded Environmental Notification Form Review, EEA No. 15060*

Dear Secretary Sullivan:

The City of Boston is pleased to have the opportunity to comment on the Expanded Environmental Notification Form (EENF) noticed in the Massachusetts Environmental Policy Act (MEPA) Environmental Monitor on June 12, 2013 by Wynn MA LLC (Proponent) for the *Wynn Resort* hotel/resort and gaming facility. The 2.9 million sf project will also include retail, dining, conference/entertainment space, water transportation docking facilities and 3,490 structured parking spaces. Mitigation measures to offset impacts of the 2.9 million sf project are identified as contamination remediation, transportation improvements, public access and recreation facilities along the waterfront and socioeconomic benefits for the region and City of Everett.

The Proponent expects to realize the following schedule:

- Fall 2013 – file second application with Gaming Commission
- End 2013 – Everett re-zoning is completed
- End 2013 – Municipal Harbor Plan process is completed
- End 2013 – Neighboring Community Agreements are executed
- First Quarter 2014 – if successful, obtain Gaming License
- June 2014 – complete MEPA process
    - site clean-up and construction
- Second Half 2016 – project in operation

SUITE 603 • ONE CITY HALL SQUARE • BOSTON • MASSACHUSETTS • 02201
617-635-3425 Fax: 617-635-3496

City of Boston 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 offer remarks on the EENF for consideration of the MEPA Office in preparing the Scope for the Draft Environmental Impact Report (DEIR). We note that some of these assessments and recommendations may pertain to topics and review that is part of Boston's own review process; we have included them 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 July 23, 2013 City of Boston Transportation Department Letter.*

Having previously reviewed the Secretary's thorough August 24, 2012 certificate on the Project First Light-Destination Resort Casino (EEA No. 14924), we suggest similar scope requirements for the Proponent's DEIR with the same level of detail in the areas listed below.

Air Quality, Energy and Greenhouse Gas Analysis

Climate Change Preparedness, Sea Level Rise, Storm Surge

Community Process

Contaminated Materials and Hazardous Waste Considerations

Historic and Archaeological Resources

Noise

Socioeconomics and Environmental Justice

Stormwater

Sustainable Design and LEED

Transportation/Transportation Demand Management

Operational Solid and Hazardous Waste

Wastewater/Water

Wetlands, Waterways and Tidelands

Construction Management

General

1. The proximity of Boston residences and other sensitive receptors to the project perimeter and each proposed structure should be detailed in the DEIR.
2. The study area for each topic in the DEIR should be clearly specified and justified.
3. Impacts of proposed mitigation, as well as direct and indirect effects, and cumulative effects should be addressed in the DEIR.

Air Quality, Energy and Greenhouse Gas Analysis

The mesoscale analysis calculated emissions of VOC and NOx over the study area for four scenarios:

- 2013 Existing
- 2020 No-Build
- 2020 Build
- 2020 Build with Mitigation.

The analysis predicts that the emissions of VOC and NOx in the project study area for the 2020 Build case will be larger than the emissions for the 2020 No-Build case. TDM measures will be designed to improve traffic operations, reduce project generated vehicle trips, and reduce project-related motor vehicle air pollutant emissions. The EENF states that all reasonable and feasible traffic demand reduction measures have been considered by the Project Proponent to reduce motor vehicle traffic and air pollutant emissions generated by the Project which is identified as well-served by transit. They will result in small reductions in VOC and NOx emissions compared to the 2020 Build case.

The net reduction of the Project's total CO2 emissions (stationary source, plus transportation) is 18.1% compared to the Base Case.

1. There are no intersections identified for "hot spot" modeling.

2. Further air quality analyses should be differentiated into a local and regional impact analysis with the local analysis to include intersection "hot spot" modeling and National Ambient Air Quality Standard (NAAQS) compliance demonstrations at points of maximum impact for all project plus background plus traffic sources. The regional analysis should include effects of growth inducement on regional emissions inventories.

3. Hot spot analyses and a microscale (local) intersection analysis should be conducted for those closest to Ryan Park. The DEIR should identify other locations and describe the process for determining which intersections would be subject to CO Hot Spot dispersion modeling.

4. A carbon monoxide (CO) impact analysis should be conducted 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. The cumulative induced traffic impacts of the proposed project in an already congested ozone nonattainment area are important.

5. It is unclear whether Transportation Conformity will be required. This should be addressed in the DEIR.

6. If there is a plan to move existing contaminated soils on the site, this should be identified as a potential air quality impact. Dispersion modeling may be needed to demonstrate the management of toxic air pollutant levels to state Allowable Ambient Levels (AALs) and Threshold Effect Exposure Limits (TELs) during this activity.

7. The DEIR should include a discussion of additional, possibly significant, dust-generating activity that may be associated with fill placement and site grading (especially if needed to address flooding or sea level rise issues).

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

9. Item I.B. of the EENF form indicates that no state air quality permits will be required. However, the electrical, space heating and energy systems have not yet been designed (p. 6-18). This section should list the boilers and other equipment at any planned utility plant as well as fuel types and design heat input rates, and compare these with state air permitting thresholds. If all of the equipment would qualify for the Environmental Results Program, that should be stated.

10. The DEIR should review the locations of all on-site air emissions sources, such as idling buses, and engine generators 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.

11. The DEIR should include an update of 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.

12. 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.

13. The DEIR should include a discussion of regional air quality and public health. The project 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.

The EENF states that because the project is at an early conceptual level of design, the realistic evaluation of certain energy efficiency technologies does not exist at this time. The Proponent will study the following renewable energy options: combined heat and power, ground-source heat pumps for the high-rise hotel, third-party photovoltaics and anaerobic digestion of source-separated organics (SSO) to derive fuel gas.

14. We encourage a commitment to renewable energy and look forward to a more detailed analysis and description in the DEIR of these and other innovative technologies that make for a model project. Those technologies would include:

    - Solar thermal
    - Building integrated solar
    - Wind turbines
    - Low-impact hydroturbines
    - Sewer heat recovery
    - Biofuels
    - Purchasing green power

15. 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, Sea Level Rise and Storm Surge

In design review, the City will look for protection for the community in relation to sea level rise and storm surge.

1. The EENF indicates that building designs will incorporate state-of-the-art design criteria to account for more intense rainfall, higher peak temperatures during heat waves and the potential for sea level rise (SLR).

2. The Proponent has adopted a SLR scenario of 7.5 feet above current high water (Elevation 12.35 NAVD88), will place all habitable floors and parking garage entrances above this level or will flood-proof the garage entrances. Proposed structures will be elevated to a minimum of 3.35 feet above 100 year flood level.

3. Wind-driven waves are not considered an important design factor and other measures may not be necessary based upon the site's location upriver from Boston Harbor. However, even waves resulting from storms of common current intensity, for example, can affect the security of docks and flips. Greater intensity may result in damage to on-site structures and vessels and associated damage to off-site areas in the river. Ways to collaborate with other designated port areas (DPA) and non-designated but active marine uses should be evaluated.

4. The health of Boston Harbor is, in large measure, affected by the condition of wetland resources and benthic organisms. SLR and storm surge will cause wetlands to recede, increasing the vulnerability of the river and the Harbor. A plan for maintaining and restoring these essential resources should be provided in the DEIR.

5. The DEIR should include area maps confirming the locations of wetland resources areas and shellfish resource areas. The ways in which they will be protected should be detailed.

6. 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.

7. 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.

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

9. We recommend the proponent also consider protection of chemicals 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 surge on the transportation and energy reliably of the site.

Community Process

1. We encourage the Proponent to engage in a robust community process with the Charlestown community, to present the project, answer questions and receive feedback. There is a noticeable lack of reference to such meetings in the EENF, and an absence of Charlestown representatives in the list of those who received a copy of the EENF.

Contaminated Materials and Hazardous Waste Considerations

The project is being regulated under M.G.L. 21E of the Massachusetts Contingency Plan (MCP). The EENF indicates that Assessment activities under the MCP are ongoing and that the site will be cleaned up prior to and/or in conjunction with construction of the Project and the MCP process followed to achieve appropriate site closure.

1. The DEIR should consider the regulatory requirements included in the MassDEP policy regarding Construction of Buildings in Contaminated Areas.
2. If there will be onsite storage of hazardous materials or toxic chemicals during construction, 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.
3. The EENF text on Dewatering notes that "during construction, the slurry wall will help serve as a groundwater cut-off, thus reducing dewatering flow into the excavation. Once construction is complete, groundwater levels are not anticipated to be impacted since the basement walls and mat slab will be designed for hydrostatic pressure and no long-term dewatering discharge is planned." 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. The DEIR should identify locations where significant dewatering may occur, describe Best Management Practices/groundwater treatment options and disposal locations and cite applicable regulatory requirements.

Historic and Archaeological Resources

1. The ENF includes an inventory of historic and archaeological resources in the project area identified through the National and State Registers. The DEIR should inventory any Boston resources and identify any potential impacts to those resources.

Noise

1. It will be important to assess in detail the potential sound effects of this new, 24-hour activity. As water significantly boosts sound transmission, monitoring locations in

Charlestown should be identified to measure ambient sound and those metrics used in modeling the operational scenario.

2. We suggest a 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.

3. The results of 24-hour monitoring for a representative weekday and weekend day at potentially affected sensitive receptor locations in these neighborhoods should also be include 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.

4. Project equipment noise levels should be compared to MassDEP sound level criteria and compare with 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.

5. Construction noise impact should be modeled and not be limited to a generic discussion of mitigation measures. Since the clean-up and construction periods will be extensive, the modeling could inform specific mitigation measures.

Socioeconomics and Environmental Justice

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

2. There is no mention of Environmental Justice in the EENF the DEIR should address this issue. If necessary, the Scope of the DEIR should include provisions to comply with this policy.

Stormwater

1. Advanced stormwater design will be incorporated into the project. The DEIR should outline those design features.

Sustainable Design and LEED

1. The LEED Scorecard in Appendix F of the EENF shows an intent to achieve 65 credits, in the Gold category as required in the Expanded Gaming Law, *see* M.G.L. c. 23K, § 18 (8). However, six points taken in the Innovation and Design section and 10

in the Regional Priority section have no associated credit identification or description. This reduces the number of points to 55, in the Silver category.

2. The DEIR should include an updated scorecard and describe in detail how the project will achieve the points for certification as LEED Gold or higher.

3. We offer the following comments on the ENF scorecard to assist the proponent in making revisions:

    - Although the EENF discusses evaluating renewable energy and the GHG analysis no points are taken, or are under consideration, in the Energy and Atmosphere section, for on-site renewable energy. This project lends itself to more than one type of renewable energy generation. We strongly urge multiple choices.
    - Sustainable Sites Credit 8 Light Pollution Reduction is under consideration. 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. We note that High Pressure Sodium lighting is preferable to Metal Halide for cost, energy use and environmental reasons, including minimizing the addition to "sky glow.")
    - Only minimal points are attempted in Materials and Resources.
    - The EENF 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.

4. 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.

Wynn will implement a set of tenant guidelines in a Project Tenant Manual, which will either mandate or encourage specific sustainable measures, where applicable, reasonable and/or feasible for specific users. In addition, Wynn will assist future tenants in selecting energy reduction measures as part of their construction and interior fit-out. Examples of measures to be included are solid waste recycling and TDM.

1. We support tenant participation in all sustainability practices and recommend that tenants be required by lease to follow the guidelines and Wynn's lead. We also suggest that LEED for Commercial Interiors as part of a comprehensive set of guidelines.

Transportation/Transportation Demand Management

Potential elements of a TDM plan include, but are not limited to:

- MBTA bus stops either within the Project site or along Broadway at the primary driveway.
- Fixed-route shuttle bus service to and from the Project and the MBTA Orange Line stations at Wellington Station and at Sullivan Square. This service may be expanded to include service to Logan International Airport, North Station, South Station and other major transportation hubs, and will be coordinated with the City of Boston, and the appropriate municipalities and the MBTA.
- Water shuttle service will be provided to the Project either through expansion of the MBTA water shuttle program or a private service. A water shuttle terminal will be provided as a part of the Project to include a weather-protected waiting area, and should be coordinated with the City of Boston.
- A touch-and-go dock will be provided as a part of the Project for recreational boat access to the Project site and the DCR park system.
- A public marina with slips and moorings to facilitate public boat access.
- Alternative Work Schedules to reduce peak period traffic volumes.
- Incentives will be provided to help increase the effectiveness of the voluntary TDM measures

1. As previously noted, the EENF indicates the Proponent's expectation that TDM measures will reduce Project-related motor vehicle CO2 emissions by 5.0%. However, measures have not been firmly established, will not be required of tenants and their benefits have not been sufficiently quantified to reach the conclusion.

2. In addition, the 5.0% level seems at odds with the reference to "easy and pleasant" vehicular access to the project as, "[A]n essential feature of the Wynn brand" and with the proposal for an employee parking facility.

3. The distance from the project to buses, including shuttles, and light rail should be identified from various areas on the project site. They are likely to show significant differences which would play a part in their use.

4. We note that alternative work schedules is not so much a TDM measure as standard and necessary staffing for 24-hour business operations such as the casino and hotel. And, the very nature of those schedules can result in work hours that begin and/or end when no public transit is available. We suggest that the Proponent examine the employee shuttle offered by the Massachusetts Port Authority for residents of East Boston and neighboring towns during periods when the MBTA is not operating.

5. 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.

6. We ask that water transportation be considered for the delivery of goods for all tenants during project operation.

Operational Solid and Hazardous Waste

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

2. The DEIR should include a detailed discussion of post-construction solid waste management and recycling. The EENF 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.

3. The project should include space for storage and a plan for meeting the Commonwealth's upcoming requirement for diversion of organic material from the solid waste stream.

Wastewater/Water

1. As the water and 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.

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

Wetlands, Waterways and Tidelands

Wetland resource areas that will be affected by the project, and the City of Boston would like to see more information regarding, are:

- replacement of a failing bulkhead;
- removal of sediment, some contaminated, to increase channel depths;
- construction of coastal walkways above line of coastal beach;
- construction of 11,200 sf of floating dock;
- construction of 355 lf of pier-supported dock and walkway in the Riverfront Area along Coastal Bank and Coastal Beach; and

- construction of 1,600 lf of coastal promenade partially with the Riverfront area.

Resource areas that will be affected by the project, and that the City of Boston would like to see more information regarding, are Land Under the Ocean (dredging), Coastal Beach, Coastal Bank (bulkhead replacement), Coastal Bank (dock and walkway) and tidelands.

The project will require a C. 91 license and Orders of Conditions pursuant to the Wetlands Protection Act.

Everett is in the planning stages for a long-awaited Municipal Harbor Plan (MHP).

1. Impacts are not restricted by geographical city boundaries.

2. The EENF does not provide sufficient information about the proposed clean-up of the Mystic River. The amount of dredge spoils, their characteristics, the ways in which they will be removed and then transported off site and their disposal site(s) should be identified in the DEIR.

3. We understand that there may have been previously approved channels in the project area. This raises the question, already outstanding, about the classification of the dredging as a maintenance or an improvement activity. This requires additional information and clarification.

4. The EENF does not provide information about the size of vessels it expects to accommodate and the necessary draft in various areas of the river. We request details in the DEIR.

5. As previously noted, it will be important for municipalities and users who share the Harbor and Mystic River to ensure that uses are compatible and collectively serve to improve the quality of our resources.

Construction

1. The DEIR should provide detail on contaminated material management issues that are likely to be encountered during project construction.

2. 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.

3. 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.

4. The DEIR should specify whether construction materials will be conveyed to the site via water transportation, an approach we support.

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.

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

Very truly yours,

Brian Swett
Chief of Environment and Energy

Attachments:

A. *City of Boston Transportation Department Comment Letter*
B. *City of Boston Parks and Recreation Department Comment Letter*

BOSTON

Thomas M. Menino, Mayor

July 23, 2013

Anne Canaday
MEPA Office
Executive Office of Energy and Environmental Affairs
100 Cambridge St., Suite 900
Boston MA, 02114

RE: Wynn MA, LLC; 32.4-acre site; Horizon Way and Lower Broadway in Everett, MA

Dear Ms. Canaday:

This letter is in response to the request for comments for the development proposed by Wynn MA, LLC in Everett. The City of Boston Parks and Recreation Department has reviewed the project - in particular the provision of open space as well as the proposed egress from the site, across the Alford Street Bridge and past Sullivan Square and Ryan Playground in Charlestown.

This Department recommends that the proposed development be integrated into the planning and redevelopment processes currently underway for Ryan Park and Sullivan Square.

Further, the proposed project should be carefully analyzed for the following potential impacts:

- Increased vehicular, MBTA and tour bus traffic on the air quality around the parks;
- Congestion in the vicinity of the parks, and a "hotspot" analysis of compromised intersections;
- Increased vehicular, MBTA and tour bus traffic volume on pedestrian access to the parks;
- Storm water retention issues from paving.

This Department is also interested in knowing more about the proposed open space that will serve the resort users, so as to minimize the impacts to Sullivan Square and Ryan Playground.

The proponent is encouraged to meet with this Department early in the review process, so that any concerns can be incorporated into the design as it is developed. Please contact Carrie Marsh, Executive Secretary, Boston Parks Commission, 617-961-3074, carrie.marsh@cityofboston.gov.

Incorporated herein by reference are the comment letters of the City of Boston Transportation Department and the Environmental and Energy Services Cabinet.

Sincerely,

Antonia M. Pollak, Commissioner

FOR

Boston Parks and Recreation Department
Antonia M. Pollak, Commissioner
1010 Massachusetts Ave., Boston, MA 02118 / Tel.: 617-635-4505 / Fax: 617-635-3173