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June 14, 2013

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

PROJECT NAME : Daly Field Restoration
PROJECT MUNICIPALITY : Boston (Brighton)/Newton
PROJECT WATERSHED : Charles
EEA NUMBER : 15039
PROJECT PROPONENT : Allston Brighton Friends of Daly Field, Inc.
DATE NOTICED IN MONITOR : April 24, 2013

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA Regulations (301 CMR 11.00), I hereby determine that this project **requires** the preparation of a Single Environmental Impact Report (Single EIR). The proponent (Friends of Daly Field, Inc.) submitted an Expanded Environmental Notification Form (EENF) including additional studies and information beyond that typically required in an ENF. However, the EENF does not include sufficient information to demonstrate that project-related environmental impacts have been avoided, minimized or mitigated in accordance with the MEPA Regulations. While I will allow the Friends of Daly Field to prepare a Single EIR in lieu of the usual two-stage Draft and Final EIR process pursuant to Section 11.06(8) of the MEPA regulations, I reserve my rights outlined in 301 CMR 11.08(8)(d)(3) to require a supplemental EIR if I find the Single EIR to be inadequate.

As described in the EENF, the project includes the renovation of existing athletic facilities located at Daly Field, a recreational area located in the Cities of Boston and Newton, owned by the Commonwealth of Massachusetts, and managed by the Department of Conservation and Recreation (DCR) as part of the Metropolitan Park System. The seven-acre project area is located on Nonantum Road, adjacent to the Charles River and between the Community Rowing, Inc. (CRI) boathouse and Daly Memorial Rink. The project requires the issuance of a ground lease from the Department of Capital Asset Management and Maintenance (DCAMM) to the Friends of Daly Field, a partnership that includes Simmons College, Brighton High School, and the Allston Brighton Little League. Under provisions of Chapter 223 of the Acts of 2012 (“an Act Authorizing the Lease of the Daly Field Complex located in the Brighton Section of the City of Boston”) (the Act), DCAMM may lease the complex to the Friends of Daly Field for a 20-year period, provided that at least \$5 million in capital improvements are provided by Simmons College. This lease may be extended for an additional ten years if Simmons College makes a significant investment in the complex in the final years of the lease. The environmental impacts disclosed in the EENF are for the capital improvements proposed by Simmons College. The Act authorizes DCR to allow prescribed uses of the field for Simmons College, Brighton High School, and the Allston Brighton Little League during certain specific time periods. DCR will retain responsibility for scheduling all activities at Daly Field, and will allocate field times for use by members of the public who are not part of the Friends of Daly Field through their system-wide field permit process. According to the EENF, the general public will have free and unconstrained use of Daly Field at all times during operational hours not scheduled by DCR.

Under existing conditions, Daly Field contains grass playing fields (soccer/football and softball), stadium lighting, and a 2,600-square foot (sf) service building. The service building is no longer in use and the bleachers have been removed. Formal use of the fields by organized groups is subject to the aforementioned DCR system-wide field permit process. Parking for Daly Field is shared with CRI and DCR’s Daly Memorial Rink. Daly Memorial Rink is operated under a lease between the Commonwealth and Newton Country Day School, and CRI’s boathouse is located on DCR land that is leased by the Commonwealth to CRI. The project site is adjacent to a public boat ramp to the Charles River and contains a service road that separates the athletic field uses from the wooded banks of the River.

According to the EENF, the project is intended to provide renovated and expanded facilities for Simmons College, Brighton High School, the Allston Brighton Little League, current and future DCR permit holders, and the general public. The project includes the construction of two synthetic turf playing fields (football/soccer and field hockey/lacrosse) with lights, a 199-seat bleacher system, and a press box with an hydraulic lift; five fenced tennis courts; a softball field; a 7.5-foot wide walking/jogging path that circumscribes the entire project site and connects to adjacent river access paths; three scoreboards; and a 3,220-sf support building with public toilet facilities, locker rooms and a concession space. No additional parking spaces will be provided. The fields will be designed to meet Massachusetts Interscholastic Athletic Association (MIAA) standards for high school football and National Collegiate Athletic Association (NCAA) standards for Division III soccer games. The softball diamond will be NCAA-compliant with a clay infield and synthetic turf outfield. The outfield will serve a dual-use as an NCAA-compliant field hockey and lacrosse field. All renovations will comply with

Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (AAB) standards.

Under existing conditions, 0.94 acres of the 7-acre site are covered with impervious surfaces. The project will increase on-site impervious areas by 0.87 acres, for a total of 1.81 acres. This calculation does not include the synthetic turf fields. Traffic impacts attributable to the project include an additional 92 new average daily vehicle trips (adt) for a project total of 196 adt. Estimated water usage and wastewater generation will each increase by 450 gallons per day (gpd), for a project total of 1,550 gpd. The project is located on Nonantum Road, a road listed on the National Register of Historic Places as part of the Charles River Reservation Parkways. The project site contains wetland resource areas regulated under the Massachusetts Wetlands Protection Act and Commonwealth Tidelands, as regulated by 310 CMR 9.00.

Jurisdiction and Permitting

This project is subject to MEPA review because it requires State Agency Actions and will result in the conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97 (301 CMR 11.03(1)(b)(3)). In this case, the prescribed right to use Article 97 land by non-State entities constitutes the conversion of land. The project will require a Chapter 91 (c.91) License from the Massachusetts Department of Environmental Protection (MassDEP); a Construction and Access Permit from the Department of Conservation and Recreation (DCR); an 8(m) Permit from the Massachusetts Water Resources Authority (MWRA); and a Ground Lease from DCAMM. The project will also require separate Orders of Conditions from both the Newton and Boston Conservation Commissions. The project requires consultation with the Massachusetts Historical Commission (MHC). The project could require execution of an agreement between Simmons College and DCR to allow Simmons College to manage and oversee construction of the project. The project will require a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the United States Environmental Protection Agency (EPA). The project is subject to the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol.

The project involves a potential Land Transfer in the form of a Ground Lease from DCAMM as allowed by Chapter 223 of the Acts of 2012. Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

Review of the Expanded ENF

The Friends of Daly Field consented to a two week extension of the typical 30-day comment period on the EENF. The comment period closed on June 7, 2013. The EENF included a summary of the project site selection process undertaken separately by Brighton High School and Simmons College. The EENF identified the sites considered and site selection criteria (location, ownership, schedule, and capacity for redevelopment) by each school. According to the EENF, Daly Field proved to be the only site investigated with a suitable location, capacity and availability for both institutions' athletic fields. Brighton High School football formerly

used Daly Field prior to the field falling into disrepair in the early 1990s. As a women's college, Simmons demand for fields were deemed compatible with the field and schedule criteria of Brighton High School.

The Act specifies hours of field use, reserved first for certain groups, primarily the Friends of Daly Field and its partner entities (i.e., Simmons College, Brighton High School football, and the Allston-Brighton Little League). As stated by DCR, presently, use of the fields during the times specified in the Act, as well as other times, is restricted to organized groups by permits and the public has unrestricted access to the field outside the permitted times from dawn to dusk. DCR noted that the proposed improvements to Daly Field will likely increase the demand for permits from DCR to use these spaces. Priorities for seasonal field use will be made by DCR pursuant to five components of its *Community Guide for Reserving and Using Massachusetts DCR Athletic Fields and Facilities*: Compatibility, Regional and Community Affiliation, User Group Needs and Opportunities, Partners for Healthy Communities, and Years of Service to the Community.

Article 97

As noted previously, Daly Field is located on land that falls under the purview of Article 97, having been acquired by DCR's predecessor agency for public purposes including, but not limited to, outdoor recreation. As stated in Article 97 of the Amendments to the Constitution of the Commonwealth, "The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose." Article 97 further provides that lands taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two-thirds vote of the Massachusetts General Court. The General Court approved, by the required two-thirds margin, legislation to allow for the 20-year lease of Daly Field to the Friends of Daly Field (Chapter 223 of the Acts of 2012) on August 12, 2012.

I note that several comments highlighted the portion of the Act that indicates that DCAMM and DCR *may* enter into a lease with the Friends of Daly Field. I cannot direct DCAMM or DCR to take - or not take- action with regard to entering into a lease with the Friends of Daly Field as authorized by the General Court. However, for the purposes of MEPA, the potential scenario with the greatest environmental impacts (in this case, execution of the lease and implementation of the proposed project) will be reviewed to ensure adequate disclosure and consideration of impacts that may cause Damage to the Environment.

Wetlands and Waterways

Wetland resource areas located on or adjacent to the project site include Riverfront Area, Bank, Land Under Water (LUW) and Bordering Land Subject to Flooding (BLSF). Riverfront Area associated with the Charles River varies from 200 feet in the City of Newton to 25 feet in the City of Boston. However, because the project requires a c.91 License, the proposed structures and activities are not subject to the Wetlands Regulations standards for Riverfront

Area (310 CMR 10.58(6)(i)). Bank associated with the Charles River is coincident with the Mean Annual High Water Line. The Charles River is mapped as a Zone AE (elevation 4), and the project site itself is mapped as Zone X according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the City of Boston dated June 4, 2010 (Community Panel 25025C0056G). According to the EENF, the extent of Zone AE (and therefore BLSF) is roughly coincident with the shoreline of the Charles River, and outside the boundaries of proposed work. Land Under Water is associated with the Charles River and will not be directly altered by the proposed activities. The EENF indicates that on-site work will occur within already disturbed areas and outside of jurisdictional resource areas. New stormwater management measures are anticipated to provide increased infiltration to groundwater and reduce the impact of erosion and sedimentation from the existing fields on the Charles River and associated wetlands.

The project site contains Commonwealth Tidelands and will require a c.91 License from MassDEP's Waterways Program. According to the EENF, the sole c.91 License for the project site was issued to the Metropolitan Parks Commission (predecessor to DCR) by the Directors of the Port of Boston. License number 80 - issued in 1913 - authorized the licensee to "Dredge in Charles River Basin and fill a portion of the shore of the same." Another c.91 License (No. 11822) was granted in 2007 for the property immediately downstream of the project site authorizing the construction of the CRI boathouse complex and docks.

The proposed project includes renovation of a small portion of the football field, construction of the new field house, construction of five new tennis courts, renovation of a small portion of the softball field and replacement of the existing emergency/service drive with a pedestrian pathway within c.91 jurisdictional areas. The EENF opines that the proposed project should be considered a water-dependent use under c.91, as it includes a "park, esplanade, boardwalk and other pedestrian facilities that promote use and enjoyment of the water by the general public and are located at or near the water's edge, including but not limited to, a park adjacent to a waterway and created by a public agency." (310 CMR 9.12(2)(a)(4)).

Stormwater

The EENF includes a brief discussion of stormwater pre- and post-development conditions and drainage areas on the project site. Under existing conditions, the poor condition of the fields leads to erosion and sedimentation runoff to the Charles River, while compacted soils allow limited infiltration to groundwater. The EENF described how the project will be designed to comply with the MassDEP Stormwater Management Regulations and Guidelines. To enhance recharge to groundwater, the use of synthetic turf fields, bio-retention areas, and underground detention or vegetative swales are proposed. The first one-half inch of stormwater will be treated to achieve an 80-percent Total Suspended Solids (TSS) removal rate, with stormwater runoff post-development peak rates designed to not exceed pre-development peak discharge rates. The Friends of Daly Field must file an application for a NPDES CGP and prepare a Stormwater Pollution Prevention Plan (SWPPP).

Traffic and Transportation

The EENF includes a Traffic Impact Assessment (TIA) that was prepared in consultation with DCR, the Massachusetts Department of Transportation (MassDOT), CRI, the Newton Country Day School (operator of the Daly Memorial Rink), the Cities of Boston and Newton, and the Town of Watertown. The TIA was performed in general accordance with the Executive Office of Energy and Environmental Affairs (EEA)/MassDOT Guidelines for Environmental Impact Report/Environmental Impact Statement Traffic Impact Assessments. The TIA estimates an additional 92 vehicle trips per day (196 site total) will be generated by the project and will access the property via the two existing driveways that also provide access to CRI and the Charles River boat launch (east driveway) and the Daly Memorial Rink (west driveway).

The TIA field investigation consisted of an inventory of roadway geometrics, pedestrian and bicycle facilities, public transportation services, traffic volumes, operating characteristics, posted speed limits, and land use information within the study area. The study area evaluated project-related impacts on Nonantum Road and at the two site driveways. Nonantum Road recently underwent safety improvements to reduce the travelled-way from a four-lane cross-section to a two-lane cross-section. These improvements also included construction of a 10-foot wide multi-use path (accommodating both pedestrians and bicyclists) on the northern side of Nonantum Road as part of the Dr. Paul Dudley White Bike Path. Public transportation is not available to the project site or along Nonantum Road. The nearest Massachusetts Bay Transportation Authority (MBTA) bus service to the project site is approximately ¼-mile east at Brooks Street (Route 64) or at Watertown Yard one mile west of the project site (Routes 52, 57, 504, 502).

The TIA described traffic operations under three scenarios: 2013 Existing Conditions, 2018 No-Build Conditions and 2018 Build Conditions. The analysis considered background growth rates, additional development projects that may affect the study area, roadway improvement projects and trip distribution and assignment assumptions. Critical movements at the project site driveway intersections (left-turn movements existing onto Nonantum Road) were shown to operate at Level-of-Service (LOS) F during both the weekday afternoon and evening peak periods at both the east and west driveways under all three evaluated scenarios. Movements along Nonantum Road were shown to operate at LOS B or better during all three evaluated scenarios. Vehicle queues at the driveway intersections are predicted to increase from 0-95 feet (approximately four vehicles) during the 2013 Existing Condition, to 0-190 feet (approximately eight vehicles) during the 2018 No-Build Condition, to 0-223 feet (approximately nine vehicles). Sight distance measurements taken at the project intersections confirmed that the minimum sight distances exceed the minimum recommended distances based upon measured vehicle travel speeds on Nonantum Road. The TIA recommended several project design features, including the use of pavement markings and the consideration of pedestrian/bicycle crossing warning signs at both site driveways, to integrate the project site in a safe and efficient manner into the existing transportation infrastructure.

Parking

An inventory of the existing parking supply was completed in March 2013 for the CRI lot and the Daly Memorial Rink lot. According to the EENF, the CRI lot, which also serves the Charles River boat launch, provides approximately 130 parking spaces (105 automobile spaces and 25 spaces for cars/trucks with boat trailers or buses). The Daly Memorial Rink lot provides approximately 66 automobile spaces; however, marked spaces are not currently provided within the lot. These parking spaces are under the control of DCR and are shared between all uses in the DCR parkland, including the project site. It should be noted that no on-street parking is permitted on Nonantum Road. The parking demand observations summarized in the EENF were completed using data from CRI and Newton Country Day School for the CRI and Daly Memorial Rink lots. Parking demand was shown to vary by both time of day and time of year. The parking demand exceeds the available supply of 196 spaces between March and November in the early morning and after school timeframes. The EENF also acknowledges that on weekends and during special events (estimated at two to 15 times per year), the parking demand may exceed the available parking supply. The EENF notes that during these periods of excess demand motorists use available unrestricted on-street parking along proximate roadways such as North Beacon Street.

The EENF proposes that both Brighton High School and Simmons College use buses and shuttle vans to transport players, coaches and spectators to practices and events to reduce parking demand. The Friends of Daly Field anticipates that spectators that arrive by single-occupancy vehicles will be limited and spectators will typically carpool to the fields. No discussion is provided regarding parking for general usage of the field during non-permitted times, or parking for DCR-permitted users who are not members of the Friends of Daly Field. The parking and event management plan presented in the EENF includes the following components:

- Coordination of scheduling to reduce or eliminate simultaneous games on multiple fields;
- Coordination of games and field use with CRI and Daly Memorial Rink to avoid scheduling games during major events at either facility;
- Scheduling of game start times to reduce coincidental arrival and departure of players and spectators;
- Use of designated off-site parking facilities as staging areas for spectators to park and be shuttled to Daly Field during peak parking demand periods; and
- Staging of buses and shuttles off-site upon disembarkment of passengers.

Historic Resources

According to the EENF, Daly Field is not individually listed on the Inventory of Historic and Archaeological Resources of the Commonwealth or on the State or National Registers of Historic Places. Daly Field is not identified as a contributing resource to the Metropolitan Park System of Greater Boston, which is listed on the National Register of Historic Places. The project includes the demolition of the 2,600-sf Whitmore Service Building; this structure is also not listed on the Commonwealth's Inventory of Historic and Archaeological Resources. As mentioned previously, the project site is located adjacent to and accessed from Nonantum Road,

a road determined to be eligible for listing on the National Register as part of the Charles River Reservation Parkways.

The EENF opines that the project will have no adverse impacts to on-site or nearby historic or archaeological resources. Any projects that require funding, licenses, or permits from any State Agency must be reviewed by MHC in compliance with Massachusetts General Laws Chapter 9, sections 26-27C and 950 CMR 71.00. This process includes identification of historic properties; assessment of effect; and consultation among interested parties to avoid, minimize, or mitigate any adverse effects. The consultation process with MHC is presumed to commence concurrently with the filing of the ENF as it may serve as the Project Notification Form (PNF) for the purposes of the MHC consultation process.

SCOPE

General

The Single EIR should follow Section 11.07 of the MEPA regulations for outline and content, as modified by this scope.

Project Description and Permitting

The Single EIR should include a detailed description of the proposed project and describe any changes to the project since the filing of the EENF. The Single EIR should include updated site plans for existing and post-development conditions at a legible scale. The Single EIR should provide a brief description and analysis of applicable statutory and regulatory standards and requirements, and a description of how the project will meet those standards. The Single EIR should include a list of required State permits, Financial Assistance, or other State approvals and provide an update on the status of each of these pending actions. The Single EIR should discuss project consistency with the 2002 Charles River Basin Master Plan and the proposed Watertown Greenway and explore project modifications to meet the spirit of the Master Plan recommendations.

The DCR comment letter indicates that agreements or arrangements similar to that proposed for Daly Field exist for use of other DCR recreational facilities including: Dilboy Stadium (with the City of Somerville), Lederman Park (with the private non-profit Friends of Teddy Ebersol's Red Sox Fields) and Magazine Beach playing fields (City of Cambridge). According to DCR, these other agreements or arrangements have been considered consistent with Article 97. The Friends of Daly Field should explore these examples to determine how its proposal may be or should be modified in the public interest.

Alternatives Analysis

The Single EIR should include an alternatives analysis that explore several project modifications to evaluate how the project will be constructed to avoid, minimize and mitigate Damage to the Environment. The Single EIR should include conceptual site layout plans, a

summary of potential environmental impacts associated with each of these alternatives, preferably in tabular format, and a supporting narrative for each of the following alternatives:

- Placement of the proposed field house outside wetlands buffer zones and in a location more convenient and secure to casual park users or users of the Nonantum Road multi-use path;
- A reduced-build option – this may include restoration of the existing types of facilities or other configuration to meet the most prominent facility needs of Simmons College and Brighton High School; and
- A project that meets c.91 Licensing standards if the project is determined to be a nonwater-dependent use by the MassDEP Waterways Program.

I encourage the Friends of Daly Field to continue to explore on-site alternatives to minimize impacts to environmental resources through design modification or the addition of features to further mitigate potential impacts. Additional recommendations provided in this Certificate may result in a modified design that enhances the project's ability to avoid, minimize, or mitigate Damage to the Environment. The Single EIR should discuss steps the Friends of Daly Field will be taking to further reduce the impacts of the project since the filing of the ENF, or, if certain measures are infeasible, the Single EIR should discuss why these measures will not be adopted.

Article 97

While the EENF included the text of the EEA Article 97 Land Disposition Policy (February 19, 1998), it did not discuss how the proposed project meets the "Conditions for Disposition Exceptions" listed therein. The Single EIR should include a discussion of how the project is consistent with EEA's Article 97 Land Disposition Policy, or as applicable, identify components of the Act that secure similar assurances of no net loss of Article 97 Lands. The Act outlines options to achieve no net loss, (i.e., payment of funds or transfer of land or a conservation restriction). The Single EIR should identify how the Friends of Daly Field intends to meet this legislative requirement, either by committing to providing a payment of funds as described in the Act, or a transfer of land or conservation restriction (or a combination thereof). The Single EIR should identify potential areas of land that would likely meet the criteria for transfer to meet the no net loss standard.

The Single EIR should include a narrative and supporting tables or charts identifying the maximum possible field usage time allocated to Simmons College, Brighton High School Football and the Allston Brighton Little League in the Act. The Single EIR should identify usage based upon weekday, Saturday or Sunday use, time of year, and practice or games for the aforementioned groups. The Single EIR should clarify if Brighton High School will use the facilities for athletic programs other than football, and if practices for any sport will be held at Daly Field, or if the field will solely be used for game purposes. The Single EIR should also discuss the use of the field by the Allston Brighton Little League. The Single EIR should clarify if this group intends to hold practices on this field and describe the potential frequency of use for games given the League's existing "rotating field" schedule. As directed by DCR, the Single EIR should discuss the anticipated permit requests to be made by Simmons College or the members

of the Friends of Daly Field to use the facility on weekends. The Single EIR should clarify how the entities will use the fields during the month of May and on Friday nights in the fall, since the Act states that more than one entity has the right to use Daly Field during these times. Finally, the Single EIR should discuss if the Friends of Daly Field intend to accommodate crew teams from the community, high schools or colleges at Daly Field, as crew is identified as an allowed use under the Act.

The Act states that the, “20-year lease may provide for improvements to the fields and facilities, together with the land and appurtenances, and for a newly constructed or repaired synthetic turf field...and a path along the shore of the Charles River extending from west of Daly Memorial Rink to the public access path at Community Rowing, Inc., immediately east of the Daly Field complex...”. The 2002 Charles River Master Plan also calls for the continuation of the riverside pathway. The Single EIR should discuss how the proposed walking/jogging path circumnavigating the fields will be consistent, or inconsistent, with the 2002 Charles River Master Plan, and explore pathway alternatives including an appropriate linkage from the riverside path to the newly constructed Nonantum Road multi-use path. As requested by DCR, the Single EIR should also examine the elimination of site fencing, or alternatives that preserve unrestricted visual and physical access to the Field, in a manner consistent with the desired pastoral quality recommended in the 2002 Charles River Master Plan. Finally, the Single EIR should include landscaping and lighting plans and a discussion of how site lighting will minimize glare and nuisance lighting to determine compatibility with other park and river uses.

The Single EIR must also discuss how the field house restroom facilities will be made accessible as a public amenity. The Single EIR should detail the Friends of Daly Field’s commitments to the public restrooms being available to the general public (whether using the Fields or the multi-use path) during specific daytime hours, as well as during all DCR-permitted uses, whether those of the Friends of Daly Field and its partner entities or other non-related groups.

Traffic and Transportation

The Single EIR should include an updated and revised TIA performed in general accordance with the EEA/MassDOT Guidelines for Environmental Impact Report/Environmental Impact Statement Traffic Impact Assessments. The updated TIA should include new existing conditions data to more accurately reflect the current uses of Daly Field, CRI and Daly Memorial Rink. New traffic counts on Nonantum Road should be conducted during the recreation season (between Memorial Day and Labor Day). These data should include updated bicycle and pedestrian trips along the project corridor. The Friends of Daly Field should work with DCR to obtain historical permitting and special events data for incorporation into the TIA. The TIA should revise the 2018 No-Build Condition as it appears to inaccurately reflect potential future conditions. Traffic associated with a high school football activity should not be included in this condition. The 2018 Build Condition should be revised to include not only uses at CRI and Daly Memorial Rink, but Simmons College, Brighton High School, the Allston Brighton Little League, DCR-permitted users and the general public. In the case where appropriate Institute of Transportation Engineers (ITE) Trip Generation estimates cannot be found, the Friends of Daly Field should consult with each potential user category and use

historical data or other reasonable means to estimate project-related trip generation. These estimates should also consider spectator vehicle trips. The Single EIR should state all trip generation assumptions and confirm that they are consistent with the anticipated use based upon maximum available field use time as authorized under the Act. The lack of a 2018 Build with Mitigation scenario in the EENF, implies that no traffic mitigation is necessary for the project. If, based upon the revised TIA, mitigation is found to be necessary, the Single EIR should evaluate a 2018 Build with Mitigation scenario to demonstrate that appropriate mitigation is achievable. Finally, The Single EIR should discuss potential safety conflicts with the multi-use path and site driveways and parking lots and propose a modified design or other measures, as necessary.

Parking and Transportation Management

The Single EIR must include a revised parking demand study that demonstrates the availability of sufficient parking for all users, including general usage of the field during non-permitted times, or parking for DCR-permitted users who are not members of the Friends of Daly Field. As noted by DCR, because both parking areas are outside the leased area defined by the Act, the Friends of Daly Field must pursue parking improvements through cooperative arrangements with neighboring lessees that also provide for the reasonable accommodation of casual park visitors and ensure unrestricted access to the boat launch.

The proposed expansion of uses at Daly Field will allow for simultaneous use of two fields for games and practices (as well as the possibility of concurrent use of the tennis courts). It is unclear how the parking demand assessment in the EENF considered parking demand associated with this type of “peak” event, not only on its own, but in conjunction with demand from activities at Daly Memorial Rink and CRI. High parking demand events, such as those permitted at the CRI facility should also be factored into the parking demand study. The Single EIR should clarify if any of the existing leaseholders (CRI, Newton Country Day School) have rights to a dedicated number of parking spaces that may not be available for shared parking purposes or other terms of their existing DCR agreements that may conflict with the Friends of Daly Field’s proposed parking management plans. The Single EIR must also discuss how parking demand associated with spectators from visiting schools (i.e., Simmons or Brighton High opponents) were figured into the parking demand study. The parking study should evaluate current parking demands by existing uses on the field by season/time, and generate estimates for parking use by season/time by future use. These data should be consistent with assumptions made elsewhere in the Single EIR regarding allocated usage to various parties and estimated traffic trip generation.

The Single EIR should propose design changes and/or mitigation measures to ensure adequate parking for the proposed facilities and all users. Correspondence received on behalf of the Friends of Daly Field during the comment period indicates a willingness to reconfigure and re-stripe both parking lots to serve all three leaseholders on the property. The Single EIR should include a graphic depicting these proposed changes and confirm that the reconfiguration and re-striping continues to meet the needs of the existing leaseholders (i.e., provides sufficient tandem trailer spaces, etc.). The Single EIR should also discuss the feasibility of dedicated parking

spaces for non-event/permitted activity general public park users to ensure unfettered public access.

The Single EIR should include a draft Transportation Plan that outlines how off-site coordination of players and spectators will be managed by the Friends of Daly Field. This should include, but not be limited to, the identification of potential locations for off-site parking and staging, protocols for contacting visiting teams to encourage carpooling or use of shuttle service, and contingencies for handling situations with unplanned excessive parking demand. The Friends of Daly Field should not rely on the use of other DCR properties as satellite sites, as no other DCR properties were authorized for use under the Act. The Single EIR should specifically discuss how restrictions on bus usage of DCR roadways may impact efforts to shuttle users to Daly Field from off-site locations. The Single EIR should also include a discussion about the creation of a Transportation Management Association (TMA) between the Friends of Daly Field, CRI, and the Newton Country Day School. This discussion should include the status of coordination with other leaseholders, draft language describing how single-occupancy vehicle trips will be discouraged and alternative modes of transit promoted, and the feasibility of the MBTA adding a bus stop closer to Daly Field.

Wetlands and Waterways

The Single EIR should review the limit of c.91 jurisdiction on the project site as directed in the MassDEP comment letter. If necessary, the Single EIR should depict the revised limits of filled tideland on project site plans to accurately disclose the location of proposed structures and work within MassDEP Waterways jurisdiction. The Single EIR should describe how the project will meet each applicable performance standard in the Waterways regulations (310 CMR 9.00). The Single EIR must include additional information to support the Friends of Daly Field's assertion that the project is a water-dependent use per 310 CMR 9.12(2)(a). I strongly recommend that the Friends of Daly Field meet with MassDEP Waterways staff prior to preparing the Single EIR to discuss whether the project can be determined to be a water-dependent use. If so, there are no setbacks or limitations that apply to the project. However, if the project is determined to be a nonwater-dependent use, then only public open space or buildings for water-dependent use can be licensed on filled tidelands within 100 feet of the project shoreline. Such a determination would render the proposed project alternative inconsistent with c.91 permitting requirements. As directed earlier in this Certificate, the Single EIR must explore a project alternative where the project is classified as a nonwater-dependent use.

As noted by MassDEP, the Waterways regulations at 310 CMR 9.35 require that projects on Commonwealth tidelands not significantly interfere with the public rights to walk and pass through tidelands and for all other lawful activities, and specify that no gates or fences be placed in a manner to impede or discourage the free flow of pedestrian movement 24 hours a day. The Single EIR should demonstrate and provide supporting graphics showing that the proposed walking/jogging path can meet the applicable pedestrian access standards in the c.91 regulations and improve public access to the Charles River. The Single EIR should describe site design and management features that will ensure that the public has consistent access to the walking path through signage, limited fencing, access gates, and adequate lighting. Any proposed

modifications to the proposed walking/jogging path should be designed in a manner to meet the c.91 regulations, as applicable.

Stormwater

The Single EIR should include an updated and revised stormwater management analysis that demonstrates how the project will meet MassDEP Stormwater Standards. The Single EIR should verify that source controls, pollution prevention measures, erosion and sediment controls, and the post-development drainage system can be accommodated on-site and achieve anticipated performance standards. Therefore, the Single EIR should include stormwater calculations (sources, volumes, and quality), stormwater system design plans at a readable scale, best management practices (BMP) designs, and additional supporting data to demonstrate conformance with MassDEP's Stormwater Management Regulations, Stormwater Management Policy and *Stormwater Handbook*. As noted in the MassDEP comment letter, the use of artificial turf fields for stormwater infiltration is not a recognized BMP in the *Stormwater Management Handbook*. The Friends of Daly Field must contact MassDEP prior to revision of the stormwater management analysis to ensure that appropriate methodologies are used in the stormwater modeling process. The Single EIR should specifically discuss stormwater management measures that will be employed to control movement or migration of rubber pellets from the artificial playing surface. The Single EIR should also discuss the potential impact of higher stormwater discharge temperatures from the synthetic turf fields to the Charles River and the types of BMPs that may be required to mitigate these impacts, if necessary.

As requested by DCR, the Friends of Daly Field, in collaboration with CRI and Newton Country Day School as necessary, should commit to improving existing stormwater collection and treatment structures within the existing parking lots. Given that the Friends of Daly Field have already committed to reconfiguration and restriping of the parking lots to improve facility parking, upgrading stormwater infrastructure concurrently will provide a meaningful benefit to the Charles River and allow for effective stormwater management and compliance with the River's TMDL. The Single EIR should include stormwater management upgrades as part of the aforementioned updated stormwater management analysis.

Stormwater runoff from the project site discharges to the Charles River, where excessive nutrients are associated with water quality impairments to the River. The Single EIR should identify existing stormwater outfall discharge points to the Charles River (if any) that receive flows from the project area, and indicate if proposed stormwater flows will continue to contribute to these outfalls. The Charles River has established total maximum daily loads (TMDLs) for phosphorus and pathogens to restore water quality. The Single EIR must demonstrate that the stormwater BMPs selected for the project are consistent with these TMDLs and provide supporting data and design details to ensure that these BMPs are capable of effectively removing total suspended solids and reducing identified impairments to the Charles River.

The Single EIR should discuss how the use of Low Impact Development (LID) methods and technologies will be incorporated into the overall stormwater management system. As noted by MassDEP, LID techniques are effective means to remove nutrients, pathogens and metals

from runoff and may assist in meeting TMDL requirements. Specifically, the Single EIR should discuss the feasibility, and include a commitment to as viable, of using pervious materials for public walkways/jogging lanes, rain gardens/bioretention basins, buffers, vegetated filter strips and swales, and other measures to restore native vegetation and soil infiltration capacity. The Single EIR should also include a draft plan for operation and maintenance of the stormwater BMPs, as this is a key to consistently meet the TMDL requirements.

The Friends of Daly Field, or its contractor, will be required to prepare a NPDES CGP. The Stormwater Pollution Prevention Plan (SWPPP) included with the NPDES CGP should include all necessary content required by both U.S. EPA and the Boston Water and Sewer Commission (BWSC). All necessary dewatering must be conducted in accordance with applicable regulatory discharge permits. If discharge of any dewatering drainage to the BWSC drainage system is proposed, whether it is temporary or permanent, the Friends of Daly Field must obtain a Drainage Discharge Permit from the BWSC in addition to meeting the requirements of the NPDES CGP.

Water and Wastewater

The Single EIR should describe and calculate estimated potable and irrigation water demand. While the use of synthetic turf will largely eliminate the need for field irrigation, it is unclear if natural landscaping areas will be irrigated. The Single EIR should identify how the estimated water demand and wastewater generation rates presented in the EENF were determined. The EENF indicated that an 8(m) Permit will be required from the MWRA for the project. Section 8(m) of Chapter 372 of the Acts of 1984, MWRA's Enabling Legislation, enables the MWRA to issue permits to build, construct, excavate, or cross within or near an easement or other property interest held by the MWRA, with the goal of protecting MWRA-owned infrastructure. The Single EIR should identify the location of this MWRA infrastructure and confirm whether an 8(m) Permit is required for the project. The Single EIR should include a commitment by the Friends of Daly Field to use water conservation fixtures throughout the proposed field house. The Friends of Daly Field should review the comments submitted by the BWSC regarding design standards and permitting requirements for water and wastewater infrastructure associated with the project.

Greenhouse Gas Emissions

Because I am required the submission of an EIR, the project is subject to the MEPA Greenhouse Gas Policy and Protocol ("the Policy"). The Policy requires projects to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate such emissions. Typically, compliance requires an analysis that quantifies the direct and indirect CO₂ emissions associated with the project's energy use (stationary sources) and transportation-related emissions (mobile sources). Given the nature of the proposed project, a modified approach to ensure compliance with the Policy is outlined below. The Friends of Daly Field should consult with staff from the MEPA office and the Department of Energy Resources (DOER) prior to performing the GHG analysis to confirm modeling assumptions and methodology.

Direct stationary source CO₂ emissions include those emissions from the facility itself, such as boilers, heaters, and internal combustion engines. Indirect stationary source CO₂ emissions are derived from the consumption of electricity, heat or other cooling from off-site sources, such as electrical utility or district heating and cooling systems. Mobile CO₂ emissions include those emissions associated with vehicle use by employees, vendors, customers and others, and in the case of this project, diesel trains. The two key sources of GHG emissions associated with the project include mobile source emissions from vehicle trips and indirect emissions from the proposed lighting system.

The City of Boston has adopted the Stretch Code subsequent to its designation as a Green Community under the provisions of the *Green Communities Act of 2008*. Therefore, the project will be required to meet the applicable version of the Stretch Code in effect at the time of construction. The Stretch Code increases the energy efficiency code requirements for new construction (both residential and commercial) and for major residential renovations or additions in municipalities that adopt it. Projects may meet the Stretch Code requirement of 20-percent better energy efficiency than the State's base energy code by either meeting the standard of 20-percent better than ASHRAE 90.1-2007, or by using a prescriptive energy code. Given the small nature of the field house, the project is expected to follow the prescriptive energy code. The Single EIR should include a commitment by the Friends of Daly Field to meet the Stretch Code in effect at the time the building permit is issued. If applicable, project elements will also be required to be Leadership in Energy and Environmental Design (LEED) certifiable in accordance with Article 37 of the Boston Zoning Code. The Single EIR should include a qualitative discussion of GHG reduction measures that may be incorporated into the project (i.e., recycling, construction waste management, low-flow fixtures, etc.).

The Single EIR should perform a calculation of estimated energy usage associated with stadium lighting. The GHG analysis should evaluate CO₂ emissions for two scenarios as required by the Policy including 1) a Base Case and 2) a Build with Improvements Condition. The Base Case should represent a business as usual design that satisfies required lighting standards set forth by the NCAA and MIAA and best management practices recommended by the Illuminating Engineering Society¹ (or similar) for sports and recreational area lighting. The Build with Improvements Condition should meet the design standards for the Base Case and include additional energy saving measures such as reduced lighting power density, automated control measures, etc. The analysis should clearly state system design and operational assumptions (hours of operation, number of fixtures, choice of lamps, etc.) for each scenario. The analysis should calculate GHG emissions associated within each scenario using emissions factors as directed in the Policy. The Single EIR should also evaluate the potential reductions in energy usage and GHG emissions associated with non-stadium site lighting such as walkways, parking and scoreboards.

The Single EIR should include an assessment of GHG emissions generated by mobile sources using data gathered as part of the TIA. The Single EIR should clearly state modeling assumptions, particularly regarding the assumed number of bus or shuttle trips. Single EIR should use traffic volume, delay and speed data along with emissions factors (as described in the Policy) for the Existing Condition, the 2018 No-Build Condition and the 2018 Build Condition

¹See http://www.ies.org/PDF/MLO/MLO_FINAL_June2011.pdf

(and 2018 Build with Mitigation Condition as necessary). The DEIR should describe mitigation measures implemented to reduce GHG emissions from mobile sources. These measures may include, but should not be limited to, improvements to roadway operations, physical roadway infrastructure upgrades, implementation of a TDM program, and use of CO₂ reduction technologies in shuttles or buses.

The GHG analysis should also include a renewable energy evaluation considering the use of wind power, solar or photovoltaic (PV) panels, geothermal power, or the purchase of green power. The Single EIR should include a separate analysis to determine if PV systems (either ground-mounted or building-mounted) to off-set electric demand or for hot water heating purposes in the field house are feasible in association with this project. The Friends of Daly Field should consider both first-party and third-party ownership/lease scenarios. The Single EIR should state assumptions with regard to available area for PV equipment, efficiencies, etc. If feasible, I encourage the Friends of Daly Field to commit to the use of PV systems at their facilities. At a minimum, buildings should be “solar ready” to facilitate future installation of PV systems.

Construction Period

The Single EIR should identify potential staging areas for each phase of development. Given the limited parking associated with the project site, the Single EIR must identify measures to limit construction-related parking impacts. The Single EIR should specifically identify locations for construction trailers, equipment and vehicle storage, and provisions for construction worker parking to demonstrate that sufficient parking will be available for all users throughout the duration of construction. The TDM plan presented in the Single EIR should include specific measures related to construction workers. The Single EIR should also identify truck traffic routes associated with construction traffic. I remind the Friends of Daly Field that truck traffic is generally prohibited from DCR Parkways, thereby limiting available truck routes to and from the project site.

The project must comply with MassDEP’s Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54. The Single EIR should also discuss materials management, air quality and noise impacts, and other items as they relate to the construction period. I strongly encourage the Friends of Daly Field to commit to include specific requirements in demolition and construction contracts to ensure construction procedures allow for the necessary segregation, reprocessing, re-use, and recycling of materials. The Friends of Daly Field should consider air and noise mitigation measures during the construction period including anti-idling provisions, location of combustion engines away from sensitive receptors, and use of ultra-low sulfur diesel fuel for all trucks and construction machinery. The Friends of Daly Field should consider a commitment to require, or at a minimum encourage, the use off-road diesel equipment that has been retrofitted with an EPA-approved retrofit device, or similar emissions control technology, to reduce particulate emissions as part of the contract with the selected construction firm. The Single EIR should document these commitments to limiting construction period environmental impacts.

Mitigation

The Single EIR should include draft Section 61 Findings for each anticipated State Agency Action and a summary of all proposed mitigation measures. The Single EIR should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

In order to ensure that all GHG emissions reduction measures adopted by the Friends of Daly Field as the preferred alternative are actually constructed or performed by the Friends of Daly Field, the Secretary requires proponents to provide a self-certification to the MEPA Office indicating that all of the required mitigation measures, or their equivalent, have been completed. Specifically, the Secretary will require, as a condition of a Certificate approving a Single EIR (or Supplemental Single EIR if necessary), that following completion of construction for each project phase, the Friends of Daly Field provide a certification to the MEPA Office signed by an appropriate professional (e.g., engineer, architect, transportation planner, general contractor) indicating that the all of the mitigation measures adopted by the Friends of Daly Field as the preferred alternative have been incorporated into the project. Alternatively, the Friends of Daly Field may certify that equivalent emissions reduction measures that collectively are designed to reduce GHG emissions by the same percentage as the measures outlined in the Single EIR, based on the same modeling assumptions, have been adopted. The certification should be supported by plans that clearly illustrate where GHG mitigation measures have been incorporated. For those measures that are operational in nature (i.e. TDM, recycling) the Friends of Daly Field should provide an updated plan identifying the measures, the schedule for implementation and how progress towards achieving the measures will be obtained. The commitment to provide this self-certification in the manner outlined above should be incorporated into the draft Section 61 Findings included in the Single EIR.

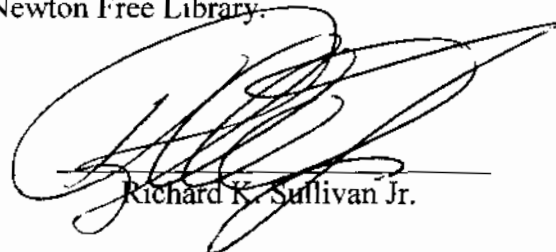
Responses to Comments/Circulation

The Single EIR should contain a copy of this Certificate and a copy of each comment letter received. In order to ensure that the issues raised by commenters are addressed, the Single EIR should include direct responses to comments to the extent that they are within MEPA jurisdiction. This directive is not intended to, and shall not be construed to, enlarge the scope of the Single EIR beyond what has been expressly identified in this certificate.

The Friends of Daly Field should circulate the Single EIR to those parties who commented on the EENF, to any State Agencies from which the Friends of Daly Field will seek permits or approvals, and to any parties specified in section 11.16 of the MEPA regulations. A copy of the Single EIR should be made available for review at the Brighton and Allston branches of the Boston Public Library and at the Newton Free Library.

June 14, 2013

Date



Richard K. Sullivan Jr.

Comments received:

05/08/2013 State Representative Martin J. Walsh
05/14/2013 Community Rowing, Inc.
05/14/2013 West End House Boys & Girls Club
05/15/2013 Saint Joseph Preparatory High School
05/17/2013 Daniel M. Cuddy
05/17/2013 Charles River Watershed Association and the Environmental League of
Massachusetts
05/21/2013 Boston Water and Sewer Commission
05/23/2013 John Bliss
05/24/2013 State Representative Jonathan Hecht
05/28/2013 Beverly K. Philip, MD
05/28/2013 Linda Holland
05/28/2013 Gina Crandell
05/28/2013 John D. Leith
05/28/2013 Karen Coyle Aylward
05/28/2013 Boston City Councilor Mark Ciommo, Boston City Council President Steve
Murphy, Boston City Councilor John Connolly, and Boston City Councilor
Ayanna Pressley
05/29/2013 Shirley Kressel
05/31/2013 Brookline GreenSpace Alliance
06/01/2013 Priscilla M. Leith
06/03/2013 Kathleen Dempsey
06/03/2013 Paul Creighton
06/03/2013 Mary T. Adelstein
06/06/2013 Beatrice Nessen
06/06/2013 Sarah Freeman
06/06/2013 Taryn Beatty
06/06/2013 Sierra Club of Massachusetts
06/06/2013 Charles River Conservancy
06/07/2013 Massachusetts Department of Conservation and Recreation
06/07/2013 James Madden
06/07/2013 Mass Audubon
06/07/2013 Fort Point Associates, Inc., on behalf of the Allston Brighton Friends of Daly
Field
06/07/2013 Massachusetts Department of Environmental Protection – NERO
06/07/2013 Paul Cedrone
06/07/2013 Peter Centola
06/07/2013 Greg Rajner
06/07/2013 Gagandeep Singh
06/07/2013 Mary Rajner
06/07/2013 Andrea Baker
06/07/2013 Paul Capozzoli
06/07/2013 Tracey Benner
06/07/2013 Angie Morrow

06/07/2013	Darren Martinez
06/07/2013	Sean Lydon
06/07/2013	Jamie Rice
06/07/2013	Ryan, Marion and Robert Kearney
06/07/2013	Tom McMahon
06/07/2013	Beth Gavin
06/07/2013	Deirdre Glynn
06/07/2013	Donald Foley
06/07/2013	Hugh Quinn
06/07/2013	Philip Saunders, Jr.
06/07/2013	Nicole Ritson
06/07/2013	Scott Selenow
06/07/2013	Cailin Arthur
06/07/2013	Katie Corey
06/07/2013	Lovejit Kaur
06/07/2013	Renel Jean
Undated	State Representative Michael J. Moran, State Representative Kevin G. Honan, State Senator William Brownsberger, State Senator Anthony Petrucci, State Representative John Lawn, State Representative Gloria Fox, State Representative Kay Khan, and State Representative Marjorie Decker

RKS/HSJ/hsj