Joint Notice of Project Change
and Chapter 91 License Application
Waterways Application #W11-3467N
EEA # 14623/14660

Edward M. Kennedy Institute
Interim Parking Lot

SUBMITTED TO: The Executive Office of Energy and Environmental Affairs MEPA Office and The Department of Environmental Protection Waterways Program

MAY 2015
May 18, 2015

Ref: 11848.00

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: Holly Johnson, EEA No. 14623/14660
100 Cambridge Street, Suite 900
Boston, MA 02114

Ben Lynch, Program Chief
MassDEP Waterways Regulation Program
1 Winter Street, 5th floor
Boston, MA 02108

Re: University of Massachusetts – Boston
EMKI Interim Parking Lot – Joint NPC & Chapter 91 License Application
EEA No. 14623/14660 & Consolidated Written Determination #W11-3467N

Dear Ms. Johnson and Mr. Lynch,

On behalf of our clients, The University of Massachusetts Building Authority (UMBA) and The University of Massachusetts Boston ("UMass"), and in conjunction with the Edward M. Kennedy Institute for the United States Senate (EMKI), VHB is pleased to submit the enclosed Joint Notice of Project Change and Chapter 91 License Application for the reactivation of 100 parking spaces in the location of former University Temporary Lot A for the visitors of EMKI. The Project is intended address the immediate and critical need for visitor parking at the newly constructed EMKI on an interim basis until on-campus parking structures are constructed.

In the EENF filed for EMKI in October 2015, the proponents of the project contemplated that all parking for visitors and employees of the Institute (up to 207 spaces for special events) would be satisfied by UMass Boston parking facilities; however, due to a combination of the delayed completion of the EMKI and extensive ongoing construction activities at the campus related to the implementation of the 25-Year Master Plan, there are currently no UMass parking facilities easily accessible to EMKI visitors. Since opening to the public on March 31, 2015, EMKI has relied heavily on the cooperation and support of neighboring institutions: UMass Boston, JFK Library and the Massachusetts State Archives to provide parking to EMKI attendees. As attendance continues to grow, particularly as EMKI enters peak summer visitation and adjacent Library and Archive lots reach capacity, it is critical to the viability and success of the Institute they are able to provide parking for visitors. Although the addition of 100 spaces will lessen their daily reliance on neighboring lots, additional TDM measures, alternative satellite parking, and
continued coordination with neighboring institutions will still be necessary to accommodate EMKi’s anticipated parking needs.

This Notice of Project Change is filed jointly by the proponents to update the EMKi MEPA review under EEA File No. 14660 and the UMass Boston 25-Year Master Plan MEPA review under EEA File No. 14623 under the terms of the Amended Special Review Procedure issued on October 8, 2014. Since the work is proposed within historically filled tidelands subject to M.G.L. Chapter 91 and Chapter 898 of the Acts of 1969, this NPC serves the dual purpose of requesting a new Chapter 91 Waterways License under the MassDEP-issued Consolidated Written Determination for the 25-Year Master Plan (Application No. W11-3467).

We respectfully request that the EOEEA publish notice of availability of the joint NPC and Chapter 91 license application for public review in the May 20th edition of The Environmental Monitor. Public comments will be due by June 9th and a Certificate due June 19, 2015. Pursuant to the Special Review Procedures and Consolidated Written Determination on the UMass Boston 25-Year Master Plan, a joint public information meeting/MEPA site visit has been scheduled for June 3, 2015 at 4pm. The meeting will be held at the Edward M. Kennedy institute, located at 210 Morrissey Boulevard, Boston, MA 02125.

We look forward to your review of this Project. Please don’t hesitate to contact me at (617) 607-2985 if you have any questions or need any additional information.

Sincerely,

[Signature]

Daniel J. Padien
Senior Environmental Scientist
DPadien@VHB.com

CC: See Distribution List
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**MEPA Notice of Project Change Form**

**Narrative:**

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<td>EEA No. 14660 Previously – Reviewed Proposed Build</td>
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**Attachment B**

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<th>Figure No.</th>
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<td>Chapter 91 Licenses</td>
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<td>Site Plan – Option 1</td>
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<td>6</td>
<td>Site Plan – Option 2</td>
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<td>7</td>
<td>EEA No. 14623 Previously – Reviewed Proposed Build</td>
</tr>
<tr>
<td>8</td>
<td>EEA No. 14660 Previously – Reviewed Proposed Build</td>
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</tbody>
</table>
Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

---

EEA # 14623/14660
Project Name: Edward M. Kennedy Institute and UMass Boston 25-Year Master Plan
Street Address: 100 Morrissey Boulevard
Municipality: Boston
Watershed: Boston Harbor
Universal Transverse Mercator Coordinates: N 332211.7, E 4686755.6
Latitude: 42°18'53.9"N
Longitude: 71°02'09.7"W
Estimated commencement date: June 2015
Estimated completion date: July 2015
Project Type: Parking Lot
Status of project design: 90% complete

Proponent: University of Massachusetts Building Authority and UMass Boston in cooperation with the Edward M. Kennedy Institute
Street Address: 100 Morrissey Boulevard
Municipality: Boston
State: MA
Zip Code: 02125
Name of Contact Person: Daniel J. Padien
Firm/Agency: VHB, Inc.
Street Address: 99 High Street, 10th Floor
Municipality: Boston
State: MA
Zip Code: 02110
Phone: (617)607-2985
Fax: (617)728-7782
E-mail: DPadien@vhb.com

With this Notice of Project Change, are you requesting:
- a Single EIR? (see 301 CMR 11.06(8))
- a Special Review Procedure? (see 301CMR 11.09)
- a Waiver of mandatory EIR? (see 301 CMR 11.11)
- a Phase I Waiver? (see 301 CMR 11.11)

* This Notice is submitted pursuant to the Special Review Procedures established by the Secretary for UMass Boston 25-Year Master Plan, and the Consolidated Written Determination issued by DEP (#w11-3467N)

Which MEPA review threshold(s) does the project meet or exceed (see 301 CMR 11.03)?
11.03 (3)(b)(5) – Project requires a new Chapter 91 License for non-water dependent use of tidelands for EMK Institute interim parking.

Which State Agency Permits will the project require?
Department of Environmental Protection – Chapter 91 License

Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres:
The project will be funded by the University of Massachusetts Building Authority under an agreement with the Edward M. Kennedy Institute for the United States Senate.

Effective January 2011
PROJECT INFORMATION

In 25 words or less, what is the project change? The project change involves . . .
The project change involves the reactivation of 100 interim parking spaces on University of Massachusetts property, in the location of former University Lot A, for visitors of the Edward M Kennedy Institute.

See full project change description beginning on page 3.

Date of publication of availability of the ENF in the Environmental Monitor: August 25, 2010

Was an EIR required? □ Yes ☒ No; if yes, was a Draft EIR filed? □ Yes (Date: ) ☒ No
was a Final EIR filed? □ Yes (Date: ) ☒ No
was a Single EIR filed? □ Yes (Date: ) ☒ No

Have other NPCs been filed? □ Yes (Date: April 15, 2015, EEA No. 14623 ) ☒ No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to ATTACHMENTS & SIGNATURES.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: (e.g., Agency Project, Financial Assistance, Land Transfer, List of Permits)

The EENF for the UMass Boston 25-Year Master Plan (EEA No.14623), anticipated the need for the following state actions:

- Order of Conditions (local with State oversight),
- Chapter 91 License/Chapter 898 Approval,
- DCR Access permit, DEP,
- MWRA Sewer Connection/Extension Permit,
- Landlocked Tidelands Public Benefit Determination,
- DEP MCP Solid Waste Closure,
- MWRA Sewer Use Discharge Permit and Construction Dewatering Permit, and
- MHC Section 106 and Chapter 254 Review.

No unique permits are required for EMK Institute interim parking, excepting a Chapter 91 License for UMass Boston.

The Edward M. Kennedy EENF (EEA No. 14660) anticipated the need for the following state agency actions:

- Chapter 91 License/Chapter 898 Approval,
- DEP/MWRA Sewer Connection, and
- DEP Post-Closure Use.

No unique permits are required for the EMK Institute.
Are you requesting a finding that this project change is insignificant? A change in a Project is ordinarily insignificant if it results solely in an increase in square footage, linear footage, height, depth or other relevant measures of the physical dimensions of the Project of less than 10% over estimates previously reviewed, provided the increase does not meet or exceed any review thresholds. A change in a Project is also ordinarily insignificant if it results solely in an increase in impacts of less than 25% of the level specified in any review threshold, provided that cumulative impacts of the Project do not meet or exceed any review thresholds that were not previously met or exceeded. (see 301 CMR 11.10(6)) ☑Yes ☐No; if yes, provide an explanation of this request in the Project Change Description below.

FOR PROJECTS SUBJECT TO AN EIR

If the project requires the submission of an EIR, are you requesting that a Scope in a previously issued Certificate be rescinded?

☐Yes ☑No; if yes, provide an explanation of this request______________.

If the project requires the submission of an EIR, are you requesting a change to a Scope in a previously issued Certificate?

☐Yes ☑No; if yes, provide an explanation of this request______________.

EEA NO. 14660 – EDWARD M. KENNEDY INSTITUTE FOR THE UNITED STATES SENATE

SUMMARY OF PROJECT CHANGE PARAMETERS AND IMPACTS

<table>
<thead>
<tr>
<th>Summary of Project Size &amp; Environmental Impacts</th>
<th>Previously reviewed</th>
<th>Net Change</th>
<th>Currently Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LAND</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total site acreage</td>
<td>2.36</td>
<td>0</td>
<td>2.36</td>
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<tr>
<td>Acres of land altered</td>
<td>&lt;2.36</td>
<td>0</td>
<td>&lt;2.36</td>
</tr>
<tr>
<td>Acres of impervious area</td>
<td>1.67</td>
<td>0</td>
<td>1.67</td>
</tr>
<tr>
<td>Square feet of bordering vegetated wetlands alteration</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Square feet of other wetland alteration</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Acres of non-water dependent use of tidelands or waterways</td>
<td>1.29</td>
<td>0</td>
<td>1.29</td>
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<td><strong>STRUCTURES</strong></td>
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<td></td>
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<tr>
<td>Gross square footage</td>
<td>93,000</td>
<td>0</td>
<td>93,000</td>
</tr>
<tr>
<td>Number of housing units</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Maximum height (in feet)</td>
<td>50</td>
<td>0</td>
<td>50</td>
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**TRANSPORTATION**

<p>| | | | |</p>
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<tr>
<td>Vehicle trips per day</td>
<td>304</td>
<td>0</td>
<td>304</td>
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<tr>
<td>Parking spaces</td>
<td>25*</td>
<td>75</td>
<td>100</td>
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**WATER/WASTEWATER**

<p>| | | | |</p>
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<td>Gallons/day (GPD) of water use</td>
<td>6,400</td>
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<tr>
<td>GPD water withdrawal</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>GPD wastewater generation/ treatment</td>
<td>1,400</td>
<td>0</td>
<td>1,400</td>
</tr>
<tr>
<td>Length of water/sewer mains (in miles)</td>
<td>.12</td>
<td>0</td>
<td>.12</td>
</tr>
</tbody>
</table>

* EENF projected 25 spaces during academic year weekday, and up to 207 at other times, all to be provided by existing parking on adjacent UMass Campus

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?  
   - Yes  
   - No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?  
   - Yes  
   - No

3. impacts on Rare Species?  
   - Yes  
   - No

4. demolition of all or part of any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?  
   - Yes  
   - No

5. impact upon an Area of Critical Environmental Concern?  
   - Yes  
   - No

If you answered ‘Yes’ to any of these 5 questions, explain below:

**PROJECT CHANGE DESCRIPTION** (attach additional pages as necessary). The project change description should include:

(a) a **brief description of the project as most recently reviewed**

The EMK Project, EEA No. 14660, as most recently reviewed in 2010 (see Attachment A), involved the construction of the Edward M Kennedy Institute for the United States Senate (EMK Institute). At that time, parking for the EMK Institute was planned to occur at UMass Boston parking facilities that existed or were planned.

The EMK Institute has been open to the public since March 31, 2015.

(b) a **description of material changes to the project as previously reviewed**,  

There have been no material changes to the EMK Institute facility as previously reviewed, however, due to changes in the completion of construction of the EMK beyond its originally anticipated completion date of March 2014, there now exists a confluence of activities which cause a greater demand for parking beyond what is immediately available: the EMK opening in March 2015 and the Institute’s immediate success in attracting visitors, along with a UMass Boston construction activities scheduled in the area of the Institute at the same time.
if applicable, the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and

(1) Expansion of the Project. A change in a Project is ordinarily insignificant if it results solely in an increase in square footage, linear footage, height, depth or other relevant measures of the physical dimensions of the Project of less than 10% over estimates previously reviewed, provided the increase does not meet or exceed any review thresholds.

There are no physical changes to the EMK Institute. All proposed changes are within the areas of Columbia Point subject to the UMass 25-Year Master Plan, and are accounted for in the Project Change Description for EEA No. 14623, below.

(2) Generation of further impacts, including an increase in release or emission of pollutants or contaminants during or after completion of the Project. A change in a Project is ordinarily insignificant if it results solely in an increase in impacts of less than 25% of the level specified in any review threshold, provided that cumulative impacts of the Project do not meet or exceed any review thresholds that were not previously met or exceeded.

The project will not increase the emission of pollutants or contaminants.

(3) Change in expected date for Commencement of the Project, Commencement of Construction, completion date for the Project, or schedule of work on the Project.

The construction of the Institute is substantially complete. This work will not impact the timing of any future work on the Institute.

(4) Change of the Project site.

The project site previously reviewed will remain the same.

(5) New application for a Permit or New request for Financial Assistance or a Land Transfer.

No new (i.e., not previously identified Permit) Permit or funding is required for the Project.

(6) For a Project with net benefits to environmental quality and resources or public health, any change that prevents or materially delays realization of such benefits.

The change will not delay realization of net environmental benefits. Work previously reviewed, including any proposed mitigation, will proceed as scheduled.

(7) For a Project involving a lapse of time, changes in the ambient environment or information concerning the ambient environment.

Pursuant to 301 CMR 11.10(2), the project does not involve a lapse of time as no EIR was required and the Certificate for the previously reviewed Project remains in effect.
(d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a draft of the modified Section 61 Finding (or it will be required in a Supplemental EIR).

The Proponent has endeavored to avoid and minimize environmental impact to the greatest extent practicable. Where impacts could not be avoided, the Proponent is committed to minimize and mitigate anticipated impacts to prevent damage to the environment. The attached project narrative describes potential environmental impacts.
## SUMMARY OF PROJECT CHANGE PARAMETERS AND IMPACTS

<table>
<thead>
<tr>
<th>Summary of Project Size &amp; Environmental Impacts</th>
<th>Previously reviewed</th>
<th>Net Change</th>
<th>Currently Proposed</th>
</tr>
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<tbody>
<tr>
<td><strong>LAND</strong></td>
<td></td>
<td></td>
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<tr>
<td>Total site acreage</td>
<td>Master Plan 119¹</td>
<td>-</td>
<td>119¹</td>
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<tr>
<td></td>
<td>Phase 1 5.3</td>
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<td>GAB No. 1 3.4</td>
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<tr>
<td></td>
<td>Bayside 20</td>
<td>-</td>
<td>20</td>
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<tr>
<td></td>
<td>Interim EMKi Parking 0</td>
<td>-</td>
<td>0</td>
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<tr>
<td>New acres of land altered</td>
<td>Master Plan 71²</td>
<td>-</td>
<td>71²</td>
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<tr>
<td></td>
<td>Phase 1 19</td>
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<td></td>
<td>Bayside 20</td>
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<td>20</td>
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<tr>
<td></td>
<td>Interim EMKi Parking 0</td>
<td>0.8³</td>
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<tr>
<td>Acres of impervious area</td>
<td>Master Plan 48.1</td>
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<td></td>
<td>Phase 1 55.7</td>
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<td>GAB No. 1 2.3</td>
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<td>Bayside 17.5</td>
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<td>Square feet of new bordering vegetated wetlands alteration</td>
<td>0</td>
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<tr>
<td>Square feet of new other wetland alteration</td>
<td>Bayside 9,753</td>
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<td>9,753</td>
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<td>Acres of new non-water dependent use of tidelands or waterways</td>
<td>Master Plan (2.4)</td>
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<td></td>
<td>Phase 1 0</td>
<td>-</td>
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<td>GAB No. 1 0</td>
<td>-</td>
<td>0</td>
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<tr>
<td></td>
<td>Bayside 12.3</td>
<td>-</td>
<td>12.3</td>
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<td></td>
<td>Interim EMKi Parking 0</td>
<td>0.8⁴</td>
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<td><strong>STRUCTURES</strong></td>
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<tr>
<td>Gross square footage</td>
<td>Master Plan 4.2 – 4.6 million</td>
<td>-</td>
<td>4.2 – 4.6 million</td>
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<tr>
<td></td>
<td>Phase 1 222,400</td>
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<td></td>
<td>GAB No. 1 191,000</td>
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<td>Bayside 0</td>
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<tr>
<td></td>
<td>Interim EMKi Parking 0</td>
<td>-</td>
<td>0</td>
</tr>
</tbody>
</table>

¹ Previously reviewed site acreage for Phase 1 and GAB No. 1.
² New acres of land altered for Phase 1 and GAB No. 1.
³ Acres of impervious area for Interim EMKi Parking.
⁴ Square feet of new bordering vegetated wetlands alteration for Interim EMKi Parking.
<table>
<thead>
<tr>
<th></th>
<th>Master Plan</th>
<th>Phase 1</th>
<th>GAB No. 1</th>
<th>Bayside</th>
<th>Interim EMKi Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of housing units</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Maximum height (in feet)</strong></td>
<td>161</td>
<td>161</td>
<td>96</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>TRANSPORTATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Vehicle trips per day</strong></td>
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<td></td>
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<tr>
<td>Master Plan – Unadjusted ITE</td>
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<td>38,080</td>
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<td>5,880</td>
<td>47,600</td>
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<tr>
<td>Adjusted for mode split</td>
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<td>16,676</td>
<td>0</td>
<td>0</td>
<td>20,272</td>
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<td>Phase 1 – Unadjusted ITE</td>
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1 Total site acreage does not include approximately 69 acres of land under water.
2 The 25-year Master Plan includes the alteration of approximately 71 acres of the campus. This entire area will not be disturbed at once, but instead work will occur sequentially over 25 years of phased development. These phases will cumulatively increase open space on campus by approximately 19 acres.
3 Part of Master Plan 71 Acres
4 Part of master Plan 2.4 Acres
5 The proposed trips per day and parking area for the Bayside Property will not add to the total number of trips or spaces, given that the proposed use is temporary and is intended to provide parking during the construction of Campus parking structures.
6 There is no change to vehicle trips as a result of this Project since vehicle trips from EMK were accounted for within the background growth rate in the UMass Boston 25-Year Master Plan EENF. There is also no change in parking as the University assumed it would provide up to approximately 207 parking spaces for EMK.

Does the project change involve any new or modified:
1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? ☐ Yes ☑ No
2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? ☐ Yes ☑ No
3. impacts on Rare Species? ☐ Yes ☑ No
4. demolition of all or part of any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth? ☐ Yes ☑ No
5. impact upon an Area of Critical Environmental Concern? ☐ Yes ☑ No

If you answered ‘Yes’ to any of these 5 questions, explain below:

**PROJECT CHANGE DESCRIPTION** (attach additional pages as necessary). The project change description should include:

(a) the project as most recently reviewed
The Project, as reviewed in 2010 (see Attachment A), involved the implementation of the campus-wide 25-year Master Plan. The Master Plan established a framework for the planned physical enhancements to the existing University campus. The Master Plan includes sites for new buildings, new open spaces, landscaped areas, pedestrian circulation, view corridors, parking garages, and improved relationships between buildings. The Master Plan’s flexibility allows decision makers to adjust and adapt the plan to respond to changing circumstances, including curriculum adjustments, pedagogical changes, demographic changes, funding availability, enrollment fluctuations, transportation evolution, environmental conservation, code changes, and impact of adjacent development.

Under the Special Review Procedure (SRP) established June 30th, 2010, the 25-year Master Plan was reviewed through the submission of an Expanded Environmental Notification Form (EENF) for the Campus-wide improvements, and October 15, 2010, the Secretary issued a Certificate on the EENF. The Certificate and SRP allowed Master Plan Phase 1 components to proceed to permitting, and established a framework for future Master Plan components.

Since the original broad scope review that occurred following the EENF, there have been three filings, including the submission of a Project Commencement Notification (PCN) for the construction of General Academic Building 1 (GAB1), a modification to the Special Review Procedure (See Attachment A) issued on October 8, 2014, and a Notice of Project Change (NPC) filed April 15, 2015, for the expansion of parking at the Bayside Property.

(f) a description of material changes to the project as previously reviewed,

The proposed change includes the use of Master Plan Site G and Site PE for temporary parking for EMK Institute visitors and staff. The change will not require substantial site work as the site was previously used for temporary parking as University Lot A (EEA No. 13880), but was recently closed to students and has been used as staging area for the construction of the new University Drive North.

(g) if applicable, the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and

(1) Expansion of the Project. A change in a Project is ordinarily insignificant if it results solely in an increase in square footage, linear footage, height, depth or other relevant measures of the physical dimensions of the Project of less than 10% over estimates previously reviewed, provided the increase does not meet or exceed any review thresholds.

The Project will not change the physical dimensions of the 25-Year Master Plan or impact the long term development of the site. The site was identified in the Master Plan as Site G and Site PE, which indicated that the site may be used for construction of a future campus building. The Site is not scheduled to be developed at this time. If the University elects to pave the lot in the future, it will result in a 1% increase in impervious area at the campus.

(2) Generation of further impacts, including an increase in release or emission of pollutants or contaminants during or after completion of the Project. A change in a Project is ordinarily insignificant if it results solely in an increase in impacts of less than 25% of the level specified in
any review threshold, provided that cumulative impacts of the Project do not meet or exceed any review thresholds that were not previously met or exceeded.

The project will not increase the emission of pollutants or contaminants.

(3) Change in expected date for Commencement of the Project, Commencement of Construction, completion date for the Project, or schedule of work on the Project.

Work under the 25-Year Master Plan is underway and the proposed change will not impact the date of completion or schedule of work.

(4) Change of the Project site.

The project site previously reviewed will remain the same.

(5) New application for a Permit or New request for Financial Assistance or a Land Transfer.

No new (i.e., not previously identified Permit) Permit or funding is required for the Project. The interim parking use will require a Chapter 91 License to be issued under the Consolidated Written Determination for the 25-Year Master Plan (Waterways Application #W11-3467N)

(6) For a Project with net benefits to environmental quality and resources or public health, any change that prevents or materially delays realization of such benefits.

The change will not delay realization of net environmental benefits. Work previously reviewed, including any proposed mitigation, will proceed as scheduled.

(7) For a Project involving a lapse of time, changes in the ambient environment or information concerning the ambient environment.

Pursuant to 301 CMR 11.10(2), the project does not involve a lapse of time as no EIR was required and the Certificate for the previously reviewed Project remains in effect.

(h) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a draft of the modified Section 61 Finding (or it will be required in a Supplemental EIR).

The Proponent has endeavored to avoid and minimize environmental impact to the greatest extent practicable. Where impacts could not be avoided, the proponent is committed to minimize and mitigate anticipated impacts to prevent damage to the environment. The attached project narrative describes potential environmental impacts.

ATTACHMENTS & SIGNATURES
- Attachment A: Prior Certificates and CWD
- Attachment B: Figures
- Attachment C: Distribution List
- Attachment D: Chapter 91 License Application
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Introduction

The University of Massachusetts Boston (hereinafter referred to as “UMass Boston” or “the University”), in cooperation with the Edward M. Kennedy Institute (EMK Institute) and the University of Massachusetts Building Authority (UMBA) (collectively the “Proponents”), are seeking to temporarily allocate approximately 35,000 square feet of the UMass Boston 25-Year Master Plan Site G and Site PE (former University Lot A) to serve as visitor and staff parking for the EMK Institute (the “Project”). This Notice of Project Change is filed jointly by the proponents to update the EMK Institute MEPA review under EEA File No. 14660 and the UMass Boston 25-Year Master Plan MEPA review under EEA File No. 14623 pursuant to the Amended Special Review Procedure issued on October 8, 2014. Additionally, since the work is proposed within historically filled tidelands subject to M.G.L. Chapter 91 and Chapter 898 of the Acts of 1969, this notice serves the second purpose of providing notice of an application by UMass Boston for a new Chapter 91 Waterways License under the MassDEP-issued Consolidated Written Determination for the 25-Year Master Plan (Application No. W11-3467) (see Attachment D).

The MEPA record for the EMK Institute and the UMass Boston 25-Year Master Plan includes the University’s commitment to accommodate the majority of the EMK Institute’s parking needs under a shared parking arrangement. The EMK Institute’s MEPA record describes the need for 25 permanent spaces to accommodate routine parking needs and up to 207 additional spaces during special events, all to be provided by UMass Boston. These spaces were contemplated to be provided from the “ample parking available at UMass.” In 2010 when these documents were published, UMass Boston operated a surface parking lot (Lot A) adjacent to the EMK Institute site with a capacity of approximately 300 spaces.

Lot A was constructed in 2006 as an emergency temporary surface lot, and was closed in the spring of 2015 to provide needed construction staging and soil screening...
capacity for the University’s Utility Corridor and Roadway Relocation Project (UCRR) and the relocation of University Drive North (DEP license no. 131771).

Due to changes in the completion of construction of the EMK Institute beyond its originally anticipated completion date of March 2014, there now exists a confluence of activities which cause a greater demand for parking beyond what is immediately available: the EMK Institute opening in March 2015 and the Institute’s immediate success in attracting visitors, along with a UMass Boston construction activities scheduled in the area of the Institute at the same time and delays in funding for the planned parking structures. Since the EMK Institute opened in March 2015, parking has been provided under an informal and closely managed arrangement with the JFK Library, the Massachusetts State Archives and UMass Boston. As peak parking demand at the EMK Institute is expected to occur during periods of lower parking demand for the University, in the long-term, the shared parking plan remains valid. However in the interim, the EMK Institute relies primarily on spaces shared with the JFK Library and the Archives.

Despite implementation of various transportation demand management (TDM) measures to limit reliance on private passenger vehicles, there remains inadequate parking to support the EMK Institute’s operations at this time. To relieve that problem for now, the Proponents propose the construction of an interim 100-space surface parking lot within the footprint of the Master Plan Site G and Site PE. Additional TDM measures, alternative satellite parking and continued shared parking with the neighboring institutions (JFK Library and Massachusetts State Archives) will be continue to be necessary to accommodate the EMK Institute’s anticipated parking needs now and in the future.

The EMK Institute parking demand required during operations remains to be confirmed. The EENF parking demand study estimated a need for 25 permanent spaces and 207 additional total spaces during periods of peak demand for a total of 232 spaces. VHB has reviewed the EENF parking study and identified a need for approximately 425 peak period spaces using similar industry standards as presented in the EENF.

VHB confirmed the parking demand estimate using the JFK Library as a comparable example. The JFK Library has been operated at the site for 35 years and enjoys robust visitation worthy of a presidential library. When utilizing its full parking capacity the Library has 288 spaces. The EMK Institute visitation planning and business model goal is to achieve a long-term average visitation of 65 percent of that of the Library. Assuming the EMK Institute would require a parking demand that is 65 percent of the Library’s the Institute’s estimated comparable parking demand would be 187 spaces.
The difference between these two estimates is believed to be the rigorous TDM program implemented by the JFK Library and use of additional shared parking in the project area.

Site Description

The University of Massachusetts Boston campus is located on the Columbia Point peninsula in Boston. The campus is bound by Dorchester Bay to the north and east, Savin Hill Cove to the south, and Boston College High School and residential developments to the west. The landform which is now Columbia Point was historically much smaller and lower, however, beginning in the 1800s and up until the late 1970s the area was expanded significantly through a combination of authorized and unauthorized filling, extensive dumping and/or burning of refuse, and used as a discharge area for sanitary waste and stormwater. The campus was acquired by the Commonwealth under Chapter 898 of the Acts of 1969, which specifically designated the filling and use of the land for planning and constructing the UMass Boston Campus.

The work proposed under this Notice of Project Change/Chapter 91 License Application is limited to immediate construction of approximately 100 interim surface parking spaces within a footprint of approximately 35,000 square feet within the former University Lot A. Lot A was located on portions of “Site G” and “Site PE” in the 25-Year Master Plan. Lot A was constructed in 2006 as a temporary lot to provide emergency parking relief following the closure of on-campus parking structures due to structural safety concerns. The lot was recently closed to be used as a staging area for construction staging and soil screening and the planned relocation of University Drive North, located between Site G and Site PE (formerly used as Parking Lot A) and EMK Institute.

The Project site does not contain any state-regulated wetland resource area or buffer zone and is not located within 100 feet of any wetlands resource areas. Therefore the project will not require an Order of Conditions under the Massachusetts Wetlands Protection Act.

Regulatory Context

The following provides a summary of the regulatory context for the project under local and state jurisdictions.
In 2006, in response to the sudden loss of over 1,500 parking spaces due to structural safety concerns in parking garage, the University submitted an Environmental Notification Form (ENF) to the EOEEA requesting a waiver from the preparation of an Environmental Impact Report (EIR), to construct new replacement parking spaces, a portion of which included Lot A, the location of the current project. The EOEEA granted the request through the issuance of a Final Record of Decision (FROD) under EOEEA No. 13880.

During this public review process, the University identified the need for a comprehensive master planning effort to revitalize the campus and address significant deferred maintenance issues. The University then teamed with the Division of Capital Asset Management and Maintenance (DCAMM) to begin a campus-wide planning effort that would address existing deficiencies and outline future goals. The resulting 25-Year Master Plan established a framework for the planned physical enhancements to the existing University campus. The Master Plan included sites for new buildings, new open spaces, parking garages, landscaped areas, pedestrian circulation, view corridors, and improved relationships between buildings. The Master Plan’s flexibility allows decision makers to adjust and adapt the plan to respond to changing circumstances, including curriculum adjustments, pedagogical changes, demographic changes, funding availability, enrollment fluctuations, transportation evolution, environmental conservation, code changes, and impact of adjacent development.

The Master Plan was reviewed by the Secretary for Energy and Environmental Affairs under a Special Review Procedure established on June 30, 2010 and through the filing of an Expanded Environmental Notification Form (EENF) in August 2010, both under EOEEA No. 14623, which resulted in the following governing documents:

- Secretary’s Certificate on the EENF issued on October 15, 2010 determining that the Master Plan and Phase 1 projects did not require the preparation of an Environmental Impact Report;

- Secretary’s Public Benefits Determination issued on October 22, 2010 in accordance with 2007 Mass. Acts Ch. 68, Sec.8 and 301 CMR 13.00, that the 25-Year Master Plan and Phase 1 Projects will have a positive public benefit as defined therein.

Since the original broad scope review that occurred following the EENF, there have been three limited scope filings, including the submission of a Project Commencement Notification (PCN) for the construction of General Academic Building 1 (GAB1), a modification to the Special Review Procedure issued on October 8, 2014, and a Notice
of Project Change (NPC) filed April 15, 2015, for the expansion of parking at the Bayside Property.

This Notice of Project Change seeks to update the Master Plan to include approximately 100 interim parking spaces in Site G and Site PE as shown in Attachment B.

Edward M. Kennedy Institute for the U.S. Senate

The Edward M. Kennedy Institute for the United States Senate (EMK Institute) was initially presented to MEPA in August of 2010 in the Expanded Environmental Notification Form (EENF) filing for the UMass Boston Master Plan as an anticipated future project. The EENF described the relocation of University Drive North in relation to the Institute, and discussed how the relocation of University Drive North would improve the connection between the campus and the planned institute. The EENF also assumed that due to the inherent nature of the use, vehicle trips associated with EMK Institute would be accounted for by background growth rates in the transportation impacts analysis.

In October of 2010, the University in conjunction with UMBA and the EMK Institute submitted an Expanded Environmental Notification Form (EENF) for the Institute which included a request for a waiver from the preparation of an Environmental Impact Report (EIR). The Project exceeded the EIR threshold contained at 301 CMR 11.03(a)5 because it required a new Chapter 91 Waterways License for a non-water dependent use occupying greater than one acre. In December of 2010, the Secretary issued the following governing documents for the EMK Institute (EOEEA No. 14660) allowing the Project to proceed with state permitting:

- Secretary’s Certificate on the EENF issued on December 1, 2010;
- Public Benefits Determination issued on December 22, 2010;
- Draft Record of Decision issued on December 1, 2010, and
- Final Record of Decision issued on December 22, 2010, waiving the preparation of an EIR.

This Notice of Project Change seeks to update the EMK Institute MEPA record to account for the immediate construction of 100 interim parking spaces on Site G and Site PE. This interim parking lot will require a Chapter 91 Waterways License under the UMass Consolidated Written Determination, a state agency action requiring prior MEPA review.
The proposed interim parking will require a new Chapter 91 Waterways License because it is a new, non-water dependent use on filled tidelands. This license is sought under the provisions of the Consolidated Written Determination issued by MassDEP on May 15, 2014 because the work is entirely within the limits of the 25-Year Master Plan and subject to the terms of the CWD and Chapter 898 of the Acts of 1969.

While the EMK Institute facility was authorized by MassDEP under M.G.L. Chapter 91 through the issuance of License 13108 on May 15, 2015, the license area does not include the footprint of Site G and PE.

As provided for in the CWD, the Proponents seek a combined MEPA and Chapter 91 review with a concurrent public review process. As such, public meeting is tentatively scheduled for June 3, 2015 at 4:00pm at EMK Institute. Notice of the meeting will be widely distributed in the Notice of Project Change’s circulation list, posted on the UMass Boston 25-Year Master Plan Website and published in the Massachusetts Environmental Monitor.

Project Need

The immediate need for additional parking alternatives for the EMK Institute is the result of changes in the timing of construction for on-campus parking facilities planned under the 25-Year Master Plan. In the EENF filed for the EMK Institute in October 2010, the Proponents contemplated that all parking for the Institute would be satisfied by UMass Boston parking facilities. The required number of parking spaces for average daily operations was anticipated to be approximately 25 permanent spaces and up to 207 additional spaces required for peak periods and special events for a total of 232 spaces.

Due to changes in the completion of construction of the EMK Institute, the University’s ongoing Utility Corridor and Roadway Relocation Project (including the relocation of University Drive North and extensive disruption on-campus) and changes in funding availability which has slowed progress on construction of the parking garage, the Institute currently has no dedicated parking and no campus parking lots within reasonable walking distance. The EMK Institute is therefore presented with a substantial parking shortage for special events and during periods of high volume.

Since opening in late March 2015, the EMK Institute has met or exceeded expected attendance rates and projects that it will quickly reach the parking demand estimated in EENF. Furthermore the parking demand at the EMK Institute so far appears to
presently rely heavily on private passenger vehicles, adding to the parking demand and pressure to share spaces with its neighboring institutions. The EMK Institute is grateful for the cooperation and support of the JFK Library, Massachusetts State Archives and UMass Boston during these initial months of the Institute’s operations. However, continued reliance on its neighbors to satisfy 100% of the EMK Institute’s parking demand is not feasible during peak summer visitation.

Without the ability to satisfy its attendees and provide a reasonable amount of parking, the EMK Institute may be unable to sustain the programs and services it was intended to provide. Accordingly, the Proponents seek approval to utilize the creation of a temporary parking area proposed herein.

Alternatives Analysis

The Proponents have explored several alternatives for interim parking during the construction of on-campus parking structures, however, no feasible alternative has been identified. The following alternatives have been explored:

- Parking in existing UMass Boston surface lots such as Lot D or the Bayside Property;
- Renting parking areas offsite, and
- Continued reliance on shared use of the JFK Library and Massachusetts State Archives parking lots.

Common to all of these alternatives are the demographic characteristics of EMK Institute visitors. A large percentage of the visitors include young children and older adults who are unable to easily walk long distances and not willing to spend additional time for shuttle services. Likewise, attendees of special events appreciate the convenience of parking close to the venue. As such, forcing visitors to park far from the Institute and take shuttles to and from their vehicles could substantially impact visitation rates. Additionally, the cost of renting off-site parking and shuttles/buses is prohibitive for the Institute because the resultant reduction in visitors would impact its revenue.

UMass Lot D is less than one-quarter mile from the Institute, however, due to the ongoing roadway relocation work for University Drive North, there is no direct access between Lot D (or other UMass Boston surface lots) and EMK without traversing an active construction zone. This would not only represent a hazard for visitors, but it would substantially impact the construction schedule of the roadway work.
The EMK Institute is currently utilizing a portion of the JFK Library parking lot, and on occasion, portions of the Massachusetts State Archives parking lot. This cooperative parking arrangement, combined with the availability of additional overflow parking on UMass and aggressive TDM measures, has been successful in meeting the operational needs of the JFK Library and the State Archives. The EMK Institute is grateful for the cooperation of these neighbors during its initial months of operation. However, the opening of the EMK Institute in March 2015 did increase the parking needs in the area beyond the capacity of this shared arrangement until the UMass Boston parking garages are completed.

The current limited parking capacity in close proximity of the Institute requires constant and close coordination with the Library and limits the Institute to scheduling events only on days that the JFK Library does not have any prior commitments. The JFK Library is also limited in its ability to provide any long-term commitment to the EMK Institute due to federal security requirements. During non-event busy periods, such as summer and weekends, the approximately 288 parking spaces at the Library and the 61 spaces at the adjacent Massachusetts Archives (presently shared with the Institute on occasion) are not sufficient to sustain the volume of visitors for all three facilities. Dependency on either of these existing lots for EMK Institute parking is not a feasible long-term or short-term alternative.

In addition to these parking alternatives, the Proponents have continued to promote and encourage the use of alternative modes of transportation, including Massachusetts Bay Transportation Authority (MBTA) public transportation and shuttles, charter buses, trolleys, and biking/walking. As stated, the addition of 100 interim parking spaces will not satisfy the current or forecasted demand. The Proponents will need to continue to implement and expand its TDM programs to promote alternative transportation for the Institute to remain financially viable.

The EMK Institute cannot function at a level to remain economically sustainable without some dedicated parking. The EMK Institute will continue to explore means of reducing its parking demand while relying on the addition of 100 interim spaces as proposed herein.

**Project Description**

To address the need for immediate additional parking space as EMK Institute enters its busiest season of the year, the Proponents propose to reopen a portion of Site G and Site PE and allow the EMK Institute visitors to use the lot free of charge when visiting the Institute. In order to expedite the opening of the lot, the scope of improvements to the existing lot are intentionally limited, and may be upgraded in the future to include paving, drainage and lighting. Accordingly, impact analysis for
this project assumes the entire surface will be impervious despite the Proponent’s intention to use pervious materials to start.

The project site is currently being used for construction staging and material stockpiles, and will therefore require removal of those materials from a portion of the site to expose the former dense grade aggregate parking surface. In order to maintain a safe year-round surface, the contractor will scrape off the existing surface layer and replace it with new compacted gravel. As illustrated in Attachment B, the Proponents are evaluating two options for parking layout, both of which are similar in size and capacity with a combined entrance/exit on Columbia Point Road. A final parking layout will be determined prior to issuance of the Secretary’s Certificate and submission of final Chapter 91 Plans.

Construction of the lot is anticipated to take 3 to 4 weeks including mobilization. Any excess material generated during the clearing of the lot would be re-used onsite or recycled offsite, as appropriate. As construction of University Drive North approaches the parking area a Pedestrian and Traffic Management Plan will be developed by the Proponents and their contractors and adjusted as needed to avoid impacts to lot access.

Stormwater

The Project is not subject to the Wetlands Protection Act because no work is proposed within any state-regulated wetland resource area or buffer zone and is therefore not subject to the Massachusetts Stormwater Management Regulations and Performance Standards. However, if the lot is paved, the University will ensure that BMPs are employed to the extent practicable to collect and treat stormwater runoff and that impervious surface flows will be directed into existing University stormwater treatment systems. If the lot remains unpaved, stormwater will continue to be infiltrated consistent with the prior use of University Lot A.

Parking and Transportation

The EMK Institute Expanded Environmental Notification Form (EENF) reviewed the anticipated impacts to project area traffic and parking demand following construction of the Institute. This analysis included the major assumptions described in the EENF and summarized in the Secretary’s Certificate thereon:

1. The EMK Institute would result in a conservative estimate of 304 new vehicle trips per day;
2. The new peak hour trips were assumed to be accommodated in the forecast background growth rates for the UMass campus.

3. Based on a combination of industry standards considering project size, program and anticipated staffing, operations at the adjacent JFK Library and consultation with the City of Boston Transportation Department (BTD) the EMK Institute was estimated to require 25 permanent dedicated parking spaces and 207 shared spaces for a total of approximately 232 spaces.

Based on these assumptions, the EENF concluded that peak parking demand could be met by a combination of shuttling visitors to remote facilities and shared use of UMass Boston parking as available.

Since the completion of EMK Institute permitting, the University has made considerable progress in implementing its Phase 1 Master Plan projects. Many of these projects have substantially altered the availability and location of parking at the campus, including:

- Closing of the South Lot on Master Plan Site S to allow the construction of the General Academic Building 2 (GAB2) and relocation of approximately 542 surface parking spaces;
- Closing of North Lot on Master Plan Site B to allow the construction of the General Academic Building 1 (GAB1), requiring the relocation of approximately 388 surface parking spaces;
- Closing of Temporary Lot A on Master Plan Site G and Site PE to accommodate construction staging and soil screening required during the Utility Corridor and Roadway Relocation Project and the relocation of approximately 275 surface parking spaces.
- Closing of Temporary Lot C on Master Plan Site R1 to accommodate Utility Corridor and Roadway Relocation Project. Relocation of approximately 158 spaces.

These surface parking changes have largely been accommodated through the use of the former Bayside Exposition Center property to accommodate faculty, staff, student and visitor parking demand. The University provides frequent free shuttle service connecting the MBTA JFK/UMass Red Line station, the Bayside property, the UMass Student Center and the EMK Institute/JFK Library.

These substantial changes in the location of available UMass parking facilities have created unique challenges for the EMK Institute in its first months of operation. The Institute’s parking demand has been met through a closely managed shared parking
arrangement between the EMK Institute, the JFK Library, Massachusetts State Archives and UMass Boston. This demand has also been mitigated through implementing an evolving Transportation Demand Management Program.

2015 Parking Demand Estimates

VHB has reviewed the EMK Institute’s parking demand estimates largely independent of the calculations presented in the EENF and identified a peak parking demand of between 187 and 425 spaces. These admitly wide ranging estimates are based on two separate methodologies – (1) applying industry standard Institute of Transportation Engineers (ITE) parking demand rates based on program size and appropriate land-use categories to determine the theoretical parking demand; and, (2) a comparative analysis of the JFK Library parking operations based on the most recently available visitation data (2014).

ITE-Based Parking Demand

The EMK Institute’s parking demand was estimated using the Institute of Transportation Engineering’s Parking Generation Manual 4th Edition for a museum (Land Use Code 580), which is the most appropriate land use category and program size. Based on these industry standards VHB estimates that the EMK Institute requires 67 spaces for typical daytime operations and up to 425 for special events. During its first month of operation, approximately 10 percent of the EMK Institute visitors began their visit to Columbia Point at the JFK Library. If these visitors are factored out of the typical daytime use, the EMK Institute’s daytime parking demand would be reduced by 10%, resulting in an estimated demand of approximately 61 spaces.

During special events, we assume the number of the EMK Institute’s visitors starting their visit at the JFK Library would be negligible and no such reduction is warranted resulting is a peak estimated parking demand of 425 spaces.

Table 1 provides a summary of the data and estimated parking demand.
Table 1  ITE Parking Demand Estimate

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Parking Demand</td>
<td></td>
</tr>
<tr>
<td>Program Size (GSF)</td>
<td>50,000</td>
</tr>
<tr>
<td>ITE Land Use Code 580</td>
<td>“museum”</td>
</tr>
<tr>
<td>Spaces per 1,000 SF(^1)</td>
<td>1.34</td>
</tr>
<tr>
<td>Daily Parking Demand (spaces)</td>
<td>67</td>
</tr>
<tr>
<td>Peak/Special Event Parking Demand</td>
<td></td>
</tr>
<tr>
<td>Guests(^2)</td>
<td>600(^3)</td>
</tr>
<tr>
<td>Visitors per vehicle</td>
<td>1.5</td>
</tr>
<tr>
<td>Peak/Special Event Parking Demand</td>
<td>400</td>
</tr>
<tr>
<td>Staff</td>
<td>25</td>
</tr>
<tr>
<td>Peak/Special Event Parking Demand (spaces)</td>
<td>425</td>
</tr>
</tbody>
</table>

\(^1\) Assumes high range for museum land use, deemed appropriate for a new museum / institute with an initial visitor population more likely to arrive by private vehicle and a Transportation Demand Management program which is still evolving.

\(^2\) Assumed to all arrive by private passenger vehicle (worst case).

\(^3\) Source: EMK Institute

Comparable Land Use Parking Demand (JFK Library)

VHB reviewed the most recent year of visitation data available for the JFK Library (2014). Based on the current draft business model and marketing plan, the Institute has a goal of accommodating 65 percent as many visitors of the JFK Library.

The Library presently has access to 283 parking spaces in its dedicated lot. Assuming the EMK Institute can implement a successful Transportation Demand Management Program, the Institute will require, on average, 65 percent of the number of spaces available to the JFK Library or 187 spaces.

Table 2 provides a summary of these data points and estimated the EMK Institute’s parking demand.
Table 2  EMK Institute Comparable Parking Demand

<table>
<thead>
<tr>
<th>Facility</th>
<th>Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFK Library</td>
<td></td>
</tr>
<tr>
<td>Standard Spaces</td>
<td>272</td>
</tr>
<tr>
<td>Accessible Spaces</td>
<td>11</td>
</tr>
<tr>
<td><strong>Total Spaces Available</strong></td>
<td><strong>283</strong></td>
</tr>
</tbody>
</table>

Edward M. Kennedy Institute requires 65 % of parking demand of JFK Library (283 x 0.65)

**Spaces Required** 184

Based on a comparative analysis, VHB estimates that the EMK Institute would require approximately 187 parking spaces to accommodate its visitors and staff, assuming that:

1. The facility will operate within industry norms for parking demand for museum space.
2. A comprehensive Transportation Demand Management program will be implemented.
3. The facility will operate with a similar parking demand as the JFK Library.

Both of these operating assumptions require the implementation of a comprehensive TDM program to reduce the number of visitors who arrive by private passenger vehicles. The EMK Institute has only been open since late March 2015 and is still developing their TDM program. The following section provides a summary of current and contemplated TDM measures.

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**Transportation Demand Management**

UMass Boston has a long history of implementing a comprehensive Transportation Demand Management program that includes extensive measures to reduce the number of single occupancy vehicles and manage the limited parking supply at the UMass Boston campus.

The EMK Institute’s EENF included commitments by UMass Boston and the University of Massachusetts Building Authority (in conjunction with the EMK Institute) to continue to implement “all transportation demand management measures on campus to encourage transit and walk/bike mode share on site.” The parking demand estimates provided above assume the implementation of a TDM program commensurate with local and regional limitations on transportation infrastructure.
The ITE based approach uses the “high range” of parking demand for museums but still assumes the measures to reduce single passenger vehicle trips. The comparative analysis using the JFK Library parking requirements as a standard is based on the assumption that the EMK Institute would implement a robust TDM plan of a similar performance to the Library. As stated in the EMK Institute’s EENF, UMass Boston is committed to continuing to implement its expansive TDM plan. The EMK Institute, with a similar educational mission but a different visitor population, is committed to implementing all appropriate measures to reduce single passenger vehicle trips. The following narrative provides a summary of the highlights of the constantly evolving UMass Boston TDM plan and describes the EMK Institute’s initial efforts in this regard. As described below, the EMK Institute TDM plans continue to evolve as the Institute implements its first year of operations.

UMass Boston TDM Plan Highlights

The UMass Boston TDM plan includes the following measures, among others:

- Operation of the UMass Boston Office of Transportation Services as a central administrative and operational group tasked with providing a central clearinghouse for transportation alternatives;

- Maintaining an up-to-date UMass Boston website “Getting There” which includes links to internal and external transportation information websites;

  https://www.umb.edu/the_university/getting_here

- Extensive active promotion of public transportation as an alternative to single occupancy vehicles to get to campus, such as:
  
  - Operating a frequent three-route free shuttle bus service connecting the UMass Boston Campus Center, the MBTA JFL/UMass station, the Bayside Property and the EMK Institute/JFK Library;
  
  - Providing discounted / subsidized MBTA passes for students, faculty and staff and widely distributed detailed bus, transit and commuter rail information;

- Providing ample bicycle parking and opportunities for ride-sharing among students, faculty and staff;

This is a sampling of the extensive TDM measures implemented by UMass Boston on a daily basis. Additionally, as part of the 25-Year Master Plan, UMass Boston
convened a Parking and Transportation Technical Advisory Subcommittee to examine transportation issues in a thorough and thoughtful way. The subcommittee’s final report was issued in fall 2011 providing a detailed review of potential TDM measures. This report continues to guide the UMass Boston Office of Transportation Services.

EMK Institute TDM Plan Highlights

The EMK Institute opened in March 2015 and continues to develop its operational procedures preparing for the anticipated summer peak of visitors to the Institute. The Institute’s TDM plan has begun to be implemented and its first iteration is anticipated to be fully deployed by the first week in July. In light of the importance of reducing single occupancy vehicle trips in managing a limited parking supply, TDM will be a closely managed operational imperative for the Institute. Accordingly, the plan is expected to evolve over time. The following provides a summary of the Institute’s initial TDM measures and additional program elements under consideration at this time.

Existing EMK Institute TDM measures include:

- Institute staff are offered the opportunity to purchase discounted MBTA passes through the EMK Institute’s human resources department and payroll deduction;
- The UMass Boston shuttle bus (Route 2) bus routinely stops at the JFK Library immediately adjacent to the EMK Institute entrance to pick up and discharge passengers from all three institutions in this area – EMK, JFK Library and State Archives.
- EMK Institute planning staff are working with Hubway seeking to locate a bike sharing station in close proximity to the Institute.
- The Institute is co-sponsoring a free trolley to bring visitors directly to Columbia Point from downtown Boston.
- Staff are encouraged to use Zip-Car at the UMass Boston campus to attend off-site meetings.
- Staff are reimbursed for Uber or taxis fares for daytime and evening meetings and, as necessary, as part of a guaranteed ride home program.
- Bicycle and pedestrian amenities include
  - Bicycle racks to be installed at the Institute promptly
  - Bicycle facility accommodations
  - Pedestrian pathways and streetscape
  - Lighting for pedestrian pathways and bicycle areas
  - Enhanced pedestrian connections
The following TDM measures are under consideration as part of the EMK Institute’s comprehensive plan to reduce single passenger vehicle trips for both staff and visitors. These site specific measures are in addition to the UMass Boston TDM Plan:

- The EMK Institute is exploring a Transportation Management Association such as ABC / A Better City;
- A transportation coordinator will be named for the Institute promptly;
- A mixed mode transportation information hub will be developed to provide up-to-date information to staff and visitors. This information will include an on-line and physical presence at the Institute;
- Ride-sharing will be encouraged through yet to be determined incentives;
- Marketing alternatives and information dissemination regarding commuting options, including but not limited to:
  - Information kiosks at the Institute;
  - Advertising brochures;
  - New and relocating employee-information packets;
  - “How to get there” website including links to relevant UMass and MBTA online resources;
  - Online newsletter
  - Promotion through Transportation Fairs/Events
- Flexible work hours for appropriate staff including:
  - Flexible Work Schedules
  - Variable work hours
  - Telecommuting

Chapter 91/ Chapter 898 of the Acts of 1969
Consistency

The Consolidated Written Determination issued by MassDEP in May 2014 established special review procedures for 25-Year Master Plan projects within jurisdictional tidelands, including historically filled tidelands on the campus. The proposed interim parking is a new project required to implement the 25-Year Master Plan, includes new construction and a change in use of filled tidelands, and therefore requires a new Chapter 91 Waterways License under the regulations at 310 CMR 9.05(1)(a) and (b) as implemented through the CWD for 25-Year Master Plan Projects.

This joint Notice of Project Change / Chapter 91 License Application has been prepared in accordance with the waterways regulations and applicable provisions of Special Condition #7 of the CWD.
The following provides direct responses to each applicable requirement listed in the CWD:

a. *An update of the project narrative:*

   Provided herein.

b. *Detailed engineering plans consistent with 310 CMR 9.11(3)(c):*

   Draft Waterways License Plans are provided in Attachment D to this joint NPC / Chapter 91 License Application.

c. *A demonstration that the project is consistent with this Consolidated Written Determination and Chapter 898;*

   i. The proposed work is limited to the construction of an interim parking area that will promote the public use and enjoyment of jurisdictional filled tidelands within the adjacent EMK Institute grounds authorized by Chapter 91 Waterways License 13108.

   The Institute promotes public civic education and works closely with the University to offer programs serving a local, state, regional and national constituency. These educational uses are consistent with Chapter 898 of the Acts of 1969 as determined by MassDEP through the issuance of the EMK Institute Waterways License for construction of the Institute within Commonwealth Tidelands.

   ii. The interim parking area will be temporary and will not prohibit the future development of Site G or Site PE as contemplated in the 25-Year Master Plan and described in the CWD.

   iii. The proposed work will not “prohibit, restrict, limit or regulate the height, bulk, location or use” of “any building, structure, tunnel or facility constructed under” Chapter 898 of the Acts of 1969 because the parking lot is interim in nature and is intended to meet a portion of the EMK Institute’s parking demand until the UMass parking garages are built.

   iv. The work is proposed on filled tidelands authorized under and within the boundaries of Chapter 898 of the Acts of 1969, and will not have any
impact on water-related public rights because the proposed construction is greater than 650 feet from flowed tidelands. The proposed parking will improve public access to filled tidelands and licensed facilities.

d. A description of the public review of the project under the public review requirements of subsection (e),

i. The proposed work is subject to MEPA review, and therefore copies of this filing will be sent directly to the extensive distribution required under the EMK Institute EENF, the Chapter 91 Consolidated Written Determination, and the UMass Boston 25-Year Master Plan.

ii. Public notice will be published in the Environmental Monitor available at the following website:

http://web1.env.state.ma.us/EEA/emepa/emonitor.aspx

iii. Public notice and a copy of this Joint NPC and Chapter 91 Waterway License Application will be posted to the UMass Boston 25-Year Master Plan website:

https://www.umb.edu/the_university/masterplan

iv. The Proponents have scheduled a public information meeting to be held at the project site during the public comment period. Notice of the public information meeting was:

• Distributed with all copies of the NPC/License Application;
• Published in the Massachusetts Environmental Monitor;
• Posted on the UMass Boston 25-Year Master Plan website, and
• Distributed by the UMass Boston Public Information Office.

e. A demonstration that the project received, or will shortly receive, other relevant environmental approvals, including MEPA, the Wetlands Protection Act, review by Coastal Zone Management, and, if applicable, Water Quality Certification and review by the Massachusetts Historical Commission.

Massachusetts Environmental Policy Act (MEPA)

This Joint Notice of Project Change to MEPA, and does not exceed any regulatory threshold requiring the mandatory preparation of an Environment Impact Report. While the Secretary retains the
discretionary authority to require the preparation of an EIR for any 25-Year Master Plan Project under the Special Review Procedure, the regulations at 301 CMR 11.03 remain instructive in such decisions. Accordingly, the preparation of an EIR is not anticipated to be required. The Secretary’s decision regarding further MEPA review is anticipated within approximately 30 days of the filing of this NPC/Chapter 91 License Application.

Massachusetts Wetlands Protection Act (WPA)

No work proposed herein is subject to the Massachusetts Wetlands Protection Act.

Coastal Zone Management Federal Consistency Review

The proposed work is located in Massachusetts Coastal Zone area established by the Massachusetts Coastal Zone Management Program and refined from time to time. However, the work will be at least 650 feet from the existing high water mark, within a previously developed area and will not require any federal action or permit. Therefore no federal consistency review or certification is required. The Massachusetts Office of Coastal Zone Management will receive a copy of the NPC/Chapter 91 License Application and is invited to comment on the project.

Massachusetts Water Quality Certificate (WQC)

Section 401 of the Massachusetts Clean Waters Act requires DEP to issue a Water Quality Certificate for any project that requires a permit under Section 404 of the Federal Clean Water Act for dredging or the discharge or dredged or fill material within the waters of the United States.

The proposed work does not involve any dredging, discharge of dredged material, or fill seaward of the high tide line or within any of the adjacent wetlands. Therefore, no Water Quality Certificate is required.

Massachusetts Historic Commission (MHC)

The Project will reactivate a temporary surface parking lot that has been in operation since 2006. All short-term construction activities and interim parking uses proposed herein will be limited to the footprint of the former UMass Lot A that was in operation from 2006.
until early spring 2015. Accordingly, the project will not result in impacts to any historic property in the project area. A copy of the NPC/Chapter 91 License Application will be sent to MHC for review and comment.

Relationship to long-term land use under the UMass 25-Year Master Plan

The proposed interim parking lot will be located on the UMass 25-Year Master Plan Site G and Site PE and is anticipated to operate until one or both of the planned parking garages are completed. Future development of Master Plan Site PE and Site G will be subject to future review under MEPA in accordance with the Special Review Procedure and under M.G.L. Chapter 91 and Chapter 898 of the Acts of 1969 in accordance with the MassDEP-issued CWD. New Waterways Licenses will be required for these future uses.

Conclusion

This Joint Notice of Project Change / Chapter 91 License Application is submitted to update the MEPA review with regard to parking for the Edward M. Kennedy Institute for the United States Senate (EMK Institute) and to provide notice of the application for MassDEP to issue a new Chapter 91 Waterways License under the Department’s existing Consolidated Written Determination for the UMass Boston campus.

The University of Massachusetts Building Authority and UMass Boston, in conjunction with the EMK Institute, proposes the construction of an approximately 100-space, 35,000 square foot interim surface parking lot within the footprint of the former University Temporary Lot A. The proposed lot is intended to partially address the Institute’s immediate parking needs in light of the evolving parking facilities at the UMass Boston campus and an unforeseen delay in the construction of the planned parking garages anticipated as part of the 25-Year Master Plan.

The proposed interim parking lot will initially consist of compacted gravel but may eventually be paved if necessary to maintain a safe, functional and fully accessible facility until the planned garages are completed. These dedicated parking facilities are expected to meet approximately 53 percent of the Institute’s estimated peak parking demand of 187 spaces estimated by comparative analysis to the JFK Library. Estimated parking demand by use of ITE Standards results and only 24 percent of the considerably greater demand of 425 spaces estimated by use of ITE standards. The remaining demand will be met through a shared parking arrangement with UMass Boston, the JFK Library and the Massachusetts State Archives.
The University of Massachusetts Building Authority, UMass Boston and the Edward M. Kennedy Institute respectfully request the Secretary to determine under the referenced MEPA files that the construction of the proposed interim parking does not require the preparation of an Environmental Impact Report (EIR) and furthermore that the Massachusetts Department of Environmental Protection may proceed with issuance of a Chapter 91 License pursuant to M.G.L. Chapter 91, Chapter 898 of the Acts of 1969 and the Department’s Consolidated Written Determination for the campus.
Attachment A
Regulatory Documents

- Secretary Certificate No. 14623 on Expanded ENF
- Secretary Certificate No. 14660 on Expanded ENF
- Certificate Establishing Special Review Procedure (Amended October 10, 2014)
- DEP Consolidated Written Determination #W11-3467N
CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS ON THE EXPANDED ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME: UMass Boston 25-Year Master Plan and Phase 1 Projects
PROJECT MUNICIPALITY: Boston
PROJECT WATERSHED: Boston Harbor
EEA NUMBER: 14623
PROJECT PROPOONENT: University of Massachusetts Boston in coordination with the Massachusetts Department of Capital Asset Management
DATE NOTICED IN MONITOR: August 25, 2010

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I), Section 11.06 of the MEPA regulations (301 CMR 11.00), and the Special Review Procedure (SRP) established for the project, I hereby determine that the Master Plan and Phase 1 of this project does not require the preparation of an Environmental Impact Report (EIR). As set forth in the SRP, future phases of the project will be reviewed separately for a determination as to whether an EIR will be required.

Project Description

The project consists of the implementation of a 25-year Master Plan by the University of Massachusetts Boston (UMass Boston), in conjunction with the Massachusetts Division of Capital Asset Management (DCAM). The Master Plan identifies a broad range of campus-wide improvements including the construction of new academic and residential buildings, new parking garages, establishment and expansion of open spaces, facility and infrastructure upgrades, and
demolition of some existing structures. The Expanded Environmental Notification Form (EENF) estimated environmental impacts based upon build-out of the Master Plan elements and provided detailed information on the Phase I components of the Master Plan. Phase 1 projects identified within the Master Plan include:

- Construction of a new 217,000 square foot (sf) Integrated Sciences Complex (ISC) and related utility, landscape, and access improvements on Site A, as depicted in the Master Plan;
- Improvements to the existing Utility Plant including the addition of a 2,000-ton electric chiller and an 800-horsepower natural gas-fired boiler;
- Relocation of University Drive North to extend it northeast and align it with the terminus of Mount Vernon Street to facilitate access to the proposed Edward M. Kennedy Institute for the United States Senate (EMK Institute), and more direct access to the John F. Kennedy Presidential Library and Museum and the Massachusetts Archives and Commonwealth Museum;
- Relocation of University Drive West;
- Construction of a segment of new utility corridor in conjunction with the relocation of campus utilities from the existing campus substructure, which will be demolished;
- Replacement and improvement of the existing Fox Point Dock System to restore structural integrity and to implement upgrades to make the docks Americans with Disabilities Act (ADA) accessible; and
- Construction of approximately 800 linear feet of Harborwalk along the northern edge of campus between the John F. Kennedy Presidential Library and Museum and the Harbor Point Community Apartments.

As noted in the EENF, UMass Boston, in collaboration with DCAM and University of Massachusetts Building Authority (UMBA), completed a 25-year Master Plan to guide campus development. Components of the Master Plan described in the EENF (exclusive of those noted as Phase 1 projects) include:

- Creation of additional baseball fields (off-campus at Boston College High);
- Construction of 400,000 sf to 800,000 sf of academic space on Sites B, G, and S;
- Creation of a 210,000 sf Central Quad;
- Construction of two general academic buildings on Site O;
- Construction of two parking garages (1,200 spaces each), located on Sites PW and PE;
- Creation of 767,500 sf of new pedestrian paths, plazas, and open space;
- Construction of a 350,000 sf (1,000 bed) residential building on Site R1;
- Construction of a 350,000 sf (1,000 bed) residential building on Site R2;
- Construction of a new track and field on Site T;
- Construction of a second utility plant;
- Relocation of University Drive East and South and associated completion of a new utility corridor; and
- Demolition of the existing 260,000 sf Science Center and campus substructure.
These individual Master Plan elements are slated for implementation over the next 25 years, guided by several overall project principles including: establishment of improved pedestrian connectivity within the campus and to adjacent uses on Columbia Point; modification of vehicular circulation and parking to reduce vehicle travel through the campus and improve access to public transit, pedestrian, and bicycle travel; and creation of state of the art facilities that meet the current and future needs of UMass Boston students, faculty and staff.

Project History

The preparation of the Master Plan was precipitated by the deteriorating condition of the existing campus substructure which extends to each corner of the campus, including under each academic building, and was designed and primarily used for parking since the campus was constructed in the 1970s. Studies performed by UMass Boston and DCAM concluded that rather than repair the substructure for parking, it would be more cost-effective and beneficial to provide interim stabilization of the substructure and focus on Master Plan development and implementation. Due to safety concerns, the substructure was closed to parking and pedestrian access in 2006. Surface parking was created elsewhere on campus and was reviewed under the Emergency Action provisions of the MEPA regulations (301 CMR 11.13). A waiver precluding the preparation of an EIR was granted by a Final Record of Decision issued by Secretary Golledge on November 9, 2006 (EEA No. 13880).

The 25-Year Master Plan for the UMass Boston campus was completed in December 2009. According to the EENF, the master planning process was extensive, with over 160 interviews, meetings, workshops, presentation, and public meetings undertaken to solicit input on the final plan. The EENF included a discussion of the master planning process and included the final Master Plan document by reference. The EENF described the Master Plan vision, provided Plan context through a discussion of existing campus facilities, conceptually described proposed campus landscape and programmatic uses, and outlined alternative development parcel and circulation layouts. UMass Boston has committed to ongoing public outreach efforts as the Master Plan transitions from its visioning stage to implementation.

Special Review Procedure

On June 30, 2010 I established a Special Review Procedure (SRP) to guide review of the UMass Boston 25-Year Master Plan in accordance with the MEPA regulations. As I noted in this SRP, the size and complexity of this project, combined with its long-term planning and construction timeframe and multiple construction phases, will benefit from the SRP as these attributes do not necessarily fit well into the typical MEPA review framework. The SRP established guidance regarding content of the Master Plan EENF, subsequent filings to MEPA for future project phases, expectations for coordinated review under Chapter 898 of the Acts of 1969 (Special Act 898) and Massachusetts General Laws c.91 (c.91), and public process requirements for each future project-filing. I note that the geographic area governed by this SRP does not include the recently acquired Bayside Expo property by UMass Boston. The SRP stated that if its geographic area is expanded, the SRP may be amended accordingly; future MEPA filings addressing redevelopment of this parcel will likely be required.
Jurisdiction and Permitting

This project is subject to MEPA review as modified by the SRP. The Master Plan requires a State Agency Action and will: generate 3,000 or more new average daily trips on roadways providing access to a single location (301 CMR 11.03(6)(a)(6)), alter 71 acres of land on the 99 acre site (301 CMR 11.03(1)(a)(1)), alter Coastal Bank (301 CMR 11.03(3)(b)(1)(a)), and discharge to a sewer system 100,000 or more gallons per day (GPD) of wastewater (301 CMR 11.03(5)(b)(4)(a)).

Over the course of the implementation of all the Master Plan elements the project may require numerous permits including: a Sewer Connection/Extension Permit, a C.91 Consolidated Written Determination, a Master Post-Closure Use Permit, and a Generic Beneficial Use Determination (GBUD) from the Massachusetts Department of Environmental Protection (MassDEP); a Sewer Use Discharge Permit and Construction Dewatering Permit from the Massachusetts Water Resources Authority (MWRA); an Indirect Access Permit from the Massachusetts Department of Conservation and Recreation (DCR); an Access Permit from the Massachusetts Department of Transportation (MassDOT); an Order of Conditions from the Boston Conservation Commission, or in the case of an appeal, a Superseding Order of Conditions from MassDEP; a Category 2 General Permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act from the United States Army Corps of Engineers; a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities, a NPDES Dewatering General Permit, and a NPDES Individual Discharge Permit from the United States Environmental Protection Agency (US EPA); and local permits from the Boston Water and Sewer Commission (BWSC) and the Boston Fire Department. The project will also require review and approval in accordance with the Massachusetts Contingency Plan (MCP) from MassDEP and review in accordance with Section 106 and Chapter 254 by the Massachusetts Historical Commission. The project is subject to the EEA/MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol.

The project will be funded by the University of Massachusetts Building Authority bond proceeds and State bond funds authorized under Chapter 258 of the Acts of 2008 (the Higher Education Bond Bill). 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 EENF

General

The EENF was noticed in the Environmental Monitor on August 25, 2010. On September 23, 2010, the Proponent agreed to extend the comment period for an additional two weeks, extending the initial 30-day comment period to October 8, 2010.
**Project Description and Permitting**

The EENF included a description of both the conceptual Master Plan elements and the Phase 1 projects. The EENF included the Master Plan document prepared by UMass Boston and DCAM by reference. The EENF described existing and proposed infrastructure on-site and potential environmental impacts associated with the Phase 1 projects. I note that the EENF, based on the programming and conceptual location of the future Master Plan elements, provided a summary of "build-out" environmental impacts associated with fulfillment of the Master Plan. I acknowledge that for the benefit of the MEPA process and to inform State Agencies of potential future impacts, these estimates are founded in a "maximum potential impact" development scenario with regard to environmental impacts. The Proponent has stated, and the MEPA process will continue to require with subsequent filings, a goal to avoid, minimize and mitigate Damage to the Environment to the extent practicable as design advances with regard to Master Plan implementation.

The EENF also included a discussion of anticipated permits based upon the Master Plan development. Some permits may not be necessary as design advances, and subsequent filings per the SRP should identify any permits no longer needed or any new permits not foreseen at the time of the Master Plan EENF filing.

**Alternatives Analysis / Planning Consistency**

The EENF presented the preferred conceptual Master Plan as created via the master planning process. As part of the master planning process various alternatives were considered, guided by UMass Boston programming goals, urban design concepts, and potential environmental impacts. This alternatives analysis also considered the implications of renovating existing buildings, a combination of renovation and demolition, and building additions to existing buildings. Specific alternatives were also evaluated with respect to road patterns, parking garage locations, campus gateways, student housing, open space, pedestrian circulation, athletic programs and fields, sustainable landscaping, utility infrastructure, and building layout.

The EENF stated that the Master Plan is consistent with Executive Order 385 "Planning for Growth (EO 385) as it has been designed to promote economic activity supported by adequate infrastructure and does not result in avoidable loss of environmental quality and resources. The EENF also noted that the project is consistent with the current regional plan, MetroPlan 2000. The narrative within the EENF acknowledges the issuance of a Draft Columbia Point Master Plan (CPMP) in July 2009, subsequent to a Boston Redevelopment Authority (BRA)-led master planning effort. The EENF stated that the implementation of the UMass Boston Master Plan will not only improve and transform the campus itself, but will also support and contribute to the overall effort to enhance Columbia Point. The Proponent should refer to the guidance presented in the CPMP to inform its own master planning efforts and design elements moving forward. Future MEPA filings should specifically address consistency of project elements with recommendations of the CPMP.

While the University’s acquisition of the Bayside Expo site was finalized subsequent to the completion of the 25-Year Master Plan, I encourage the University to proactively address
how the site may be used in the future through planning mechanisms similar to those employed for the remainder of the campus. UMass Boston should review the comments submitted on this topic carefully and subsequent filings should provide an update on the status of these efforts.

Land

The Master Plan project will result in the alteration of approximately 71 acres of the 99-acre UMass Boston campus. Given the phased nature of the project, the entire area will not be disturbed at once, but sequentially pending the construction sequencing. Phase 1 of the project will alter approximately 19 acres of land. Overall, the Master Plan estimates that existing impervious areas on campus will be reduced from 57.3 acres to 48.1 acres, a reduction of 9.2 acres. The Phase I projects will reduce on-site impervious area by 1.7 acres. Reductions in impervious area will be created through the demolition of existing structures, changes in density and the creation of new open spaces and pedestrian connections. The project will not require extensive amounts of land grading and excavation activities will be monitored through the MassDEP Post-Closure Use Permit and GBUD. As Master Plan design is refined, the Proponent should continue to strive to reduce the cumulative amount of impervious area on campus. As suggested by MassDEP, this may be achieved through the use of pervious pavement for low intensity parking areas and sidewalks.

Traffic and Transportation

The EENF provided both new traffic trip generation estimates associated with the Master Plan build-out and Phase 1 projects, using unadjusted Institute of Transportation Engineers (ITE) estimates as well as new traffic trip generation rates based on adjustments for mode splits (i.e., transit, pedestrian, bicycle trips). The 25-Year Master Plan is expected to generate 15,740 new unadjusted vehicle trips, of which Phase I is expected to generate 5,950 unadjusted trips on an average weekday. The EENF provided adjusted vehicle trip estimates of 6,202 trips under the 25-Year Master Plan scenario, and 2,606 adjusted vehicle trips associated with Phase 1.

The MassDOT comment letter noted that the EENF included a transportation study for Phase 1 that generally conforms to EEA/MassDOT Guidelines for Transportation Impact Assessment. To mitigate Phase 1 traffic impacts, the Proponent intends to relocate two internal driveways, which will improve vehicular circulation around the campus, and to continue to promote and implement its existing Transportation Demand Management (TDM) program. MassDOT concluded that these measures will accommodate Phase 1 of the project and did not recommend additional review of the traffic impacts associated with Phase 1. As suggested by MassDOT, the BRA, and the City of Boston, UMass Boston should seek ways to improve bicycle and pedestrian connections between the campus and surrounding neighborhoods as part of the first phase of development. The Proponent should consider the guidance outlined in the CPMP to assist in the provision of additional pedestrian and bicycle connections. The Proponent should design and build campus roadway improvements consistent with the Complete Streets design approach included in the MassDOT Highway Division Project Development and Design Guide.
Several intersections evaluated as part of the traffic study are under the jurisdiction of the Department of Conservation and Recreation (DCR). As traffic studies are advanced and refined over the course of Master Plan implementation, the Proponent should revise background growth estimates to incorporate traffic from new projects that may affect the study area that were not identified in the EENF. As requested by DCR, prior to the implementation of Phase 1, the Proponent should consult with the DCR Bureau of Engineering regarding the predicted Level of Service (LOS) decrease at Dominic J. Bianculli Boulevard at Morrissey Boulevard intersection and the LOS decrease for the Day Boulevard left turning movement at the Morrissey Boulevard Frontage Road northbound and Day Boulevard intersection to confirm that additional mitigation measures are not warranted.

With reference to the Master Plan transportation improvements, a transportation study was conducted as part of the 25-Year master planning process. MassDOT noted that this study was prepared in general conformance with the EEA/MassDOT Guidelines for Transportation Impact Assessment (TIA). Mitigation measures for the full project include a new access and circulation plan that changes one-way circulation to two-way circulation and accommodations for bicyclists and pedestrians. While MassDOT concluded that the proposed mitigation program for the Master Plan is adequate, subsequent MEPA filings should include updated transportation studies, compliant with TIA requirements, that reevaluate traffic operations conditions and the TDM program to determine whether previously implemented mitigation measures are working effectively. The content of these subsequent studies should follow the guidelines and recommendations outlined in the MassDOT comment letter. Furthermore, roadway realignments proposed as part of the Master Plan should be evaluated for consistency with the CPMP’s recommendations for the roadway network.

Transportation Demand Management

The Transportation Demand Management (TDM) program currently implemented by UMass Boston includes a number of initiatives to reduce single-occupancy vehicle trips to campus. According to UMass Boston, commuter services are coordinated through the University's Parking & Transportation Office, which promotes alternatives to driving alone, markets the additional services and incentives provided by the university, collects commuter information, distributes transit schedules and other transportation-related information, and collaborates with MassRIDES, the state's rideshare agency. Major elements of the program include:

- **Ridematching Service through MassRIDES ridematching.** UMass Boston also offers Zip Car service to all students, staff and faculty;
- **Bicycle Incentives:** UMass Boston provides secure bicycle racks throughout the campus, as well as showers and lockers on-site;
- **Preferential carpool and vanpool parking spaces;**
- **Transit Passes:** UMass Boston offers employees the ability to purchase transit passes through payroll deduction, which enables them to access pre-tax benefits for transit and vanpool costs. Student passes are sold on-site at an 11 percent discount;
- **Posting of bus schedule, rates, and routes;**
Shuttle Service: UMass Boston offers a fare-free shuttle system, which provides connections between the Boston campus and the JFK Red Line station. Nine shuttles operate Monday through Friday, as well as a reduced weekend and holiday service;

Alternative work schedules;

Implementation of distance learning opportunities; and

Using marketing efforts to promote elements of the TDM program.

I ask UMass Boston to consider the TDM-related comments offered by MassDOT, the City of Boston, and the BRA as possible refinements to the existing campus-wide TDM program. UMass Boston should consider how the availability of parking (to accommodate an estimated 253 space shortfall during peak demand periods through the year 2015) at the Bayside Expo Center may or may not be consistent with current TDM goals and address potential conflicts in an updated TDM plan. Subsequent MEPA filings should discuss any additional TDM measures adopted by the University to mitigate single-occupancy vehicle trips to and from campus associated with implementation of the Master Plan.

Greenhouse Gas Emissions

The EENF included a GHG Analysis in accordance with the MEPA GHG Policy and Protocol (the Policy) that estimated GHG emissions generated by the Phase 1 ISC. The Policy requires projects to quantify carbon dioxide (CO2) emissions and identify measures to avoid, minimize or mitigate such emissions. The GHG analysis evaluated CO2 emissions for two alternatives as required by the Policy including 1) a Base Case corresponding to the 9th Edition of the Massachusetts Building Code (the Code) and 2) a Preferred Alternative. The Code incorporates the building energy provisions of both ASHRAE 90.1-2007 and IECC 2009; the ASHRAE 90.1-2007 option was used for this analysis. The Proponent used eQUEST modeling software to perform the GHG analysis; domestic hot water demands were calculated separately.

As noted in the EENF, GHG emissions sources can be categorized into two groups: emissions related to activities that are stationary on the site and transportation-related emissions. Activities on-site can be broken down further into direct sources and indirect sources. Direct source included GHG emissions from fuel combustion; indirect sources include GHG emissions associated with electricity and other forms of energy that are used on the site and are imported from off-site power plants via the regional electrical grid or local steam distribution system.

The stationary source analysis evaluated CO2 emissions associated with natural gas consumption (direct) and electricity usage (indirect) for the 217,000 sf ISC building. The new building will be served by hot water and chilled water supplied from the Utility Plant by interconnection to the campus-wide loops for those services. To accommodate the increased loads for the ISC as well as some additional future loads, and to improve Utility Plant reliability, one new boiler and one chiller will be added to within the Utility Plant as part of Phase 1.

It should also be noted that the Proponent will be using LEED 2.2, New Construction to quantify the project's various metrics relating to sustainability and "green" design. The EENF included a preliminary LEED checklist, and indicated that three energy-related points under the rating system are expected for optimization of energy performance. Additionally, the project is
subject to Executive Order 484 (EO 484), which requires State buildings to meet Massachusetts LEED Plus standards. These standards require that the building achieve an energy cost savings of at least 20 percent compared to the same building built to Code, as demonstrated by building energy modeling in accordance with ASHRAE 90.1-2004. Since modeling efforts to ensure compliance with Massachusetts LEED Plus standards is different from those required in accordance with the MEPA GHG Policy, the EENF included a supporting documentation to demonstrate compliance with both requirements.

The analysis estimated the stationary source Base Case total CO₂ emissions at 5,550 tons per year (tpy). Under the stationary source Preferred Alternative, utilizing mitigation measures as identified in the EENF, the total CO₂ emissions were estimated at 4,436 tpy, a reduction of 1,114 tpy, or 20.0 percent, from the Base Case. The EENF included a summary table and narrative identifying proposed GHG reduction mitigation measures, as well as those that continue to be studied and may be incorporated as design advances, or those that were infeasible. Technologies not selected for the ISC include the use of Combined Heat and Power (CHP), fuel cells, roof-top of building integrated photovoltaic (PV) systems (solar hot water will be implemented), ground source heat pumps, and wind turbines. The EENF also identified a series of qualitative GHG reduction measures that despite commitments to be incorporated into building design or operations, cannot be effectively modeled for inclusion in the GHG analysis.

The EENF evaluated potential GHG reductions associated with expanding the existing seawater cooling system for the Utility Plant. The current system is at or near its permitted capacity and UMass Boston has been in discussions with the US EPA regarding increasing the permitted withdrawal volumes. The EENF noted that if permitting is successful in time to support the ISC, then seawater cooling will replace the proposed closed-cycle cooling tower in the chilled water system, eliminating the cooling tower fan energy and increasing the efficiency of the chillers. The EENF estimated that increased use of seawater cooling will reduce overall building energy use by 1.4 percent, reducing project GHG emissions by an additional 62 tpy.

Stationary source mitigation measures proposed in the EENF include, but are not limited to:

- Construction of a high performance building envelope;
- Installation of a green roof on the two-story cafe and lobby;
- Use of a high-albedo roof on the tower building;
- Use of exterior shading devices on the south façade;
- Use of radiant heat in the building lobby and first floor cafe areas;
- Installation of a heat recovery system;
- Installation of multi-zone HVAC controls;
- Use of chilled beam technology in spaces not restricted by lab ventilation air flow requirements;
- Use of advanced lab hood design to reduce lab hood ventilation rates (while still compliant with minimum flow requirements);
- Daylighting and daylight harvesting;
- Use of premium electric motors in mechanical equipment;
- Installation of a new boiler with a thermal efficiency of approximately 86 percent;
• Installation of a new high efficiency chiller equipped with VFD;
• Installation of a 5,000 sf array of solar hot water generator on the penthouse roof (provides approximately half of the building’s domestic and process hot water demands);
• Rainwater harvesting for use in toilet flushing and irrigation;
• Use of low-flow water fixtures;
• Incorporation of the ISC into the campus Energy Management System (EMS); and
• Implementation of operational and construction period recycling efforts.

As expressed by MassDEP, I encourage UMass Boston to incorporate to the extent feasible additional energy efficiency measures to establish and showcase a new standard in State facility high performance building design. The Division of Energy Resources (DOER) comment letter provided several recommendations for consideration during the final design of the ISC, including measures to further reduce energy demand associated with lighting and improved HVAC systems. I also encourage the Proponent to consider guidance from the City of Boston regarding use of LED lighting for public spaces, sidewalks and roadways. Additionally, I strongly urge the Proponent to reconsider the feasibility of implementation of CHP to supply the upgraded heating and cooling capacity described in the EENF given the comments from DOER and the potential incentives available under the Alternative Energy Portfolio Standard. As project design for future Master Plan buildings are advanced, I encourage UMass Boston to consider the suggestions outlined in the MassDEP and DOER comment letters, particularly as they apply to incorporation of CHP, PV systems, and thermal energy storage solutions.

Transportation-relatedemissions

The EENF did not contemplate the impacts of indirect GHG emissions from transportation-related sources. The ISC building will replace an existing building on campus; thereby not generating any new trips based on its construction alone. While background growth in car trips to campus is expected over time, this growth is unrelated to the construction of the ISC or any other Phase 1 project, and would occur regardless of Master Plan implementation due to an evolving campus population. As noted in the transportation section of this Certificate, UMass Boston will continue to implement a robust TDM program to reduce single-occupancy vehicle trips to campus and to promote alternative modes of transportation. I encourage UMass Boston to continue to work with Crystal Transport, the campus shuttle bus service provider, to complete the upgrade of the bus fleet to solely environmentally friendly buses in the future. Finally, the Proponent should meet with MassDEP and the MEPA office prior to filing subsequent review documents in accordance with the SRP to ensure that future transportation-related GHG emissions can be effectively assessed given the potential confusion between campus expansion-induced traffic trip growth and currently predicted campus population background growth.

Stormwater

The EENF provided a brief summary of existing stormwater infrastructure on campus. Stormwater runoff is collected in separate storm drainage systems operated by the BWSC. The EENF stated that the closed drainage system collects runoff from within the UMass Boston
The EENF indicated that the Master Plan and Phase 1 will implement MassDEP-recommended Best Management Practices (BMP’s) through installation of a stormwater management system designed to meet MassDEP’s Stormwater Management Standards to the greatest extent practicable. The EENF conceptually described how the Master Plan and Phase 1 projects will comply with the MassDEP Stormwater Management Policy. As noted previously, significant stormwater improvements will be gained through the reduction of impervious area on-site. New water quality BMPs will be introduced, including deep-sump hooded catch basins and water quality inlets, to control total suspended solids (TSS) removal. The UMass Boston campus is considered a Land Use with Higher Potential Pollutant Loads (LUHPPL) per the MassDEP Stormwater Management Standards. To mitigate impacts associated with a LUHPPL the project will include a long-term pollution prevention plan and use of water quality BMPs. Sedimentation and erosion controls will be incorporated into the design of each phase of development, and will also be in place during active construction periods.

While the EENF provided a conceptual discussion of stormwater impacts at the Master Plan and Phase 1 levels, it fell short of providing a clear evaluation of pre- and post-construction stormwater rates and volumes to demonstrate consistency with MassDEP stormwater management policies and regulations as would typically be presented under a review in accordance with the Wetlands Protection Act. I acknowledge the inherent difficulties in providing a Master Plan stormwater plan for a development 25 years in the future, particularly in light of changing treatments standards, regulations and BMPs. However, the Proponent must continue to look at stormwater management infrastructure from a comprehensive perspective when determining the location of future buildings, impervious pathways and roadways, parking garages, and potential new outfall locations.

It is my understanding that UMass Boston is currently in the process of developing a Stormwater Management Master Plan as part of the Phase 1 Utility Corridor project. This Stormwater Management Master Plan will identify stormwater improvements to be incorporated into future building and site improvement projects. While a closed drainage system presently services the campus, I encourage the Proponent to continue to explore Low Impact Development options, green roofs, use of existing natural drainage patterns and pervious pavement during the design of this Stormwater Management Master Plan. The Stormwater Management Master Plan and subsequent compliance evaluations should be provided to MassDEP to document UMass Boston's stormwater management system improvements over the life of the Campus Master Plan.

As part of the Stormwater Management Master Plan, the Proponent must demonstrate that source controls, pollution prevention measures, erosion and sediment controls, and post-development drainage system of each development phase will be designed in compliance with
the MassDEP Stormwater Management Regulations (SMR). As noted by MassDEP, it should be demonstrated that water quality and quantity impacts will be controlled in compliance with SMR standards and the City of Boston's Storm Water Program. Calculations, stormwater system design plans at a readable scale, BMP designs and supporting information should demonstrate that the stormwater system provides adequate protection for coastal wetland resources in conformance with the SMR and the NPDES permit. Compliance with this Stormwater Management Master Plan, and with applicable MassDEP stormwater standards, should be included in subsequent MEPA filings.

Wetlands

Portions of the Phase 1 projects (the Harborwalk and Fox Point Dock System improvements) will impact wetland resource areas as regulated under the Massachusetts Wetlands Protection Act. The EENF identified the following wetland resource areas that may be impacted by the project: Coastal Bank, Coastal Beach, Land Subject to Tidal Action, Land Subject to Coastal Storm Flowage, and Land Under Ocean. The Division of Marine Fisheries (DMF) comment letter indicated that the intertidal area surrounding UMass Boston is part of shellfish area GBH3.5, and is prohibited for shellfish harvest. This area provides mapped habitat for soft-shell clams (Mya arenaria), blue mussels (Mytilus edulis) and razor clams (Ensis directus). In addition, near-shore areas of Boston Harbor provide important habitat for winter flounder (Pleuronectes americanus), spawning, larval settlement and juvenile development. The EENF included a Massachusetts Coastal Zone Management (CZM) Federal Consistency Statement. The EENF does not identify any additional wetland resource area impacts associated with the remaining elements of the Master Plan.

I note that the EENF, in an effort to convey maximum potential environmental impacts, provided a range of potential wetland resource area impacts as the final design has yet to be selected. I also note MassDEP’s comments indicating that additional wetland resource areas not identified in the EENF, or characterized in a manner inconsistent with the wetlands regulations, may be impacted based upon final design. These impacts must be refined and declared as part of the Notice of Intent process and the e.91 Licensing process with MassDEP and the City of Boston.

Phase 1 includes an 800 foot extension and straightening of the Boston Harborwalk; significantly improving the existing gravel pathway as it traverses the UMass Boston property and providing an opportunity to address an existing erosion problem and provide shoreline stabilization. The proposed Harborwalk section will match the segment at the John F. Kennedy Presidential Library and Museum direction to the east, and the Harbor Point Community Apartments to the west, and will strengthen the connection between the campus and the waterfront. As proposed in the EENF, the Harborwalk will be paved, approximately ten feet wide, and accessible pursuant to ADA standards. The Harborwalk is estimated to impact 625 linear feet of Coastal Bank, 2,300 sf to 12,200 sf of Land Subject to Tidal Action, and 9,800 to 13,500 sf of Land Subject to Coastal Storm Flowage.

Phase 1 also includes repairs and expansion of the existing licensed Fox Point Dock System. The new ADA-accessible dock system will be attached to the existing concrete landing
on the shoreline by a 4.5-foot wide by 100-foot long ramp. Three gangways will provide access to a proposed 30-foot by 100-foot steel boarding float. The four existing steel finger floats will be replaced by new steel floats measuring 10 feet by 60 feet, attached to the boarding float. Overall, the new dock system will have a total area of 5,400 sf and be supported by ten new and six existing steel piles. The Fox Point Dock System will impact 4.5 linear feet of Coastal Bank, and 16 sf each of Land Containing Shellfish and Fish Runs. The UMass Boston Division of Marine Operations operates a number of educational and transportation programs from the Fox Point Dock. The dock is also home to the Head of the Harbor, a boat under contract with the City of Boston to provide pump out service to vessels in compliance with the No Discharge Area designation of Boston Harbor. I note comments from The Boston Harbor Association (TBHA) regarding additional opportunities for universal public access to the waterfront via the Fox Point Dock System or the DCR-owned and UMass Boston managed John T. Fallon State Pier. I encourage UMass Boston, in their efforts to provide benefits to the public along the waterfront in compliance with Special Act 898 and c.91, to continue to explore opportunities to enhance the public’s use of these areas on campus, as appropriate.

As final design is advanced, the Proponent should consider various alternatives, as presented in the EENF or the Master Plan document, or suggested by MassDEP, CZM, DMF, and the City of Boston to avoid, minimize, and mitigate impacts to wetland resource areas. I encourage the Proponent to utilize the comments received as part of the EENF process to guide and inform project alternatives, design, amenities, and maintenance efforts. Finally, as part of the permitting process, the Proponent will be required to demonstrate how the project will comply with any of the wetland performance standards for the applicable coastal wetland resources.

I note MassDEP’s comments related to existing and potential flood elevations, as they relate to the Master Plan development activities, including Phase 1, over the life expectancy of the project. Given the location of the UMass Boston campus, there is a reasonable expectation of increasing flood elevations resulting from predicted sea-level rise. As recommended by several State Agencies and the City of Boston, information submitted in subsequent MEPA reviews and/or permit filings will need to consider flooding in the designs of buildings, utilities, and infrastructure, and appropriate mitigation measures should be incorporated into the project to adapt the Master Plan project to predicted increases in sea level to minimize flood damage potential.

**Special Act 898 and Chapter 91 Tidelands**

As described in the EENF, the boundaries of the UMass Boston campus are within the jurisdiction of Special Act 898. Special Act 898 designated the filling and use of both the uplands and tidelands of the site for the purpose of planning and constructing the UMass Boston campus. The land within these bounds includes both uplands and former tidelands, which have now been filled. There former tidelands included filled tidelands that abut currently flowed tidelands, and filled tidelands now landlocked by both distance and intervening public ways. The standards by which these Special Act 898 lands (both uplands and tidelands) can be used and developed are defined within Special Act 898, both as they apply to Special Act 898 and
c.91. Notably, Special Act 898 precludes any general law, including c.91, from regulating the height, bulk, location or use of any building or facilities constructed under Special Act 898.

In accordance with the MEPA regulations at 301 CMR 11.05(4)(b), the EENF included and explanation of the Project's impact on the public's right to access, use and enjoy tidelands protected by c.91 and identify measures to avoid, minimize and mitigate any adverse impacts on those rights. Neither the Master Plan nor Phase 1 projects will impede the public's access to the waterfront; the projects will result in significant improvements to public waterfront access and use. Enhanced or improved public access to and use of the UMass Boston property will be achieved through the expansion of open space and recreational opportunities, Harborwalk and Fox Point Dock System improvements, improved integration with adjacent land uses, and improved streets, sidewalks and pedestrian connections.

The MassDEP Waterways comment letter has expressed support for the SRP, as it relates to licensing review pursuant to c.91 and the Waterways Regulations at 310 CMR 9.00. As expressed by MassDEP Waterways, these special review procedures set forth the unequivocal requirement of UMass Boston to obtain c.91 licenses, in accordance with Special Act 898, for work on jurisdictional tidelands and the SRP to protect the c.91 water-related interests in accordance with the regulatory provisions found at 310 CMR 9.31(4).

The MassDEP Waterways comment letter indicated that as a publicly owned and operated educational institution, the UMass Boston facility is a public service project with both water-dependent and nonwater-dependent components. As such, the overall project will be considered a non-water dependent project per 310 CMR 9.02 and 9.12. Phase 1 portions of the projects within jurisdictional tidelands will be subject to licensing under the SRP. The Proponent should use guidance from the MassDEP Waterways comment letter to assist in the preparation of license application documents.

The collective elements of the 25-Year Master Plan exceed EIR thresholds as defined in 301 CMR 11.03. Therefore, I am requiring a Public Benefit Review in accordance with the regulations at 301 CMR 13.00. The EENF included information regarding the public benefits associated with the Master Plan, and described how the project will meet the standards for a non-water dependent project (301 CMR 13.04). A Public Benefit Determination (PBD) will be issued within 30 days of the issuance of this Certificate on the EENF.

**Water and Wastewater**

The Master Plan EENF estimated new water usage rates of 228,966 additional GPD beyond existing usages of 386,826 GPD (615,252 GPD site total), and wastewater generation rates at 207,660 GPD beyond existing generation rates of 351,660 GPD (559,320 GPD total). The Master Plan will also require the construction of an additional 3.28 miles of water main (5.43 miles total) and 1.64 miles of sewer main (3.0 miles total). The Phase 1 projects will require an additional 37,312 GPD of water use beyond existing uses, and generate 33,920 GPD of additional wastewater compared to existing uses. No additional water main mileage will be required to accommodate Phase 1, with 0.21 miles of new sewer mains required. Estimates for Phase 1 and Master Plan usage and generation rates were determined based on build-out plans.
and MassDEP regulations. The EENF provided a summary of existing water and wastewater infrastructure that services the UMass Boston campus. The BWSC owns and operates the water and sewer mains adjacent to the project site. These BWSC sanitary mains eventually connect to MWRA interceptors which carry flows to MWRA’s Columbus Park Headworks, before directing them into the MWRA Boston Main Drainage Tunnel for transport to the Deer Island treatment plant. The EENF concluded that no capacity problems within the water and sewer system as expected as a result of the implementation of the Master Plan.

MassDEP routinely requires Proponents to assist the Agency in its program to reduce infiltration and inflow (I/I). The MWRA comment letter notes that while capacity issues during dry weather and smaller storm events may accommodate the anticipated future flows without problem, the MWRA interceptor and Columbus Park Headwork also serve large combined sewer areas of Boston and collect large quantities of stormwater runoff along with sanitary flows. The MWRA comment letter notes that in large storms, the combined flows contribute to surcharging of the MWRA systems, which can cause combined sewer overflows (CSO) to North Dorchester Bay (South Boston beaches). Therefore, any increase in flows to the sewer system should be mitigated in compliance with the MassDEP Policy entitled, Managing Infiltration and Inflow in MWRA Community Sewer Systems (effective April 2, 2009) and with BWSC policy and regulations. Currently, and in accordance with the policy referenced above, MassDEP requires a minimum 4:1 ratio for I/I removal to new wastewater flows added. This ratio may be increased if specific flow constrictions/overflows already existing in the sewershed to which the new flow is added. The Proponent should work with MassDEP and the BWSC during the permitting process to determine how to meet policy requirements. Subsequent MEPA filings should provide an updated estimate of overall Master Plan I/I reduction requirements, informed by the MassDEP Sewer Connection permit process, and describe how each subsequent project phase, and associated new wastewater flows and I/I offsets will be conducted in a manner consistent with MassDEP and BWSC I/I removal policies and permits.

As noted, the project will require a Sewer Connection Permit from MassDEP for Phase 1, and for future phases of the Master Plan. The MassDEP Sewer Connection Permit for the Phase 1 work will be subsequently modified to account for future phases of the project. The Proponent should work with MassDEP to determine how campus-related sewage flow rates should be calculated for the purposes of developing the updated wastewater design flow rate for the campus in accordance with permitting requirements. MassDEP has indicated that should there be a discharge of any industrial wastes, the Proponent must meet the requirements of 134 CMR 7.00 and the requirements of the MWRA under their Toxics Reduction and Control Program.

The BWSC comment letter noted that UMass Boston will be required to submit a General Service Application and site plan for approval by the BWSC. The Proponent should prepare this submission utilizing the guidance provided in the BWSC comment letter, which outlines requirements for additional detail on infrastructure location, connection points, design standards, and stormwater management. As part of the permitting process, the Proponent should clarify if wastewater generation estimates for Phase I include wastewater that may be associated with the proposed upgrade of the chilled water and hot water systems and if water usage estimates include demand for irrigation purposes. The Proponent should refer to guidance presented in the
MassDEP, BWSC and MWRA comment letters as water and wastewater design plans for Phase 1 and the Master Plan as a whole are advanced.

Historical and Archaeological Resources

The Massachusetts Historical Commission (MHC) comment letter on the EENF indicated that the UMass Boston campus contains three historic buildings that are listed in the National and State Registers of Historic Places as contributing elements of the Calf Pasture Pumping Station complex. These include the Calf Pasture Pumping Station (BOS.6739), the Calf Pasture Gate House (BOS.6740), and the Calf Pasture West Shaft building (BOS.6741). The campus is also adjacent to the John F. Kennedy Presidential Library and Museum, which is included in the Inventory of Historic and Archaeological Assets of the Commonwealth. The EENF stated that there are no known archaeological resources listed in the State or National Registers of Historic Places or included on the Inventory of Historic and Archaeological Assets of the Commonwealth within the campus. Phase 1 of the project will have no impacts on listed or inventoried historical archaeological resources. While the Master Plan build-out area has been defined, the exact designs of specific Master Plan elements have not been determined at this time. However, the EENF indicated that the locations of future Master Plan components do not include any listed or inventoried historic or archaeological resources.

The Proponent will notify the MHC of future Master Plan undertakings per the SRP, and future actions may be subject to review by MHC in compliance with M.G.L. c.9, Sections 26-27C, as amended by c.254 of the Acts of 1988 (950 CMR 71.00). I encourage the Proponent to consider the comments provided by the MHC and the City of Boston regarding the current deteriorated state of the Calf Pasture Pumping Station complex and prevention of worsening conditions.

Hazardous Materials and Solid Waste

The UMass Boston campus is located on a former landfill once operated by the City of Boston and commonly known as the Mile Road Landfill, the Mount Vernon Street Dump, or the Columbia Point Landfill. According to the EENF, the landfill operated as a dumping ground and burn dump though the early 1960’s. The Release Tracking Number (RTN) assigned to the site under the MCP is 3-1430. DCAM, the UMBA, and UMass Boston continue to work with MassDEP on a Master Post-Closure Use Permit that will address all subsurface activities to be conducted on the UMass Boston campus. MassDEP will require the Proponent to submit documentation with this permit application demonstrating that the proposed BMPs will be adequate for activities within the landfill areas. As the project includes demolition activities, materials must be evaluated for reuse or recycling to ensure compliance with MassDEP’s Solid Waste Regulations. The EENF noted that DCAM, in cooperation with MassDEP, is in the process of finalizing a GBUD process that clearly and concisely describes the methodology, reuse requirements, and reuse options for certain materials. The EENF included a draft GBUD for the UMass Boston campus.

I remind the Proponent that removing contaminated soil, pumping contaminated groundwater, or working in contaminated media must be done under the provisions of M.G.L.
Construction Period Impacts

The Proponent has formulated a Construction Impact Management Program (CIMP) to address construction-related impacts. While the CIMP presented in the EENF focused on Phase 1 construction efforts, I expect that future filings in accordance with the SRP will include a CIMP that builds on the current CIMP and modified to address the specific impacts associated with each subsequent project, as they cannot be provided beyond a conceptual level at this time. The CIMP details efforts to communicate construction-related information to the campus and surrounding neighborhoods and community-at-large, installation of signage, perimeter protection and public safety measures, plans to control construction-related air quality and noise, construction staging and traffic impacts, stormwater management and handling of construction waste, and measures to limit vibration, control rodent populations, and facilitate snow removal. I encourage the Proponent to consider the City of Boston’s suggestion that the Boston Air Pollution Control Commission (APCC) limits regarding construction-period noise be used as a guide during the implementation of construction period noise mitigation efforts. I acknowledge that construction staging will occur on the Bayside Expo site to facilitate implementation of the Master Plan. Use of this property as it relates to construction activities on campus should be addressed in the CIMP.

I remind the Proponent that as part of the Post-Closure Use Permit process with MassDEP, consideration should be given to the establishment of BMP’s for work within landfill areas during the construction period. The MassDEP comment letter has provided a substantial amount of guidance regarding the recycling of construction and demolition (C&D) waste that will be generated during the construction period. The Proponent should use this information to ensure compliance with MassDEP’s Solid Waste and Air Pollution Control regulations and to minimize and mitigate the long-term solid waste impacts of this type of development.

I encourage the Proponent to mitigate the construction period impacts of diesel emissions to the maximum extent feasible. This mitigation may be achieved through the installation of after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs). The Proponent should use ultra low sulfur diesel (ULSD) fuel in off-road engines.

Response to Comments

The Proponent should provide a response to comments received on the EENF as part of the Master Plan update required in the next MEPA filing for this project prepared in accordance with the SRP.
Conclusion

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time. The project may proceed to State permitting for implementation of the Phase 1 projects.

October 15, 2010
Date

Comments received:

09/19/2010 William D. Valentine
09/21/2010 Massachusetts Water Resources Authority
09/24/2010 U.S. Representative Stephen F. Lynch, 9th District
09/27/2010 John W. McCormack Civic Association
09/28/2010 Massachusetts Department of conservation and Recreation
10/08/2010 Massachusetts Historical Commission
10/07/2010 Massachusetts Department of Environmental Protection – NERO
10/08/2010 Office of Coastal Zone Management
10/08/2010 Division of Marine Fisheries
10/08/2010 Boston Water and Sewer Commission
10/08/2010 Massachusetts Department of Environmental Protection Waterways Regulation Program
10/08/2010 Boston Redevelopment Authority
10/08/2010 Massachusetts Department of Transportation

Late comments:

10/12/2010 Department of Energy Resources
10/12/2010 City of Boston Environment Department
10/13/2010 The Boston Harbor Association

IAB/HSJ/hsj
December 1, 2010

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

PROJECT NAME : Edward M. Kennedy Institute for the United States Senate
PROJECT MUNICIPALITY : Boston
PROJECT WATERSHED : Boston Harbor
EEA NUMBER : 14660
PROJECT PROponent : The University of Massachusetts Building Authority and
the University of Massachusetts Boston in conjunction with
the Edward M. Kennedy Institute for the United States
Senate
DATE NOTICED IN MONITOR : October 25, 2010

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62I) and
Sections 11.06 and 11.11 of the MEPA Regulations (301 CMR 11.00), I have reviewed this
project and hereby determine that it does not require further MEPA review. In a separate Draft
Record of Decision (DROD) also issued today, I have proposed to grant a Waiver from the
requirement to prepare a Mandatory Environmental Impact Report (EIR) for the project. This
Certificate sets forth the issues that must be addressed by the Proponent during permitting and
discusses recommendations that were submitted on the project during the MEPA comment
period.

As described in the Expanded Environmental Notification Form (EENF), the project
involves the construction of an approximately 93,000 square foot (sf), two-story building located
on a parcel of land within the UMass Boston campus, adjacent to the existing John F. Kennedy
Library (JFK Library). The Edward M. Kennedy Institute for the United States Senate (EMK Institute) is an educational facility proposed by the UMass Building Authority (UMBA), UMass Boston, and the EMK Institute. The project site includes an approximately 78,283 sf parcel subleased to the EMK Institute by UMBA and a 27,400 sf easement on the JFK Library property. The easement allows for the entranceway and pedestrian plaza of the EMK Institute to connect with and complement that of the JFK Library, creating a continuous plaza and integrated walkway between the two buildings. Facility parking will be located within existing UMass Boston parking areas, and existing bus parking associated with JFK Library will be shifted to another location within the dedicated JFK Library parking lot, to facilitate development of the EMK Institute. The project consists of a non-water dependent use located on former tidelands that were filled during the expansion of Columbia Point to allow for the development of the UMass Boston campus and other uses on Columbia Point. The proposed pedestrian accessways associated with the project will create a number of formal and informal links between the UMass Boston campus, the JFK Library, and the Harborwalk.

The project will result in the creation of an additional 1.67 acres of impervious area on the 2.36-acre project site. Approximately 1.29 acres of the project site will include a non-water dependent use of tidelands. The EENF indicated that following construction of the project, the project site will include approximately 46,780 sf of public open space. The EENF provided a conservative estimate of approximately 304 new vehicle traffic trips per day, with a demand for 25 parking spaces. The project will generate approximately 1,400 gallons per day (gpd) of wastewater and use 6,400 gpd of water. The building will be located approximately 325 feet from the existing shoreline, at elevation 30'; the current 100-year floodplain ranges from 21' to 23' on the project site.

Jurisdiction

This project is subject to MEPA review and exceeds a mandatory EIR threshold because it requires a Chapter 91 (c.91) License and consists of a new non-water dependent use or structure that occupies one or more acres of filled tidelands (301 CMR 11.03(3)(a)(5)). The project will require a c.91 License, as modified under Chapter 898 of the Acts of 1969 (Chapter 898), and a Landfill Post-Closure Use Major Permit from the Massachusetts Department of Environmental Protection (MassDEP). The project will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) and NPDES Dewatering General Permit from the United States Environmental Protection Agency (U.S. EPA). The project will also require several permits from the City of Boston.

The project is being funded in part by University of Massachusetts Building Authority bonds. 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 EENF

The EENF described existing and proposed conditions, discussed potential environmental impacts associated with the project, and provided a list of federal, State and local permits. The
EENF provided a detailed greenhouse gas (GHG) analysis, a description of proposed parking and traffic conditions, compliance with c.91 and Chapter 898, and a discussion of potential stormwater, solid waste, and historic and/or archaeological impacts.

Chapter 898 and Chapter 91 Tidelands

As described in the EENF, the EMK Institute project site lies completely within the jurisdiction of Chapter 898. Chapter 898 designated the filling and use of the site for the purpose of planning and constructing the UMass Boston campus. The Board of Trustees of the University of Massachusetts has approved the activities of the EMK Institute and the development of the project as furthering the purposes of UMass Boston, and the EMK Facility is being developed by UMBA in conjunction with the EMK Institute. Notably, Chapter 898 precludes any general law, including c.91, from regulating the height, bulk, location or use of any building or facilities constructed under Chapter 898.

The EENF included an discussion of the project’s impact on the public’s right to access, use and enjoy tidelands protected by c.91 and identified measures to avoid, minimize and mitigate any adverse impacts on those rights. The EENF stated that the project has been designed to substantially comply with c.91 standards and implementing regulations promulgated by MassDEP subsequent to the enactment of Chapter 898. The EENF described how the project is consistent with Massachusetts Coastal Zone Management policies. The project is fully consistent with MassDEP’s goal of protecting the public’s right to access and use the Massachusetts shoreline.

The project site is located approximately 325 feet from the present shoreline and does not include a water-dependent use zone. The project will not interfere with the public’s right to navigation, free passage over and through the water, or the use of Town Landings. The project itself consists of a new Facility of Public Accommodation (FPA), with public programs, and interior spaces available to the public including conference and meeting space, lobby space with public restrooms, and a public café. The project includes a series of formal and informal pedestrian links and view corridors from the project site to the shoreline by way of connections to adjacent properties. Project walkways and open spaces will be linked directly to those of the JFK Library, which in turn, connect to the water and the existing Harborwalk on the JFK Library site. Furthermore, the project will enhance the existing pedestrian links from inland portions of the UMass Boston campus to the waterfront by way of the EMK Institute and JFK Library sites. The project includes the provision of 46,780 sf of open space within the 102,983 sf project site, virtually all of which will be public open space and pedestrian walkways. The project also includes approximately 2,199 sf of canopied open space at the facility entrance.

As indicated in the comment letter, the MassDEP Waterways Regulation Program (WRP) will resolve remaining c.91 and Chapter 898 issues during the permitting process and did not recommend the preparation of an EIR. As recommended by the WRP, during licensing review the Proponent should further explore opportunities for public access and include pedestrian amenities to draw the public to use the landscaped areas proposed in the rear of the facility or incorporation of enhanced connections to future uses on adjacent properties. The Proponent should seek to incorporate standard amenities such as interpretive signage, public seating, etc., as
recommended by the Boston Harbor Association comment letter into the final project design to facilitate connections between the Harborwalk, public facilities at the EMK Institute, and the UMass Boston sidewalk system. The Proponent will be required to prepare a management plan during the licensing review process that further develops the educational programming and operational issues associated with maintaining the Proponent’s high standard for a public interactive educational experience during the full term of the license. Finally, as noted by the WRP, final plans meeting the standards of 310 CMR 9.11(3)(c) should be submitted for consideration with the pending c.91/898 application.

I note comments received regarding the potential impact of sea-level rise on the project site. While the elevation of the project is proposed seven to nine feet above the existing 100-year flood elevation, I recommend that the Proponent consider these comments and the potential impact of sea-level rise when determining usage of basement space and the facility in general when finalizing building and site design.

The EMK Institute project exceeds EIR thresholds as defined in 301 CMR 11.03. Therefore, I am requiring a Public Benefit Review in accordance with 301 CMR 13.00. As a condition of the DROD, I am requiring the Proponent to prepare a document describing how the project will meet the standards for a non-water dependent project (301 CMR 13.04). The Proponent should provide this information to the MEPA Office during the comment period on the DROD. A Public Benefit Determination (PBD) will be issued within 30 days of the issuance of the Final Record of Decision (FROD).

**Stormwater**

The EENF included a description of the proposed stormwater management system. The project will include a stormwater management system that will be designed to comply with MassDEP’s stormwater management regulations, as well as sustainable sites criteria established by MassDEP, the United States Green Building Council LEED Rating System, and standard best management practices (BMPs). The EENF states that the project meets the definition of a redevelopment project in accordance with the MassDEP stormwater management regulations. However, the MassDEP comment letter states that the project does not appear to meet the definition of a redevelopment project, as landfills are not included in this definition. The project site drainage system will include catch basins with deep sumps and oil/grease traps and/or a water quality inlet structure. Existing stormwater inlets within the easement parcel will be replaced with catch basins with deep sumps and oil/grease traps. The stormwater management system will remove 80 percent of the combined project site post-development average total suspended solids (TSS) load prior to discharge to Dorchester Bay and Boston Harbor.

The project site does not have adequate area for a surface detention basin within the property lines to control stormwater peak rates and volumes, and groundwater recharge options are limited by the former landfill use. Therefore, the project will include an approximately 15,000 cubic foot rainwater harvesting tank in the basement of the facility. The harvested rainwater will be used for irrigation on the project site and will reduce both the stormwater runoff rate and volume from the site. The overflow from this system will be discharged so as to follow existing drainage patterns before ultimately reaching Dorchester Bay. The Proponent will
prepare a Stormwater Pollution Prevention Plan (SWPPP) to be implemented for the project site in accordance with the NPDES Stormwater Construction General Permit. An operations and maintenance plan, including long-term BMP operation requirements, will be prepared prior to the start of construction to ensure proper functioning of the stormwater management system.

MassDEP has provided several comments regarding the project’s potential compliance with the MassDEP Stormwater Management regulations. The Proponent should provide information to MassDEP to confirm that stormwater discharges will not occur within wetlands jurisdiction. As recommended by MassDEP, the Proponent should reconsider Stormwater Management Standards 5 and 6, as both the land use of higher potential pollutant load (LUHPPL) and critical area standards appear to apply to the project. For compliance with Standard 10, the Proponent will need to submit an Illicit Discharge Compliance Statement verifying that no discharges existing on site, and in addition, demonstrate in a pollution prevention plan that measures will be taken to prevent these discharges to the stormwater management system.

Transportation

The project does not exceed any MEPA thresholds related to traffic, nor does it require any State permits associated with traffic impacts or infrastructure improvements. The EMK Institute is an educational facility, and is not designed as a visitation destination that would generate a substantial amount of traffic trips. There is no comparable land use code for a facility like the EMK Institute in the Institute of Transportation Engineers guidance. As noted in the EENF and discussed further at the MEPA consultation session held on November 8, 2010, projected trip generation rates and parking demand were prepared based on detailed estimates of attendance patterns, mode use, and vehicle occupancy both for daily visitors and staff. Mode use was estimated for each visitor/staff group based on Boston Transportation Department factors and observations of parking, school bus and transit arrivals at the JFK Library. The EENF provided an estimated daily vehicle trip volume of 304 new trips based on the maximum attendance from each modeled group – conservative “worst-case” estimate. These estimates did not include potential further reductions that may result from shared trips to the adjacent JFK Library.

Parking demand was calculated for weekdays and weekends, (morning, afternoon and evening), both during the UMass Boston academic year and the summer. The EENF also considered the parking demand not only on a typical day at EMK Institute, but on days when larger events such as symposia or other functions may occur. The EMK Institute will capitalize on the shared parking opportunities with the UMass Boston campus. The EENF concluded that peak EMK facility total parking demand both for staff and visitors during the “worst case” condition of an academic year weekday is 25 spaces. Other evaluated time periods may require increased parking, but they will correspond to times when the surrounding UMass Boston facilities have added capacity.

The project will require the relocation of the nine existing bus parking spaces associated with the JFK Library to make way for the entrance to the EMK facility. These bus spaces will be relocated to an area adjacent to the southern end of the existing JFK Library parking lot and will
not result in a loss of bus spaces or automobile spaces affiliated with the JFK Library. A bus drop-off area capable of accommodating four buses will be provided at the entrance to the EMK facility.

The project site is well served by public transportation, with both MBTA bus routes and shuttle services from the MBTA commuter and Red Line station at JFK/UMass. The Boston Harborwalk provides pedestrian and bicycle access options to the facility. Furthermore, additional pedestrian and bicycle improvements are expected to be implemented on Columbia Point as part of the UMass Boston 25-Year Master Plan, which should further enhance site access. The EENF indicated that all existing transportation demand management (TDM) efforts will be continued on the campus to encourage transit and walk/bike mode share use on site. These TDM measures include: provision of MBTA pass subsidies to all employees; requiring employees to pay the monthly or daily UMass Boston parking fees to incentivize use of mass transit or carpooling; provision of a secure bicycle storage area on-site; and the designation of a full-time on-site employee to serve as the transportation coordinator to encourage site access in ways that reduce single occupancy vehicle trips.

**Greenhouse Gas Emissions**

The EENF included a GHG Analysis in accordance with the MEPA GHG Policy and Protocol (the Policy) that estimated GHG emissions generated by the EMK Institute. The Policy requires projects to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate such emissions. The GHG analysis evaluated CO₂ emissions for two alternatives as required by the Policy including 1) a Base Case corresponding to the 8th Edition of the Massachusetts Building Code (the Code) and 2) a Preferred Alternative. The Code incorporates the building energy provisions of both ASHRAE 90.1-2007 and IECC 2009; the ASHRAE 90.1-2007 option was used for this analysis. The Proposent used eQUEST modeling software to perform the GHG analysis.

As noted in the EENF, GHG emissions sources can be categorized into two groups: emissions related to activities that are stationary on the site and transportation-related emissions. Activities on-site can be broken down further into direct sources and indirect sources. Direct sources include GHG emissions from fuel combustion; indirect sources include GHG emissions associated with electricity and other forms of energy that are used on the site and are imported from off-site power plants via the regional electrical grid or local steam distribution system.

The stationary source analysis evaluated CO₂ emissions associated with natural gas consumption (direct) and electricity usage (indirect) for the 93,000 sf two-story building with basement. As described in the EENF, the building's ground level includes classrooms, archives, exhibition space, offices and other building amenities including a small café. These ground floor uses surround a two-level representation of the U.S. Senate Chamber with viewing gallery and pre-function spaces on the second level. The basement will contain MEP equipment, storage rooms and future expansion space. A notable attribute unique to this facility includes the anticipated use of state-of-the-art electronic technology with integrated archival data access to provide an interactive educational experience.
The Proponent will be using LEED 2.2, New Construction to quantify the project's various metrics relating to sustainability and "green" design. The EENF included a preliminary LEED checklist, and the Proponent is committed to achieving at least LEED Certification, with Silver Certification a possible target.

The analysis estimated the stationary source Base Case total CO₂ emissions at 1,324 tons per year (tpy). Under the stationary source Preferred Alternative, utilizing mitigation measures as identified in the EENF, the total CO₂ emissions were estimated at 1,105 tpy, a reduction of 219 tpy, or 17.0 percent, from the Base Case. The Proponent also intends to purchase 35 percent of the building’s electricity from green energy sources in each of the first two years of operation as a means to further offset project-related CO₂ emissions. The EENF stated that this green energy purchase would result in a displacement of 670 MWh of electricity and provide GHG emissions reductions of up to 300 tpy. The EENF included a summary table and narrative identifying proposed GHG reduction mitigation measures, as well as those that continue to be studied as design advances, or those that were infeasible. Technologies not selected include the use of green roofs, heat or energy recovery, combined heat and power (CHP), district heating and cooling, fuel cells, solar hot water, photovoltaics (PV), ground-source heat pumps, and wind turbines. The EENF included a discussion of why these technologies were infeasible, and in certain cases presented supporting data affirming these conclusions. The EENF also identified a series of qualitative GHG reduction measures that despite commitments to be incorporated into building design or operations, cannot be effectively modeled for inclusion in the GHG analysis.

Stationary source mitigation measures proposed in the EENF include, but are not limited to:

- Construction of a high performance building envelope;
- Use of a high-albedo roof on the first floor of the building;
- Use of exterior shading devices on the south façade;
- Use of radiant heat in the building lobby;
- Use of under-floor air distribution in the Chamber and viewing gallery;
- Installation of occupancy sensors in the offices, classrooms, library/archive, MEP and back-of-house spaces;
- Installation of high-efficiency HVAC systems;
- Installation of multi-zone HVAC controls;
- Use of daylighting and installation of dimmable T5 HO fluorescent fixtures or LED-based lighting along the perimeter that responds to solar input;
- Installation of LED and other high performance lighting throughout the building and use of LED fixtures for exterior lighting;
- Use of premium motors in building mechanical equipment, with certain larger motors equipped with variable frequency drives;
- Use of higher efficiency audio, video, and control systems and Energy Star equipment where available;
- Acquisition of 35 percent of the building’s electricity from Green Energy sources for at least two years;
- Rainwater harvesting for use in irrigation and cooling tower makeup;
• Use of low-flow water fixtures;
• Installation and use of an Energy Management System (EMS) and utilization of Enhanced Building Commissioning; and
• Implementation of operational and construction period recycling efforts.

The comment letter from the Massachusetts Department of Energy resources (DOER) indicated that the project may be subject to the Massachusetts Stretch Energy Code as recently adopted by the City of Boston. In light of this, the Proponent should investigate ways to further reduce their GHG emissions and energy consumption as project design advances. The DOER comment letter has provided several suggestions for consideration including increased roof insulation, ventilation energy recovery, cooling tower sizing and water source heat pumps.

A significant reduction in GHG emissions resulted from reduced plug loads associated with miscellaneous equipment used on-site (notably the audio and visual equipment from the interactive displays). The Base Case presented in the GHG analysis used conventional display, projection, and amplification devices, such as plasma displays, xenon powered projection lamp-houses, and traditional power amplifiers. The Preferred Alternative modeled GHG emissions from more efficient hardware such as touch screen sensors, LED displays and dimming controls with daylight sensors. The Proponent intends to review and evaluate any further technological developments over the course of the next two years (i.e., prior to the hardware procurement) to ensure that the specified hardware is as efficient as possible. As recommended by MassDEP, I encourage the Proponent to adopt plug load controls and monitoring in order to operate and maintain energy efficiencies of equipment in the future. Finally, I commend the Proponent for committing to purchase green energy equivalent to 35 percent of the project’s energy usage in its first two years of operation. I strongly encourage the Proponent to consider extending its green power purchases beyond the two year commitment window.

Upon completion of construction of the project, the Proponent should provide a certification to the MEPA Office signed by an appropriate professional (e.g., transportation planner/engineer, architect, general contractor) indicating that the all of the GHG emissions mitigation measures, or equivalent measures that collectively will achieve the GHG emissions represented in the EENF, have been incorporated into the project. The certification should be supported by as-built plans. For those measures that are operational in nature (i.e. TDM, recycling) the Proponent should provide an updated plan identifying the measures, the schedule for implementation and how progress towards achieving the measures will be obtained.

Transportation-related emissions

The EENF did not contemplate the impacts of indirect GHG emissions from transportation-related sources. The EENF concluded that the conservative estimate of new vehicle trips per day generated by the project was unsubstantial and that the existing and proposed TDM measures and access to public transit/shuttle options were substantial enough to meet the intent of the GHG Policy to avoid, minimize and mitigate Damage to the Environment as it relates to transportation-related GHG emissions.
Hazardous Materials and Solid Waste

The project site is located on a former landfill once operated by the city of Boston and commonly known as the Mile Road Landfill, the Mount Vernon Street Dump, or the Columbia Point Landfill. According to the EENF, the landfill operated as a dumping ground and burn dump through the early 1960s. The Release Tracking Number (RTN) assigned to the site under the Massachusetts Contingency Plan (MCP) is 3-1430. The Proponent has initiated discussions with MassDEP to identify requisite actions and timelines associated with a Landfill Post-Closure Use- Major Permit (BWP SW36). The Proponent will need to submit documentation with the Post-Closure Use permit demonstrating that the proposed best management practices will be adequate for activities within the landfill areas.

I remind the Proponent that removing contaminated soil, pumping contaminated groundwater, or working in contaminated media must be done under the provisions of M.G.L. c.21E/21C and OSHA. The appropriate soil and groundwater tests must be conducted well in advance of the start of construction and professional environmental consulting services should be readily available to provide the contractor the technical guidance required to facilitate necessary permitting requirements.

Water and Wastewater

The project will generate approximately 1,400 gpd of new wastewater flows and increase water supply demand by 6,400 gpd. Approximately 0.12 miles of water and sewer mains will be constructed to connect to the existing system that services the UMass Boston campus. The Boston Water and Sewer Commission (BWSC) owns and operates the water and sewer mains adjacent to the project site. These BWSC sanitary mains eventually connect to MWRA interceptors which carry flows to the Massachusetts Water Resources Authority (MWRA) Columbus Park Headworks, before directing them into the MWRA Boston Main Drainage Tunnel for transport to the Deer Island treatment plant. No capacity problems within the water and sewer system are expected as a result of the implementation of the project. The Proponent should follow the guidance provided in the BWSC comment letter regarding conformance with the BWSC’s design standards, Water Distribution System and Sewer Use Regulations and Requirements for Site Plans.

MassDEP routinely requires Proponents to assist the Agency in its program to reduce infiltration and inflow (I/I). The MWRA comment letter notes that the MWRA sewer system at and downstream of Morrissey Boulevard carries stormwater from combined sewer areas of Boston in addition to sanitary flow and can therefore become surcharged during wet weather, contributing to combined sewer overflows (CSOs) during larger storms. Therefore, any increase in flows to the sewer system should be mitigated in compliance with the MassDEP Policy entitled, Managing Infiltration and Inflow in MWRA Community Sewer Systems (effective April 2, 2009) and with BWSC policy regulations.
Historic and Archaeological Resources

According to the EENF, the project will not directly impact any resources listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth. The project site is located adjacent to the JFK Library, a facility that, while not listed in the National Register of Historic Places or included in the Inventory of Historic and Archaeological Assets of the Commonwealth, may be eligible for inclusion in the National Register under special consideration Criterion G. The project site is located approximately 300 feet northeast of the Calf Pasture Pumping Station, a building listed on the National Register of Historic Places. The EENF notes that the materials and architecture of the EMK Facility have been selected to complement the existing JFK Library, while the distance between and relatively low heights of the pumping station and the EMK facility will minimize impact to the these historic resources. Finally, given the site history and previous on-site disturbance, no archaeological resources are anticipated within the project site.

Construction Period

The EMK Institute construction period is anticipated to overlap construction projects associated with the implementation of the UMass Boston 25-Year Master Plan (EEA no. 14623). The Proponent should prepare a Construction Impact Management Plan (CIMP) to address construction-related impacts such as public safety measures, signage, plans to control construction-related air quality and noise, stormwater management and handling of construction waste, and measures to limit vibration, control rodent populations, and facilitate snow removal. The EMK Institute should coordinate the implementation of the CIMP along with contractor staging, parking, and access to the construction site with UMass Boston to reduce impacts to the Columbia Point area. Use of the Bayside Expo site (if applicable) as it relates to construction activities at the EMK site should be addressed in the CIMP. Upon preparation of this CIMP, this document should be circulated to the commenters on this EENF, the MEPA office, and posted on the UMass Boston website.

The project will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES CGP to outline BMPs to control erosion and sedimentation during the construction period. I remind the Proponent that as part of the Post-Closure Use Permit process with MassDEP, consideration should be given to the establishment of BMP’s for work within landfill areas during the construction period. The Proponent must comply with MassDEP’s Solid Waste and Air Pollution Control regulations. The Proponent has committed to recycling 75 percent of the construction debris. I encourage the Proponent to strive to reduce onsite construction debris by 90 percent as a sustainable measure for the project. Additional guidance on recycling and waste diversion is available from the Commonwealth’s Draft 2010 Solid Waste Master Plan: A Pathway to Zero Waste, dated July 10, 2010.

I encourage the Proponent to mitigate the construction period impacts of diesel emissions to the maximum extent feasible. This mitigation may be achieved through the installation of after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs). The Proponent should use ultra low sulfur diesel (ULSD) fuel in off-road engines.
Conclusion

Based on a review of the information provided by the Proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant further MEPA review. Outstanding issues may be addressed during the local, state, and federal permitting processes.

I have also issued today a Draft Record of Decision (DROD) proposing to grant a Waiver from the requirement to prepare an EIR for the project. The DROD will be published in the next edition of the Environmental Monitor on December 8, 2010 in accordance with 301 CMR 11.15(2), which begins the public comment period. The public comment period lasts for 14 days and will end on December 21, 2010. Based on written comments received concerning the DROD, I shall issue a Final Record of Decision or a Scope within seven days after the close of the public comment period, in accordance with 301 CMR 11.15(6). If the Full Waiver is not approved based on comments received on the DROD, then this Certificate on the EENF will be re-issued with a Scope for an EIR.

December 1, 2010
Date

Ian A. Bowles

Comments received:

11/19/2010  Massachusetts Water Resources Authority
11/24/2010  Massachusetts Department of Environmental Protection – NERO
11/24/2010  The Boston Harbor Association
11/29/2010  Department of Energy Resources
11/29/2010  Boston Water and Sewer Commission
11/30/2010  City of Boston Environment Department
11/30/2010  Boston Conservation Commission

IAB/HSJ/hsj
October 8, 2014

AMENDED CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ESTABLISHING A SPECIAL REVIEW PROCEDURE

PROJECT NAME: 25-Year Master Plan for University of Massachusetts Boston
PROJECT MUNICIPALITY: Boston
PROJECT WATERSHED: Boston Harbor
EEA NUMBER: 14623
PROJECT PROONENTS: Commonwealth’s Division of Capital Asset Management and Maintenance and University of Massachusetts Building Authority on behalf of the University of Massachusetts Boston

DATE NOTICED IN MONITOR: N/A

Pursuant to the Massachusetts Environmental Policy Act (G.L. c.30, §§ 61-62I) and Section 11.09 of the MEPA regulations (301 CMR 11.00), as Secretary of Energy and Environmental Affairs (EEA), and with the assent of the Proponents, I hereby amend the Special Review Procedure (the “initial SRP”) established by the Certificate issued on June 30, 2010 to guide the MEPA review of the 25-Year Master Plan for University of Massachusetts Boston (UMass Boston).

Project Description

In 2009 a 25-year Master Plan was completed for UMass Boston in coordination with the Division of Capital Asset Management and Maintenance (DCAMM) and the University of Massachusetts Building Authority (UMBA) after an extensive public planning process. The
Master Plan identified a broad range of improvements to the campus at Columbia Point, including the creation of a new campus quad, construction of new facilities and extensive infrastructure upgrades. These improvements to the physical environment will allow the University to meet its mission of academic excellence, distinguished research and service while particularly responding to the academic and economic needs of the Commonwealth’s urban areas and diverse populations. In addition, enhanced open space connections and renovation of a portion of the Harborwalk on UMass Boston’s property will provide improved public access to the waterfront and other pedestrian amenities.

The Master Plan was developed with a respect for a variety of considerations, including: student life, green/sustainable facilities and environmental priorities, integration of space functions, efficient utilization of ground-level space, compatibility with natural surroundings, integration with the surrounding community, transportation and parking, and future growth and development.

Project Background

In September 2006, the University of Massachusetts Boston (UMass Boston) filed an Environmental Notification Form (ENF) requesting a waiver from the requirement to prepare an Environmental Impact Report (EIR) for temporary replacement parking to alleviate shortages due to the closure of the existing underground parking garage. The ENF described the project as creating approximately 850 temporary replacement parking spaces on 7.48 acres in four locations within the campus. As a campus comprised of all commuters, the replacement parking was necessary due to the loss of approximately 1,500 spaces when the campus substructure closed to vehicle and general pedestrian access in July 2006.

In accordance with the Final Record of Decision (FROD) for Replacement Parking at UMass Boston (EEA #13880), issued on November 9, 2006, the University was granted a waiver of the requirement to prepare an EIR. A condition of the waiver was that the University file a Notice of Project Change (NPC) describing UMass Boston’s Master Planning process, examining cumulative environmental impacts of the Plan, and proposing mitigation measures. The planning process was a collaborative effort resulting in a 25-year Master Plan that assesses existing and future proposed campus facilities and infrastructure including utilities, telecommunication, transportation, long-term parking, open spaces and pedestrian access; the Master Plan was completed in December 2009.

The initial SRP was issued on June 30, 2010 to establish the MEPA process for the Master Plan (EEA #14623). It covered a geographic area comprising the full 99-acre campus of UMass Boston at Columbia Point as shown on its attached Figure 1, and also provided that if the geographic area were expanded, the initial SRP may be amended accordingly. In 2009, UMBA had acquired the Bayside Expo (Bayside) site and its approximately 20-acre parcel located near the UMass Boston campus on Mt. Vernon Street, Dorchester, to expand the geographic area
geographic area available for UMass Boston. The Certificate issued on October 15, 2010 on the Expanded Environmental Notification Form (EENF) (EEA #14623) noted the Bayside acquisition and reiterated that the initial SRP could be amended to include a geographic expansion.

Since the Bayside acquisition, UMass Boston has used the site primarily for temporary parking and shuttle bus services because the main campus parking lots are closed to accommodate construction of Master Plan facilities. The proponents also have initiated planning for longer term uses of the site, including: demolition of the Bayside Expo buildings; establishment of more efficient parking and shuttle bus facilities for use until the main campus completes its parking facilities identified in the 2009 Master Plan; and future uses of the Bayside property. UMass has incorporated planning for Bayside into the ongoing Master Plan public participation process that is described in and integral to the initial SRP.

MEPA Jurisdiction

Development on the UMass Boston campus (including any future development and/or use of the Bayside site) is subject to review under MEPA because it will be undertaken and financed by a state Agency and, either on an individual or collective basis, projects are expected to exceed MEPA review thresholds at 301 CMR 11.03. Therefore, MEPA jurisdiction is broad and extends to all aspects of any project that are likely, directly or indirectly, to cause Damage to the Environment, as defined in the MEPA regulations.

SPECIAL REVIEW PROCEDURE

The size and complexity of this project combined with its long-term planning and construction timeframe and multiple phases warrant the establishment of an SRP. I believe that this SRP will benefit the environment and serve the purposes of MEPA by providing meaningful opportunities for public review, analysis of alternatives, and consideration of cumulative environmental impacts, while recognizing the uncertain nature of future phases.

UMass Boston Master Plan

In accordance with 301 CMR 11.05(7), UMass Boston presented potential cumulative environmental impacts, analysis of alternatives, and appropriate mitigation measures for the 25-Year Master Plan and proposed early action elements in an EENF (described further below). This analysis included cumulative impacts of the Master Plan, including an evaluation of: transportation, long-term parking needs, infrastructure impacts including stormwater, water, wastewater, energy, utilities, telecommunication, and technology, sustainability, wetlands, water quality and groundwater, historical and archeological resources, greenhouse gas emissions, and construction-period impacts.
An SRP is particularly appropriate for the review of the UMass Boston Master Plan because the master planning process involves approximately 119 acres of land that are proposed for phased development over a period of 25 years. Both the project itself and the public and agency review of its environmental impacts will benefit greatly from flexibility within the review process. This SRP will also allow UMass Boston the opportunity to seek authorization for early implementation of certain elements of the Master Plan that have minimal impacts and that could be accomplished in the first phase of the project.

Master Planning Area

This Special Review Procedure covers the geographic areas depicted in Figures 1 and 2 (figures attached to initial SRP and re-attached here) and in Figure 3 (attached figure showing the Bayside parcel). If the geographic area is expanded again, the SRP may be amended accordingly.

Expanded Environmental Notification Form

UMass Boston filed an EENF (EEA #14623) to initiate the review of the Master Plan in lieu of an NPC as directed in the FROD for the Replacement Parking at UMass Boston project (EEA #13880). The EENF was circulated for public comment and reviewed for 37 days in accordance with 301 CMR 11.05(7) and 11.06(1).

In the Master Plan EENF, UMass Boston detailed Phase 1 elements of the Master Plan which included construction of a new Science Complex, roadway realignments, and renovation of a new Harborwalk segment all at the Columbia Point campus. These Phase 1 projects as well as the Master Plan were reviewed pursuant to the initial SRP. On October 5, 2010 a Certificate was issued on the EENF, which indicated that Master Plan and Phase 1 projects did not require the preparation of an EIR.

This finding of adequacy for the Master Plan indicated that sufficient information exists, at a level appropriate for a Master Plan, on cumulative impacts, background conditions, and master planning issues to allow the individual project elements to proceed to more detailed MEPA review (as applicable pursuant to this SRP). This finding of adequacy for the Master Plan did not mean that sufficient information existed on individual elements of the Master Plan, other than the Phase 1 projects, for state permitting agencies to take any required Agency Actions on the project or its individual elements.

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1 The 2009 Master Plan and its EENF addressed the 99 acres of the Columbia Point campus. The addition of the Bayside parcel to the master planning process brings the geographic area to a total of 119 acres.
Subsequent Filings

UMass Boston will prepare more detailed information on future projects proposed under the Master Plan in the form of Project Commencement Notices (PCN’s) and Notices of Project Changes (NPC’s). PCN’s and NPC’s will be submitted to MEPA for state agency and public review. State Agencies will not be able to take required agency actions for individual projects within the Master Planning Area until MEPA review on the applicable PCN or NPC is complete.

The Proponent will file a PCN for each individual project that is proposed to be undertaken consistent with the approved Master Plan. PCN’s will include a detailed project narrative, a quantification of project-related impacts with a comparison to impacts anticipated under the Master Plan, as well as an update containing information on any additional planning efforts within the Master Planning Area.

- PCN’s will be noticed in the Environmental Monitor for public review and circulated in accordance with the provisions of this SRP.
- Upon review of any PCN and the comments received thereon, I retain the discretion as Secretary to require, or not to require, the preparation of an EIR, irrespective of whether the project exceeds mandatory EIR thresholds, consistent with this SRP. However, EIR thresholds shall remain informative in this regard. If an EIR is required, there will be a presumption that a Single EIR will be required for the project.
- Each PCN would include an analysis of greenhouse gas emissions conducted in accordance with the MEPA Greenhouse Gas Emissions Policy and Protocol for any new building or parking structure.
- No PCN’s will be required for classroom relocations, building demolition or infrastructure, utility or telecommunication replacement or relocation, internal roadway improvements, building renovations and landscape improvements, if consistent with the approved Master Plan.

UMass Boston will file a NPC for projects that are materially different from the approved Master Plan (including any projects at the Bayside property), or for a project proposed outside of the Master Planning Area as follows:

- NPCs will be noticed in the Environmental Monitor for public review and circulated in accordance with the provisions of this SRP.
- Upon review of any NPC and the comments received thereon, I retain the discretion as Secretary to require, or not to require, the preparation of an EIR, irrespective of whether the project exceeds mandatory EIR thresholds, consistent with this SRP. However, EIR thresholds shall remain informative in this regard.
• Each NPC shall include an analysis of greenhouse gas emissions conducted in accordance with the MEPA Greenhouse Gas Emissions Policy and Protocol for any new building or parking structure.
• Upon submission of an NPC that proposes project elements that are materially different from the approved Master Plan, or that would constitute a material expansion of the Master Planning Area, I shall make an express finding as to whether any amendment to this SRP is warranted to address the expanded projects or areas.

State permitting agencies may take any required Agency Action for a project element(s) after a finding by the Secretary that the PCN or NPC for that element(s) of the project adequately complies with MEPA. There will be no NPC required for lapse of time (301 CMR 11.10(2)) for twenty-five years from the date of the initial SRP.


A Consolidated Written Determination (CWD) (#W11-3467N) was issued by the Massachusetts Department of Environmental Protection Waterways Regulation Program (MassDEP) on May 15, 2014 pursuant to M.G.L. Chapter 91, the Public Waterfront Act, Chapter 898 of the Acts of 1969, and 310 CMR 9.00, the Waterways Regulations. Finding #7 of the CWD specifically references the applicability of the Secretary’s SRP for the 25-year Master Plan to the ongoing CWD public review process. I hereby incorporate by reference the findings of the CWD, as they will continue to apply to the portions of the UMass Boston Campus encumbered by Chapter 898 of the Acts of 1969. I note that the Bayside parcel is not within the areas subject to Chapter 898 of the Acts of 1969 and to the CWD issued by MassDEP under Chapter 91 for the Master Plan projects at Columbia Point.

Public Process

Each project-specific filing must be circulated to:
• all commenters on the Master Plan;
• all required parties under Section 11.16 of the MEPA regulations; and
• all commenters on subsequent NPC or PCN filings if not included in the above.

A public meeting will be held and noticed in the Environmental Monitor for each project-specific filing.

Because the Master Planning process itself involved robust and structured community participation I will not require the establishment of a Citizens Advisory Committee. In place of this, UMass has committed to the following community process:
- Hold an annual public meeting to provide an update on progress of the Master Plan and to engage in a dialogue with constituents and stakeholders (i.e. local community and neighborhood groups, elected officials, environmental organizations, etc.) on changes to the physical campus;

- Provide notification of all meetings through a broad-reaching manner including, but not limited to, via email listserve, project website, flyers/mailings, public notice in local paper, etc.

- Maintain and update the UMass Boston Campus Master Plan website that includes progress and schedule milestones on individual projects. Provide an e-mail address for interested parties to use for submitting input and feedback;

- Continue to meet with public officials at least once a year to provide updates and to inform of future plans (e.g. state legislators and administrative leaders, local elected officials);

- Continue to regularly meet with local neighborhood associations and institutional neighbors (e.g. JFK Library, BC High, Harbor Point Apartments, local schools and organizations) to provide project updates and discussion;

- Continue to engage in discussion with the Boston Redevelopment Authority on their master planning efforts for all of Columbia Point. UMass will continue to include the BRA on its general distribution list and will also add the Columbia Point Task Force to the distribution list for the future; and

- Continue to conduct regular internal workshops and briefings with campus members that allows for dialogue and discussion on Master Plan projects and issues.
Conclusion:

The signature below from the Chancellor of UMass Boston indicates the Proponents’ consent to the establishment of a Special Review Procedure as outlined in this Certificate.

10/7/14
Date

Maeve Valley Bartlett
Secretary of Energy and Environmental Affairs

10/4/14
Date

J. Keith Motley, Ph.D.
Chancellor, UMass Boston
Zehra Schneider Graham, CHMM, REM
Deputy Director, Environmental Health & Safety
University of Massachusetts Boston
100 Morrissey Boulevard
Boston, MA 02125-3393

RE: Consolidated Written Determination pursuant to MGL c.91 and c. 898/Acts of 1969
Waterways Application #w11-3467N, University of Massachusetts Boston
25-year Master Plan on Filled and flowed Tidelands of Dorchester Bay and Savin Hill Cove (Dorchester) Boston, Suffolk County

Dear Ms. Schneider Graham:

The Department hereby issues this Consolidated Written Determination (the “CWD”), pursuant to MGL Chapter 91, the Public Waterfront Act, Chapter 898 of the Acts of 1969, and 310 CMR 9.00, the Waterways Regulations, of its intent to approve multiple construction projects described in the 25-year Master Plan, subject to the attached conditions. The application was reviewed under the special review procedures established by the Secretary of Energy and Environmental Affairs on June 30, 2010 for review under the MGL Chapter 91, the Massachusetts Environmental Policy Act (MGL c. 30 ss. 61-62I), and Chapter 898 of the Acts of 1969.

The University of Massachusetts Boston (UMass Boston) in conjunction with the University of Massachusetts Building Authority (UMass Building Authority) and the Department of Capital Asset Management and Maintenance, as the Co-applicants, has submitted a consolidated license application that describes the 25-year Master Plan completed in December 2009 to guide development at the University of Massachusetts Boston Campus located on Columbia Point at 100 Morrissey Boulevard in the municipality of Boston largely on filled, flowed and landlocked tidelands of Dorchester Bay and Savin Hill Cove. The 25-year Master Plan outlines a broad range of campus-wide improvements including: the construction of new academic and residential buildings; new parking structures; a reconstructed section of seawall with associated Harborwalk upgrades; an expanded docking facility with barrier free access; upgraded utilities and utility corridors, enhanced pedestrian, vehicular, bicycle circulation around the campus, and landscaped open spaces.

Seven parcels, as well as three sections of the perimeter roadway are located on tidelands not considered landlocked and are the specific areas subject to review in this waterways license application. The Department has grouped projects for ease of review into the following categories:
those actions that have, or will, commence within approximately a year of issuance of the CWD (Phase I); actions that are likely to occur in the next five years (Phase II); and the remaining actions described in the 25-year master plan that have not been scheduled to commence (Phase III). The project sites subject to this CWD are listed below, with the associated proposed use, and the estimated project review phase.

<table>
<thead>
<tr>
<th>Site</th>
<th>Proposed Use in tidelands</th>
<th>Project Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site A</td>
<td>Landscaping associated with Integrated Science Complex</td>
<td>Phase I (2011)</td>
</tr>
<tr>
<td>Site B</td>
<td>General Academic Building No. 1</td>
<td>Phase I (2013)</td>
</tr>
<tr>
<td>Harborwalk area</td>
<td>Harborwalk, seawall and waterfront open space</td>
<td>Phase I (2014)</td>
</tr>
<tr>
<td>Utility Corridor and</td>
<td>Installation of sub-surface utility vaults</td>
<td>Phase I (2013)</td>
</tr>
<tr>
<td>Reconstruction Project (UCRR)</td>
<td>Relocated campus loop roads, underground utility corridor and at grade storm water facilities</td>
<td>Phase I (2014)</td>
</tr>
<tr>
<td>UCRR @ University Drives South and East</td>
<td>Relocated campus loop road and underground utility corridor</td>
<td>Phase I (2014/15)</td>
</tr>
<tr>
<td>UCRR @ University Drive North</td>
<td>Upgrades to licensed structure to provide barrier free access</td>
<td>Phase I (2015)</td>
</tr>
<tr>
<td>Saltwater pump house upgrades</td>
<td>Water circulation, fish return system</td>
<td>Phase I/II</td>
</tr>
<tr>
<td>Site S</td>
<td>Academics</td>
<td>Phase II/III</td>
</tr>
<tr>
<td>Site G</td>
<td>Academics</td>
<td>Phase III/I</td>
</tr>
<tr>
<td>Site PE</td>
<td>Parking garage (also on Site PN)</td>
<td>Phase II/III</td>
</tr>
<tr>
<td>Sites R1</td>
<td>Residential use</td>
<td>Phase II</td>
</tr>
<tr>
<td>Site R2</td>
<td>Residential use</td>
<td>Phase III</td>
</tr>
<tr>
<td>TBD</td>
<td>Utility Facility</td>
<td>Phase II (2016)</td>
</tr>
<tr>
<td>Calf Pasture Pump Station Site</td>
<td>Adaptive Reuse (undetermined academic or infrastructure)</td>
<td>Phase III</td>
</tr>
<tr>
<td>Savin Cove</td>
<td>Possible dredging in select areas</td>
<td>Phase III</td>
</tr>
</tbody>
</table>

Some development sites are not subject to this consolidated written determination. Sites F, O, and T are located on landlocked tidelands or uplands. Future dredging within Savin Cove may extend outside of the boundaries of Chapter 898 of the Acts of 1969. The Bayside property on Mount Vernon Street recently acquired by the UMass Building Authority was not included in the Special Review Procedures or the consolidated license application. Any structural alteration or

1UMass Boston construction scheduling is based on facility need not site development. For instance, the second general academics building may be located on either Site S or Site G. The facility need analysis of the second general academic building has commenced and which site it will be located on will be determined during the study period. The present construction schedule identifies that the General Academic Building #2 could be completed in early 2017. Also, parking garages are planned for both Site PE, within jurisdictional tidelands, and Site PN, outside jurisdictional review. Construction of the first garage is planned to be completed by 2016, and the facility need analysis will determine on which site it will be located. The construction schedule is updated regularly and posted on the University of Massachusetts Master Plan website at www.umb.edu/masterplan.

2 Additional heating and cooling capacity is necessary to support the educational uses of the expanding physical plant at the campus and may lead to on-campus facilities that are partially or entirely within formerly filled tidelands at currently undetermined locations.
change in use of the tidelands on the Bayside property will be subject to independent review and approval under MGL Chapter 91.

FINDINGS:

1. The Department determines that the use of previously authorized filled Commonwealth Tidelands for educational purposes is consistent with the legislatively intended use identified in sections 1 and 5 of Chapter 898 of the Acts of 1969 and has been determined to be a nonwater-dependent use pursuant to 310 CMR 9.12(4). The proposed use of the open space and the upgrades to the Harborwalk, both of which promote public use and enjoyment of the water, are water-dependent uses pursuant to 310 CMR 9.12(2)(a)(4). Shoreline stabilization to protect existing structures, and the berthing and navigational access for educational and water transportation vessels, and the rental of small recreational boats at the dock, are water-dependent uses and in accordance with 310 CMR 9.12(2)(a)(2), (8) and (11). Since there is a mix of water-dependent and nonwater-dependent uses, the Department has processed the application as a nonwater-dependent use project in accordance with 310 CMR 9.12(1) utilizing the special review procedures established by the Secretary of Energy and Environmental Affairs on June 30, 2010. As further elaborated below, a special review procedure will allow certain projects to be reviewed administratively as minor modifications because of the limited extent of tidelands impacted. Other projects will be reviewed as license applications, with a 20-day public comment period, which can be coordinated with the ongoing MEPA review.

2. The Department determines that approximately 50 to 80 acres of the 99-acre campus were originally exposed tidal marshland and are characterized as previously authorized filled tidelands and landlocked tidelands. Much of the tidelands on the project site were filled pursuant to several licenses issued between 1886 and 1952. The legislature authorized, through Chapter 898 of the Acts of 1969, the purchase, fill, and development for educational use of “all the lands or flats” lying seaward of a prescribed line, shown on Figures 2 and 3 of 8 and that encompasses the present UMass Boston campus, subject to the provision that the plans for such filling or use have been approved in writing by the Department after consulting with other state agencies. Prior licenses issued specifically at the project site are identified on page 11. As stated in the application, the table below identifies the approximate extent of previously filled tidelands on those development sites subject to this CWD.

<table>
<thead>
<tr>
<th>Site</th>
<th>Approximate Size (square feet)</th>
<th>Approximate Percent within c.91 Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site A</td>
<td>235,506</td>
<td>16%</td>
</tr>
<tr>
<td>Site B</td>
<td>106,620</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Site G</td>
<td>65,670</td>
<td>100%</td>
</tr>
<tr>
<td>Site PE</td>
<td>73,285</td>
<td>100%</td>
</tr>
<tr>
<td>Calf Pasture Pump Station</td>
<td>73,284</td>
<td>25%</td>
</tr>
<tr>
<td>Sites R1</td>
<td>100,970</td>
<td>2%</td>
</tr>
</tbody>
</table>
3. The Applicant has published the required public notice on November 23, 2011 in the Boston Herald and the associated public hearing was held at the Quinn Administration Building on December 13, 2011. The following five entities submitted written comments during the public comment period: Massachusetts Historical Commission; the Boston Environment Department; Peninsula Housing Associates LLC, an abutter; The Boston Harbor Association; and the Conservation Law Foundation. All of the public comments were reviewed, responded to by the Applicant, and addressed in the Department’s findings or special conditions of this determination. The issues contained in the public comment that were within the MGL c. 91 jurisdiction can be grouped in the following manner: process, climate change, public access and water transportation, and preservation of historic resources. The comments on process were: educational use assumed to be limited to those provided by the University; insufficient level of detail on the plans; use of the minor modification process; need to include the public in an open and transparent review process; and independent review of the Bayside property site. Technical comments were: expanded evaluation to address climate change adaption; greater detail on use of water transportation; early construction of the Harborwalk; expanded pedestrian amenities along the Harborwalk, adjacent to the Fox Point Pier, and at the John Fallon State Pier; providing public use of restrooms and food and drink services with clear directional signage from the Harborwalk. The Calf Pasture Pump Station, a complex of three historically significant structures, generated comments on the need to avoid demolition by neglect and to evaluate the effect of future construction projects; specifically the current need for a preservation plan to avoid further deterioration, the historic review of any proposed reuse, and the need for a shadow study of any proposed structures adjacent to it to avoid potential adverse impact.

4. The Applicant has submitted, or will submit prior to licensing, relevant documentation regarding compliance with other regulatory requirements including the Massachusetts Environmental Policy Act (EOEEA #14623), and, if applicable, the Wetlands Protection Act, Water Quality Certification, and the Mass. Historic Commission Act for the Calf Pasture Pump Station complex. The Planning Board Notification was dated August 30, 2013. Local zoning does not apply to a project undertaken by an agent of the Commonwealth. Approvals have been issued for specific project components that have advanced through the design phase. The Harborwalk improvements and seawall reconstruction project, for which a license is to be issued from this Consolidated Written Determination, has approvals under the Wetlands Protection Act (#NE006-1342), a Water Quality Certification (Transmittal #X255792), Army Corps of Engineers Category 2 general permit (NAE-2013-1027), and Coastal Zone Management (October 8, 2013). The saltwater pump house upgrades will be designed and constructed in accordance with

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3 According to the Mass. Historic Commission letter dated Dec 28, 2011 to the Department, the Calf Pasture Pump Station is a complex of three historic structures listed in the National and State Registers of Historic Places. They are the Calf Pasture Pump Station, the Calf Pasture Gate House, and the Calf Pasture West Shaft Building.
the final NPDES permit #MA0040304 issued on August 1, 2013 by MassDEP and the US EPA, as may be amended.

5. The Secretary determined the adequacy of the Master Plan and Phase I projects in his Certificate on EOEEA file #14623 dated October 15, 2010. The Department is not required to make a section 61 finding pursuant to MGL Chapter 30 section 61, the Massachusetts Environmental Policy Act, since the Secretary did not require the filing of an Environmental Impact Report.

6. A Public Benefit Determination was issued by the Secretary on EOEEA file # 14623 dated October 22, 2010 for the master plan development on landlocked tidelands.

7. The Secretary in his Certificate on EOEEA file # 14623 dated June, 30, 2010 set forth Special Review Procedures, under MEPA, MGL Chapter 91, and Chapter 898 of the Acts of 1969, for proposed construction projects described in the Master Plan. Summarized below are the general review steps that pertain to the Department’s review of Master Plan project components.

a. The Applicant shall submit to MEPA more detailed information on any future project proposed during the full 25-year term of the Master Plan in the form of a Project Commencement Notice. The Secretary will determine, after notification in the Environmental Monitor of a 20-day public comment period, whether an EIR will be required. No such notice will be required for the Phase I projects identified in the Secretary’s Certificate on the Expanded Environmental Notification Form dated October 15, 2010. For projects materially different from the Master Plan, or outside the master planning area, the Applicant shall file a Notice of Project Change with MEPA.

b. The Applicant is required to update the MEPA Unit and the public annually. At least one public information meeting shall be scheduled on an annual basis that is widely advertised “to engage in a dialogue with constituents and stakeholders” (i.e. local community and Columbia Point neighborhood groups, institutional neighbors, the BRA and its Columbia Point Planning Task Force, elected officials, the UMass Boston community, affected property owners, and environmental advocacy groups).

c. The Applicant also shall submit to the Department more detailed information on any future Master Plan construction within waterways jurisdiction project prior to the completion of the design phase. The Department will determine the appropriate level of Chapter 91 review required within 10 days of a complete submittal according to subsection d and e, below. The submission may be filed concurrently with the submission of the Project Commencement Notice or Notice of Project Change to MEPA as long as Department’s filing includes a specific request to determine the appropriate Chapter 91 review process, a project narrative, any modifications or refinements from the Master Plan and CWD, and

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4 See page 6 of the Secretary’s Certificate Establishing a Special Review Procedure, EOEEA number 14623, issued on June, 30, 2010
engineered plans that generally conform to the requirements of 310 CMR 9.11(3)(b).

d. The Department shall find an administrative review to be appropriate for projects that are found to be in substantial compliance with the Master Plan and the CWD, represent an insignificant intrusion into previously authorized tidelands not considered landlocked, or qualify for a minor modification in accordance with 310 CMR 9.22.

e. Alternatively, the Department shall find a license application review will be appropriate for projects:
   i. located in or immediately adjacent to flowed tidelands;
   ii. located in previously unauthorized filled tidelands not considered landlocked;
   iii. are found to be not in substantial compliance with the Master Plan; or
   iv. are found to potentially impact water-related public rights.

f. If a license is required for any Master Plan construction project, the Applicant shall submit a complete license application in accordance with the waterway regulations at 310 CMR 9.11(3)(c), including:
   i. an update of the project narrative;
   ii. detailed engineered plans consistent with 310 CMR 9.11(3)(c);
   iii. a demonstration that the project is consistent with this Consolidated Written Determination and Chapter 898;
   iv. a description of the public review of the project under the public review requirements of item g, below; and
   v. a demonstration that the project has received, or will shortly receive, other relevant environmental approvals, including MEPA, the Wetlands Protection Act, review by Coastal Zone Management, and, if applicable, Water Quality Certification and review by the Massachusetts Historical Commission.

g. The public shall be afforded the opportunity comment on any license application submitted under this CWD during a 20-day public comment period.
   i. When the license application submittal coincides with a MEPA Review, the Applicant may combine the public review process associated with the Chapter 91 license application review with any public process required by the Secretary during the MEPA review, identified in items a. and b. above, as long as it is clearly stated that this is a joint review under MEPA and MGL Chapter 91.

ii. When the license application submittal does not coincide with a MEPA review, or if MEPA has previously completed its review, the Applicant shall publish a public notice, for a 20-day public comment period. The Department shall provide the public notice within 10 days of submission of a license application, and seek the views of other agencies during the public comment period. If the proposed construction project is for a nonwater-dependent use, the public shall be notified of a community information meeting scheduled within the comment period. Notification shall include publication of the meeting notice in a local newspaper, in the Environmental Monitor, posted on the UMass Boston Master Plan website.
at www.umb.edu/masterplan and the notice and plans shall be sent directly to the distribution list of this Consolidated Written Determination.

h. The Department shall review the Applicant’s application and public comment received; consult as it deems appropriate with other state agencies; determine if the proposed project is consistent with Chapter 898 and this Consolidated Written Determination and if the plans are consistent with 310 CMR 9.11(3)(c); and upon finding such consistency, issue the requested license under 310 CMR 9.14(5) within forty-five (45) days of its receipt of a complete application, or fifteen (15) days from the date of the Governor’s signature, whichever is later.

i. In the event the Department determines the final design plans are not in substantial conformance with the CWD, the Licensee shall submit a request for authorization in accordance with the appropriate provisions of 310 CMR 9.00, as applicable.

j. Any project outside the boundaries of Chapter 898 or the planning area of the Master Plan shall file for independent review under MGL c. 91 and 310 CMR 9.00.

8. The Department determines that the Master Plan projects, as conditioned, comply with all applicable standards of the Waterways Regulations at 310 CMR 9.31 through 9.55, including the special provisions for legislatively approved projects at 310 CMR 9.31(4), to the extent that those regulations are consistent with the legislative authorization of Chapter 898 of the Acts of 1969.

a. Buildings are proposed at a modest height, are generally set back from the water’s edge and are aligned to enhance public views of the water. Per Sections 1, 5 and 7 of Chapter 898, this CWD and any license to be issued hereunder will not “prohibit, restrict, limit or regulate the height, bulk, location or use” of the proposed buildings within the University of Massachusetts Boston Campus as long as they are found to be used for educational purposes.

b. The Applicant developed a set of architectural and landscape design guidelines to ensure the redevelopment of the campus meets the overarching goals of the master plan. The Department has incorporated these guidelines into the CWD, attached hereto as Attachment A, for future evaluation of project components on such topics as: adapting to sea level rise, expanding the signage program, enhancing public views of the water, integrating the Harborwalk into the campus pedestrian network, and safe, multi-modal, tree-lined roadways with low-impact development storm water management facilities.

c. The project has taken all reasonable measures to provide open spaces for active and passive recreation at or near the water’s edge. Such measures include: expanding public open space to more than 50% of the campus upon completion of the master plan; constructing the final section of Harborwalk along the northern margin of the campus; providing a pedestrian network through the campus that connects at various points to the Harborwalk; upgrading the Fox Point dock with ADA-compliant dock system; providing public water transportation and small boat rental options; installing proper signage to encourage such public use, and implementing measures to sustain the public use and enjoyment over time.

d. The Harborwalk and seawall reconstruction are early action items that will ensure fully accessible public pedestrian and non-motorized access and enjoyment across
the full perimeter of the shoreline, which is integrated into the city-wide Harborwalk in terms of pedestrian amenities and unified signage.

9. The Department determines that the Master Plan projects have been conditioned to serve a proper public purpose. A series of licenses can be issued under this consolidated written determination for any project envisioned in the 25-year Master Plan since the Department determines that the subsequent licenses can be sequenced and conditioned in a manner that ensures that overall public benefits will exceed public detriments to the rights of the public in tidelands as each portion of the project is completed in accordance with 310 CMR 9.14(4) and 9.31(2)(b). The CWD has a 5-year term in accordance with 310 CMR 9.14(4). By written request of the Applicant, the Department may grant renewal(s) for one or more 5-year periods.

10. The Department determines that the proposed project is consistent with all applicable CZM policies, in accordance with M.G.L. c. 91, § 18, since no letter was received on this consolidated license application from the Massachusetts Office of CoastalZone Management (CZM).

11. During the review of the Master Plan license application, certain Phase I project components have proceeded through the design phase and have, or will soon, begin construction. The Department has reviewed the following projects and has, or is prepared to, take the following actions.
   a. The Department has approved as minor modifications to existing Chapter 91 authorization the construction on the following sites, on the dates identified in parentheses: Site A, landscaping associated with the Integrated Science Complex (July 15, 2011); art installation in the waterfront open space (December 13, 2011); the General Academic Building No. 1 on Site B (presumptive approval of submittal dated April 17, 2013); and Utility Corridor and Roadway Improvements Phase I for subsurface utility improvements (presumptive approval of submittal dated May 30, 2013).
   b. The Department has reviewed a license application and plans consistent with 310 CMR 9.11(3)(c) for the Harborwalk construction and seawall reconstruction and received other relevant environmental approvals as noted in item 4, above. The license application was discussed at a duly noticed community meeting on April 9, 2014 and no public comment was received by the Department. The Department is prepared to issue a license for approximately 815 linear feet of seawall and 900 linear feet of Harborwalk along the northern shores of Dorchester Bay as described and conditioned in this Consolidated Written Determination.

12. The Licenses to be issued pursuant hereto shall be valid for an unlimited term as allowed for public service projects in accordance with 310 CMR 9.15(1)(c).

On the basis of the foregoing analysis, the Department will approve the proposed structures and uses described herein, as shown on the attached figures and draft license plan and as shall be modified and delineated on the final license plans in accordance with the terms of this Determination. This Determination is subject to the attached special conditions to be carried out
by the referenced Applicant (hereinafter the "Licensee"). These special conditions will be included, in substantially the same form, along with the standard conditions, with a series of final Chapter 91 Waterways licenses to be issued pursuant hereto. This Determination, including the attached Special Conditions, is subject to appeal as described in more detail in the Notice of Appeal Rights section. The Department will grant the Waterways license if no appeals are filed within 21 days of the issuance of this Written Determination and upon receipt of the final mylar plans.

No construction or alteration in or to any portion of the site within jurisdiction pursuant to M.G.L. Chapter 91 is authorized until a Waterways License has been issued. If you have any further questions, please contact Andrea Langhauser at (617) 348-4084 of the Waterways Regulation Program.

THIS DETERMINATION IS ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION ON THE

\[ \text{Friday, May} \]

2014

Leilani Langley
Director, Wetlands and Waterways Program

CC: Mayor Martin Walsh and Boston City Council
    Boston Redevelopment Authority, Brian Golden Acting Director
    Boston Redevelopment Authority, Richard McGuinness, Director of Waterfront Planning
    BRA Columbia Point Master Plan Task Force, c/o Tad Read, Project Manager
    Boston Conservation Commission, Stephanie Kruel
    (Wetlands File # 6-1280 for the Fox Point Dock, File # 6-1342 for the Harborwalk/seawall repairs)
    Coastal Zone Management, Bob Boeri
    Massachusetts Historical Commission, Brona Simon
    Division of Marine Fisheries North Shore Office, Tay Evans

Abutters – identified in the application as
    The JFK Presidential Library and Museum, Thos. Putnam, Director
    Edward M. Kennedy Institute for the US Senate, c/o the UMBA
    Edward M. Kennedy Institute for the US Senate, c/o Andrew Tarsy, 125 Summer St, Suite 550, Boston 02110
    City of Boston, 435 Mt. Vernon Street, Boston MA 02125
    Harbor Point Apartments, c/o Property Manager, 1 Harbor Point Block, Dorchester MA 02125
    Peninsular Housing, LLC, 150 Mt. Vernon Street, Boston MA 02125 (also submitted comments)
    Boston College High School, 160 Wm. T. Morrissey Blvd, Dorchester MA 02125
    Savin Hill Yacht Club, 400 Wm. T. Morrissey Blvd, Dorchester MA 02125
    Massachusetts Archives, 200 Wm. T. Morrissey Blvd, Dorchester MA 02125

Others that submitted public comments
    Peninsular Housing Associates LLC c/o John Mostyn, Esq
    Vivien Li, The Boston Harbor Association
    Peter Shelley and John Pike, Conservation Law Foundation
    Maura Zlody, Boston Environment Department

ECC: MassDEP/Regional Office, Iris Davis (RTN 3-0001430)
    Division of Marine Fisheries, Tay Evans
    Coastal Zone Management, Valerie Gingrich, Boston Harbor Coordinator
    MEPA Unit, Holly Johnson
    Paul Nutting, resident

(2) WRP Files
Notice of Appeal Rights

Who has the right to appeal?

The following persons shall have the right to an adjudicatory hearing concerning this decision by the Department to grant or deny a license or permit, in accordance with 310 CMR 9.17(1): (a) an applicant who has demonstrated property rights in the lands in question, or which is a public agency; (b) any person aggrieved by the decision of the Department to grant a license or permit who has submitted written comments within the public comment period; (c) ten (10) residents of the Commonwealth who, pursuant to M.G.L. c. 30A, § 10A, have submitted comments within the public comment period with at least 5 of the 10 residents residing in the municipality(s) in which the license or permitted activity is located. The appeal shall clearly and specifically state the facts and grounds for the appeal and the relief sought, and each appealing resident shall file an affidavit stating the intent to be part of the group and to be represented by its authorized representative; (d) the municipal official in the affected municipality who has submitted written comments within the public comment period; and (e) CZM, for any project identified in 310 CMR 9.13(2) (a) for CZM participation or, in an Ocean Sanctuary, if it has filed a notice of participation within the public comment period.

How can I request an adjudicatory hearing?

A person requesting an adjudicatory hearing must submit a “Notice of Claim” to the Department, with a copy of the MassDEP Transmittal Form and including the detail specified below, within twenty-one (21) days of the date of issuance of this decision. The MassDEP Fee Transmittal Form is available at the following website: http://www.mass.gov/dep/service/adr/adjherfm.doc. The Notice of Claim must be made in writing and sent by certified mail or hand delivery to:

Case Administrator
MassDEP
One Winter Street, 2nd Floor
Boston, MA 02108

A copy of the complete Notice of Claim must be sent at the same time by certified mail or hand delivery to: (1) the applicant, (2) the municipal official of the city or town where the project is located, and (3) the issuing office of the MassDEP, which in this case is located at:

MassDEP Waterways Regulation Program
One Winter Street, 5th Floor
Boston, MA 02108

The MassDEP Fee Transmittal Form and a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100) must be mailed to:

Mass. Department of Environmental Protection
Commonwealth Master Lockbox
P.O. Box 4062
Boston, Massachusetts 02211
What information must be included in the hearing request?

Pursuant to 310 CMR 9.17(3), any Notice of Claim requesting an adjudicatory hearing must include the following information:

(a) the MassDEP Waterways Application File Number;
(b) the complete name, address, fax number and telephone number of the applicant;
(c) the address of the project;
(d) the complete name, address, fax number, and telephone number of the party filing the request and, if represented by counsel, the name, address, fax number, and phone number of the attorney;
(e) if claiming to be a person aggrieved, the specific facts that demonstrate that the party satisfies the definition of “aggrieved person” found in 310 CMR 9.02;
(f) a clear statement that a formal adjudicatory hearing is being requested;
(g) a clear statement of the facts which are the grounds for the proceedings, the specific objections to the MassDEP’s written decision, and the relief sought through the adjudicatory hearing, including specifically the changes desired in the final written decision; and
(h) a statement that a copy of the request has been sent to: the applicant and the municipal official of the city or town where the project is located.

Dismissal of request

The request for appeal will be dismissed if the filing fee is not paid, unless the appellant is exempt or is granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.
CONSOLIDATED WRITTEN DETERMINATION AND DRAFT CONDITIONS

University of Massachusetts Boston

of --- Boston ---, in the County of --- Suffolk --- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for a series of licenses to --- construct and maintain five university campus buildings, a parking garage, an approximately 800 foot section of Harborwalk, and an approximately 815 linear foot stone revetment with associated dredging, to landscape open space, to relocate campus loop roads, to upgrade the Fox Point docking facility, the existing saltwater pump house and campus utilities, to adaptively reuse the three structures on the Calf Pasture Pump Station Site, to establish an underground utility corridor, to install at grade storm water facilities, and to maintain existing structures ........................................

and has submitted plans of the same; and whereas due notice of said application, and of the time and place fixed for a hearing thereon, has been given, as required by law, to the ----- Mayor and City Council ---- of the ---- City of Boston; .................................................................

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said .................................................................

University of Massachusetts Boston, --- subject to the provisions of the ninety-first chapter of the General Laws, --- and Chapter 898 of the Acts of 1969, --- and of all laws which are or may be in force applicable thereto, to --- construct and maintain five university campus buildings, a parking garage, an approximately 815 linear foot stone revetment with a slope of approximately 1.5:1 designed to be consistent with the existing revetments in front of the Old Harbor Park and the John F. Kennedy Library, an approximately 800 linear foot, 8 foot wide Harborwalk immediately upland of the stone revetment, --- to excavate approximately 1,500 cubic yards of existing material for placement of the stone toe of the revetment, --- to landscape open space, --- to relocate campus loop roads, known as University Drive North, University Drive South, and University Drive East, --- to upgrade the Fox Point docking facility to provide for barrier free access, the existing saltwater pump house, and campus utilities, --- to adaptively reuse the three structures on the Calf Pasture Pump Station Site, --- to establish an underground utility corridor, --- to install at grade storm water facilities --- and to maintain existing structures -------

in and over the filled and flowed tidelands of --- Dorchester Bay and Savin Hill Cove --- at 100 Morrissey Boulevard ---- in the City of Boston ---- and in general accordance with the locations shown and details indicated on the accompanying DEP Figures No. w11-3467N, (8 total), Attachment B.

Specific legislative authorization for the project site can be found in Chapter 898 of the Acts of 1969. The following licenses, with the year of issuance identified in parentheses, have authorized fill and structures on portions of the project site: H&LC 918 (1886); W&PL 257 (1919); DPW 1548 (1935); POB 30 (1947); POB 220 (1952); DEP 311 (1977); DEP 2017 (1989); DEP 2661 (1991); DEP 7413 (1998); DEP 13108 (2011) and DEP 13187 (2012).
The structures authorized hereby shall be limited to the following uses: public higher education including research, student housing, parking, interior vehicular circulation, transmission of underground utilities, utility services, and other accessory uses; shoreline stabilization to protect existing structures; berthing for educational, public recreational, and commercial water transportation vessels; small boat rental operation; and public access to, and use and enjoyment of, the waterfront open space.

The Licenses to be issued pursuant hereto will be valid for an unlimited term consistent with Chapter 898 of the Acts of 1969 and the waterways regulations at 310 CMR 9.15(1)(c).

All projects to be authorized herein have been described in the University of Massachusetts Boston 25-year Master Plan completed in December 2009 (the "Master Plan"). Certain projects included in the Master Plan have received authorization as minor modifications of existing licenses. The Department authorized the following projects with associated site work on the date noted: Site A, landscaping associated with the Integrated Science Complex (July 15, 2011); art installation in the waterfront open space (December 13, 2011); the General Academic Building No. 1 on Site B (presumptive approval of submittal dated April 17, 2013); and Utility Corridor and Roadway Improvements Phase I for subsurface utility improvements (presumptive approval of submittal dated May 30, 2013).

The series of Licenses to be issued pursuant hereto are subject to the following Special Conditions and Standard Conditions.

**Special Condition #1**: All structures and uses previously authorized shall be maintained in accordance with the terms and conditions of the authorizing license unless otherwise modified below.

**Consolidated Written Determination Term Special Condition #2**: The Consolidated Written Determination (the "CWD") issued on May XX, 2014 shall remain valid for up to five years after issuance. Said term may be extended for up to five (5) five-year periods, provided that the Licensee submits to the Department, thirty (30) days prior to the expiration of each term, a written request to extend the term and provides an update of the master plan implementation. This condition shall expire upon issuance of the final License to be issued pursuant hereto or the term of the CWD expires, whichever is sooner.

**Special Condition #3**: The redevelopment of the multi-parcel Bayside property on Mt. Vernon Street in Boston owned by the University of Massachusetts Building Authority for use by the University of Massachusetts Boston was not included in the CWD application nor is it subject to Chapter 898 of the Acts of 1969. Therefore, any change in use or structural alteration of tidelands at the Bayside property will be subject to separate review and approval of the Department pursuant to 310 CMR 9.00.

**Special Review Procedures Special Condition #4**: As established by the Secretary in his Certificate for EOEEA file #14623 dated June, 30, 2010, the following Special Review Procedure shall apply to all proposed construction projects described in the Master Plan and the CWD.

a. The Licensee shall submit to the Department more detailed information on any future Master Plan construction within Chapter 91 jurisdiction prior to the completion of the design phase. The submission may be filed concurrently with the requisite filing to the MEPA Unit as long as the Department’s submission includes a specific request of the Department to determine the appropriate Chapter 91 review process, a project narrative, any modifications or refinements from the Master Plan and CWD, and engineered plans that generally conform to the requirements of
310 CMR 9.11(3)(b). The Department will determine the appropriate level of Chapter 91 review required within 10 days of a complete submittal according to subsection (b) and (c), below.

b. The Department shall find an administrative review to be appropriate for projects that are found to be in substantial compliance with the Master Plan and the CWD, represent an insignificant intrusion into previously authorized tidelands not considered landlocked, or qualify for a minor modification in accordance with 310 CMR 9.22.

c. Alternatively, the Department shall find a license application review will be appropriate for projects:
   a. located in or immediately adjacent to flowed tidelands;
   b. located in previously unauthorized filled tidelands not considered landlocked;
   c. are found to be not in substantial compliance with the Master Plan; or
   d. are found to potentially impact water-related public rights.

d. If a license is required for any Master Plan construction project, the Licensee shall submit a complete license application in accordance with the waterway regulations at 310 CMR 9.11(3)(c), including:
   a. an update of the project narrative;
   b. detailed engineered plans consistent with 310 CMR 9.11(3)(c);
   c. a demonstration that the project is consistent with this CWD and Chapter 898;
   d. a description of the public review of the project under the public review requirements of subsection (e), below; and
   e. a demonstration that the project has received, or will shortly receive, other relevant environmental approvals, including MEPA, the Wetlands Protection Act, review by Coastal Zone Management, and, if applicable, Water Quality Certification and review by the Massachusetts Historical Commission.

e. The public shall be afforded the opportunity comment on any license application submitted under this CWD during a 20-day public comment period.
   a. When the license application submittal coincides with a MEPA review, the Licensee may combine the public review process associated with the Chapter 91 license application review with any public process required by the Secretary during the MEPA review, as long as the notice clearly states the joint review under MEPA and MGL. Chapter 91.
   b. When the license application submittal does not coincide with a MEPA review, or if MEPA has previously completed its review, the Licensee shall publish a public notice, for a 20-day public comment period. The Department shall provide the public notice within 10 days of submission of a license application, and seek the views of other agencies during the public comment period. If the proposed construction project is for a nonwater-dependent use, the public shall be notified of a community information meeting scheduled within the comment period. Notification shall include publication of the meeting notice in a local newspaper, in the Environmental Monitor, posted on the UMass Boston Master Plan website at www.umb.edu/masterplan and the notice and plans shall be sent directly to the distribution list of this Consolidated Written Determination.

f. The Department shall review the license application and public comment received; consult as it deems appropriate with other state agencies; and determine if the proposed project is consistent with Chapter 898 and this CWD and if the plans are consistent with 310 CMR 9.11(3)(c). Upon finding such consistency, the Department shall issue a license in accordance with 310 CMR 9.14(5) within forty-five (45) days of its receipt of a complete application, or fifteen (15) days from the date of the Governor’s signature, whichever is later.

g. In the event the Department determines the final design plans are not in substantial conformance with the CWD, the Licensee shall submit a request for authorization in accordance with the appropriate provisions of 310 CMR 9.00, as applicable.
h. Any project outside the boundaries of Chapter 898 or the planning area of the Master Plan shall file for independent review under MGL c. 91 and 310 CMR 9.00.

Open Space Special Condition #5: In partial compensation for the quasi-private use of structures on Commonwealth tidelands, which interferes with the rights of the general public to use such lands, the Licensee shall allow the public to pass on foot or non-motorized transport, for any purpose, along the Harborwalk located between the perimeter campus roadway and the full project shoreline and on connecting pathways. The Licensee shall construct and maintain in good repair a network of public open space on lands not otherwise designated as development sites as shown on Figures 1 and 2. Said open space shall have no obstacles for safe, free and universally accessible public passage and be accessible 24 hours a day and, excepting when necessary for managing large numbers of visitors for University or other cultural events, with no gates or other barriers installed to impede pedestrian circulation. The Harborwalk shall be accessible 24 hours a day except for temporary periods of construction or routine maintenance during which times an alternative route along the waterfront shall be provided that is clearly signed.

a. In accordance with any license condition, easement, or other public right of lateral passage that exists in the area of the subject property lying below the historic high water mark, the Licensee shall construct, maintain in good repair, and allow the public in the exercise of such rights to pass freely along the section of the Harborwalk located between the perimeter campus roadway and the full project shoreline and on pathways connecting the Harborwalk to the buildings where restrooms and other public facilities are located in accordance with Special Condition #7. The Licensee shall construct secondary internal pathways that connect the Harborwalk to walking paths in the surrounding neighborhood and sidewalks on adjacent public ways, as well as clearly marked crosswalks to promote safe vehicular and pedestrian circulation. If readily available from third party providers, a public bicycle rental service (such as the currently existing Hubway Station) shall be located, excepting during the winter season, in a prominent location along the Harborwalk.

b. The approximately 815 linear foot section of the Harborwalk to be authorized in the license to be issued pursuant hereto shall connect the existing sections of Harborwalk in front of the John F. Kennedy Library to the Old Harbor Park walkway and to a path along University Lot D. The Harborwalk shall have a minimum width of 8 feet and be constructed of variable hard materials to complement the existing paved walkways. The adjacent open space shall include, but not be limited to, four seating plazas and a smaller plaza with a permanently mounted viewing machine that provide the following pedestrian amenities: benches or comparable seating; trash receptacles; lighting; bike parking; interpretative panels; dedicated open space for the future installation of public art; landscaping that complements but does not obstruct public access; and way-finding signage. At each intersection with the primary Harborwalk and secondary paths that lead to adjacent properties, the Licensee shall install and maintain at least one “Mutt Mitt” Station and way-finding signage.

c. All lighting shall be designed to minimize interference with navigation by reflection, glare or interference with aids to navigation.

d. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activity by users of the area intended for public passage, including but not limited to trespassing on adjacent private areas and deposit of refuse of any kind or nature in the water or on the shore.

Design Guidelines Special Condition #6: Landscaping, artwork, and buildings shall be orientated to enhance public views from the public ways to and along the waterfront, be fully accessible to and welcoming of all visitors to campus, be designed to adapt to sea level rise, and otherwise be designed and maintained in substantial conformance with the University of Massachusetts Boston Architectural and Landscape Design Guidelines, dated October 2012 and attached hereto as Attachment A, as may be
amended in the future. This guidance specifically states that: signage shall be designed in accordance with the way-finding guidelines and, for signs along the Harborwalk, include the City of Boston Harborwalk logo; and roadways shall be upgraded to enhance campus gateways and to incorporate street trees and low impact development storm water management facilities. No building shall be set so close to the Harborwalk as to potentially discourage its use by the general public.

**Interior Public Facilities Special Condition # 7:** The Licensee shall maintain interior Facilities of Public Accommodation that are integrated within the University Campus and offer services to the pedestrian public enjoying the Harborwalk, as well as educational services and special cultural events. Signage shall be installed at the entrances to the building, which is clearly visible to the passing pedestrian, notifying the public of the public facilities within the building.

a) Restrooms shall be made available, with clear signage, in or near the ground floor lobby of each campus building excluding future buildings that are primarily for residential purposes. Facilities serving food and drink to the public shall be made available at least in the Campus Center.

b) Public accessibility shall be consistent with the academic calendar and may be limited to the hours of operation that the campus is open to the University community.

**Construction Term Special Condition # 8:** All work shall be completed within five (5) years of the date of issuance of the corresponding license that authorized the particular construction project. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Licensee submits to the Department no later than thirty (30) days prior to the expiration of said construction period a written request to extend the period and provides an adequate justification for said extension.

**Certificates of Compliance Special Condition # 9:** The Licensee shall request in writing that the Department issue a Certificate of Compliance in accordance with 310 CMR 9.19 after each project, authorized by one of the licenses to be issued pursuant hereto, is completed. The request shall be accompanied by a certification by a registered professional engineer licensed to do business in the Commonwealth that the project was completed in accordance with the License.

The License to be issued pursuant hereto for the Harborwalk and seawall reconstruction project shall include the following Special Conditions along with the Standard Conditions and other relevant special conditions of the CWD listed above.

**Final Plans Special Condition # 10:** The Licensee shall construct and maintain the approximately 800 linear feet of Harborwalk and the reconstruction of approximately 815 linear feet of seawall in accordance with the locations shown and details indicated on the accompanying DEP Draft License Plans No. W11-3467N, revised April 3, 2014 (6 sheets), see Attachment C.

**Dredge material Special Condition #11:** In accordance with the Massachusetts Contingency Plan, all dredge material shall be reused in upland locations on the project site. A minimum two foot cap of clean, uncontaminated fill free of debris shall cover the surface of all disturbed, pervious surfaces, including the landscaped open space, to prevent human contact with contaminated soils unless the MassDEP/ Northeast Regional Office approves another method (RTN # 3-0001430 or subsequent number issued for individual projects).

**Special Condition #12:** Excess large stones and debris shall be removed from the intertidal areas immediately seaward of the revetment project limits to improve and restore shellfish habitat.
Please see the following Standard Waterways License Conditions.

Original final license plans of said figures, number w11-3467-N, will accompany the Licensee to be issued pursuant hereto, and are to be referred to as a part hereof, and will be on file in the office of said Department.

STANDARD WATERWAYS DREDGING CONDITIONS

1. This Waterways License is issued subject to all applicable federal, state, county and municipal laws, ordinances, bylaws, and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G. L. Chapter 131, s. 40. In particular, this issuance is subject to the provisions of Sections 52 to 56, inclusive, of Chapter 91 of the General Laws, which provide, in part, that the transportation and dumping of the dredged material shall be done under the supervision of the Department, and that the Licensee shall be liable to pay the cost of said supervision whenever the owner of the days after notification in writing from the Treasurer of the Commonwealth that the same is due.

2. This Waterways License is issued upon the express condition that the dredging and transport and disposal of dredged material shall be in strict conformance with the Water Quality Certificate issued by the Department.

3. All subsequent maintenance dredging and transport and disposal of this dredged material during the term of this License shall conform to all standards and conditions applied to the original dredging operation performed under this License.

4. After completion of the work hereby authorized, the Licensee shall furnish, to the Department, a suitable plan showing the depths at mean low water over the area dredged. Dredging under this License shall be conducted so as to cause no unnecessary obstruction of the free passage of vessels, and care shall be taken to cause no shoaling. If, however, any shoaling is caused, the Licensee shall, at his/her expense, remove the shoal areas. The Licensee shall pay all costs associated with such work. Nothing in this License shall be construed to impair the legal rights of any person, or to authorize dredging on land not owned by the Licensee without consent of the owner (s) of such property.

5. The Licensee shall include in any contract with any person or other legal entity to perform dredging services, a provision requiring said person or legal entity to assume and pay all claims and demands arising in any manner from the work authorized herein, and shall save harmless and indemnify the Commonwealth of Massachusetts, its officers, employees, and agents from all claims, suits, damages, costs and expenses incurred by reason thereof.

6. The Licensee shall, at least three days prior to the commencement of any dredging in tide water, give written notice to the Department of the location and amount of the proposed work, and the time at which it is expected work will begin.

7. Whosoever violates any provision of this License shall be subject to a fine of up to $25,000 per day for each day such violation occurs or continues, or by imprisonment for not more than one year, or both such fine and imprisonment; or shall be subject to civil penalty not to exceed $25,000 per day for each day such violation occurs or continues.
STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.

2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.

3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.

4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This License may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.

5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.

6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof. The Licensee stated that The University of Massachusetts on behalf of the Commonwealth of Massachusetts was the property owner at the time the application was submitted in November 2011.

7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.

8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP.

This License authorizes structure(s) and/or fill on:

___ Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the Licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, rowing, navigation, and the natural derivatives thereof.

X Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.

___ a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.

No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this License.

Unless otherwise expressly provided by this License, the Licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.
Consolidated Written Determination
UMass Boston 25-year Master Plan
Waterways Application #W11-3467N

The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said — University of Massachusetts Boston, -- by paying into the treasury of the Commonwealth -- two dollars and zero cents ($2.00) — for each cubic yard so displaced, being the amount hereby assessed by said Department. (fee exemption in accordance with 310 CMR 9.16(4)(a))

Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within sixty (60) days from the date hereof, in the Suffolk County Registry of Deeds.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this day of in the year two thousand fourteen.

Program-Chief

Program-Director

Commissioner

Department of
Environmental
Protection

THE COMMONWEALTH OF MASSACHUSETTS

This license is approved in consideration of the payment into the treasury of the Commonwealth by the said -- University of Massachusetts Boston ——

of the further sum of -- ZERO dollars and zero cents ——

the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

BOSTON

Approved by the Governor

Governor
Attachment B
Figures

- USGS Site Location Map
- Aerial Map
- FEMA FIRM Map
- Chapter 91 Licenses
- Site Plan – Option 1
- Site Plan – Option 2
- EEA No. 14623 Previously – Reviewed Proposed Build
- EEA No. 14660 Previously – Reviewed Proposed Build
Figure 3 - FEMA FIRM Map
EMKi Interim Parking
University of Massachusetts
Boston, Massachusetts

Flood Hazard Zones
- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee

Imagery Data: MassGIS 2013
Figure 4- Parking Context
EMKi Interim Parking
University of Massachusetts
Boston, Massachusetts
Figure 5
EMKi Interim Parking
Option A
Boston, MA

May 15, 2015
Figure 7

EXPANDED ENF
EEA No. 14623 - Previously-Reviewed
Proposed Build Condition
Figure 5
Proposed Conditions Context Plan

Edward M. Kennedy Institute for the United States Senate

PROPOSED
EDWARD M. KENNEDY
INSTITUTE FOR THE
UNITED STATES SENATE

Source: RAFAEL VINOLY ARCHITECTS PC
In accordance with the MEPA regulations at 301 CMR 11.16, the Proponent is distributing/circulating this Notice of Project Change (NPC) and Chapter 91 License Application for the proposed parking for EMKi, to anyone who received or commented on the previously filed EENF’s (EEA# 14623 and EEA #14660) or Consolidated Written Determination (#w11-3467N). Notice of the availability of the NPC will be published in the May 20, 2015 edition of the Environmental Monitor, initiating a 20-day public comment period that will end on or about June 9, 2015.

### State and Regional Agencies

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<td>Secretary Matthew Beaton (2 copies)</td>
<td>100 Cambridge Street, Suite 900, Boston, MA 02114</td>
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<td>MEPA Office</td>
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<td>One Winter Street, Boston, MA 02108</td>
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<tr>
<td>Department of Environmental Protection</td>
<td>MEPA Coordinator</td>
<td>205B Lowell Street, Wilmington, MA 01887</td>
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<tr>
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<td>MEPA Coordinator</td>
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<tr>
<td>Massachusetts Department of Transportation</td>
<td>MEPA Coordinator</td>
<td>251 Causeway Street, Suite 800, Boston, MA 02114</td>
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<tr>
<td>Massachusetts Historical Commission</td>
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<td>220 Morrissey Boulevard, Boston, MA 02125</td>
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<tr>
<td>Metropolitan Area Planning Council</td>
<td>Project Review Coordinator</td>
<td>60 Temple Place, 6th Floor, Boston, MA 02111</td>
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<tr>
<td>Office of Coastal Zone Management</td>
<td>Environmental Reviewer</td>
<td>30 Emerson Avenue, Gloucester, MA 01930</td>
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<tr>
<td>Division of Marine Fisheries</td>
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**Attachment C**

**NPC Distribution List**
Department of Conservation and Recreation
Division of Urban Parks
Attn: MEPA Coordinator
251 Causeway Street, Suite 600
Boston, MA 02114

Massachusetts Water Resources Authority
Attn: MEPA Coordinator
100 First Avenue
Charlestown Navy Yard
Boston, MA 02129

Massachusetts Bay Transit Authority
Attn: MEPA Coordinator
10 Park Plaza, Suite 3910
Boston, MA 02116

The Honorable William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Room 1611
Boston, MA 02108

US Army Corps of Engineers
Attn: Crystal Gardner
696 Virginia Road
Concord, MA 01742

Local Agencies/Representatives

Boston Redevelopment Authority
Attn: Brian P. Golden, Director
One City Hall Square, 9th Floor
Boston, MA 02201

Office of Environment, Energy & Open Space
(City of Boston)
Attn: Austin Blackmon, Chief
One City Hall Square, Room 603
Boston, MA 02201

Boston City Council
One City Hall Square, 5th Floor
Boston, MA 02201

Boston Conservation Commission
One City Hall Square, Room 805
Boston, MA 02201

Boston Landmarks Commission
One City Hall Square, Room 805
Boston, MA 02201

Boston Environment Department
One City Hall Square, Room 805
Boston, MA 02201

Boston Public Health Commission
Attn: Dr. Huy Nguyen, Interim Executive Director
1010 Massachusetts Avenue
Boston, MA 02118

Boston Water and Sewer Commission
Attn: MEPA Reviewer
980 Harrison Avenue
Boston, MA 02119

Boston College High School
Attn: William Kameza, President
150 Morrissey Boulevard
Boston, MA 02125

John F. Kennedy Presidential Library and Museum
Attn: Thomas Putnam, Director
Columbia Point
Boston, MA 02125

Edward M. Kennedy Institute for the United States Senate
Attn: Dr. Jean F. MacCormack, Interim President
400 Atlantic Avenue
Boston, MA 02110

University of Massachusetts Boston
Attn: Dorothy Renaghan, Assistant Vice Chancellor for Facilities Management
Service and Supply Building, Upper Level
100 Morrissey Boulevard
Boston, MA 02125
The Boston Harbor Association
Attn: Vivien Li, President
374 Congress Street, Suite 307
Boston, MA 02210

Save the Harbor/Save the Bay Boston Fish Pier
Attn: Patricia Foley, President
212 Northern Avenue, Suite 304 West
Boston, MA 02210

University of Massachusetts Building Authority
Attn: Patricia Filippone, Executive Director
225 Franklin Street, 12th floor
Boston, MA 02110

Boston Public Library – Central Library
Attn: Government Documents Department
McKim Building, 2nd Floor
700 Boylston Street
Boston, MA 02116

Elected Officials

The Honorable Senator Edward J. Markey
United States Senate
John F. Kennedy Federal Building, Suite 975
Boston, MA 02203

The Honorable Senator Elizabeth Warren
United States Senate
John F. Kennedy Federal Building, Suite 2400
15 New Sudbury Street
Boston, MA 02203

The Honorable Congressman Stephen F. Lynch
United States House of Representatives
88 Black Falcon Avenue, Suite 340
Boston, MA 02210

The Honorable Congressman Michael E. Capuano
United States House of Representatives
110 First Street
Cambridge, MA 02141

The Honorable Congresswoman Katherine Clark
United States House of Representatives
5 High Street, Suite 101
Medford, MA 02155

The Honorable State Senator Linda Dorcena Forry
State House
Room 419
Boston, MA 02133

The Honorable State Senator Sonia Chang-Diaz
State House
Room 312D
Boston, MA 02133

The Honorable State Senator William N. Brownsberger
State House
Room 413C
Boston, MA 02133

The Honorable State Senator Sal N. DiDomenico
State House
Room 218
Boston, MA 02133

The Honorable State Senator Anthony W. Petruccelli
State House
Room 109D
Boston, MA 02133

The Honorable State Senator Michael F. Rush
State House
Room 511-C
Boston, MA 02133
The Honorable State Representative
Nick Collins
State House
Room 26
Boston, MA 02133

The Honorable State Representative
Evandro Carvalho
State House
Room 136
Boston, MA 02133

The Honorable State Representative Daniel Hunt
State House
Room 33
Boston, MA 02133

The Honorable State Representative Elizabeth A. Malia
State House
Room 33
Boston, MA 02133

The Honorable State Representative Byron Rushing
State House
Room 121
Boston, MA 02133

The Honorable State Representative Jeffrey Sanchez
State House
Room 130
Boston, MA 02133

The Honorable State Representative Aaron Michlewitz
State House
Room 254
Boston, MA 02133

The Honorable State Representative Michael J. Moran
State House
Room 39
Boston, MA 02133

The Honorable State Representative Angelo M. Saccia
State House
Room 33
Boston, MA 02133

The Honorable State Representative Edward F. Coppinger
State House
Room 160
Boston, MA 02133

The Honorable State Representative Gloria L. Fox
State House
Room 167
Boston, MA 02133

The Honorable State Representative Russell E. Holmes
State House
Room 254
Boston, MA 02133

The Honorable State Representative Kevin G. Honan
State House
Room 38
Boston, MA 02133

The Honorable State Representative Daniel Cullinane
State House
Room 121
Boston, MA 02133

The Honorable State Representative Jay Livingstone
State House
Room 146
Boston, MA 02133

Attachment C: Distribution List
The Honorable State Representative
Daniel J. Ryan
State House
Room 136
Boston, MA 02133

The Honorable Mayor Martin J. Walsh
One City Hall Square, 5th Floor
Boston, MA 02201

The Honorable City Councilor Josh Zakim
(District Eight)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor Michael J. Flaherty (At-Large)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor Michelle Wu
(At-Large)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor Stephen J. Murphy (At-Large)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor Ayanna Pressley (At-Large)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor Salvatore LaMattina (District One)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor William Linehan (President and District Two)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor
Frank Baker (District Three)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor
Charles C. Yancey (District Four)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor
Timothy McCarthy (District Five)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor
Matt O’Malley (District Six)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor
Tito Jackson (District Seven)
One City Hall Square, Suite 550
Boston, MA 02201

The Honorable City Councilor
Mark Ciommo (District Nine)
One City Hall Square, Suite 550
Boston, MA 02201

Neighborhood Associations
Columbia Point Associates
c/o The Boston Globe; Attn: Cathy Downs
P.O. Box 55819
Boston, MA 02205

McCormack Civic Association
Attn: President
72 Roseclair Street
Dorchester, MA 02125

Ashmont Adams Civic Association
Attn: President
P.O. Box 240163
Dorchester, Massachusetts 02124

Attachment C: Distribution List
Cedar Grove Civic Association
Attn: President
32 Myrtle Bank Avenue
Dorchester, MA 02124

Andrew Square Civic Association
P.O. Box 455
South Boston, MA 02127

Clam Point Civic Association
Attn: Mike Cote, President
79 Park Street
Dorchester, MA 02122

Columbia Savin Hill Civic Association
Attn: Eileen Boyle, President
36 Saxton Street
Dorchester, MA 02125

Harbor Point Task Force
Attn: Orlando Perilla, President
1 North Point Drive
Dorchester, MA 02125

Other
William D. Valentine
41 Ocean View Drive, #53
Dorchester, MA 02125

Geiger Gibson Community Health Center
Attn: Daniel J. Driscoll, President
250 Mt. Vernon Street
Boston, MA 02125

Boston Teacher’s Union
Attn: Richard Stutman, President
180 Mt. Vernon Street
Boston, MA 02125

Harbor Point Apartment Company Limited
Partnership
c/o Corcoran Jennison Companies
Attn: Michael Corcoran, President
150 Mt. Vernon Street, Suite 500
Boston, MA 02125

Doubletree Hotel Bayside
240 Mt. Vernon Street
Boston, MA 02125

Ronald Noll
Real Property Management, Branch Chief
8601 Adelphia Road, Room 2300
College Park, MD 20740-6001

Conservation Law Foundation
Attn: John Pike
62 Summer Street
Boston, MA 02110

Harbor Point Apartments
1 Harbor Point Block
Dorchester, MA 02125

Peninsula Housing LLC
150 Mt. Vernon Street
Boston, MA 02125

Savin Hill Yacht Club
400 W M. T. Boulevard
Dorchester MA 02125

Peninsula Housing Associates LLC
c/o John Mostyn, Esq.
Corcoran Jennison
150 Mt. Vernon Street
Boston, MA 02125

CMJ Management Company
c/o Michael Corcoran
150 Mount Vernon St.
Boston, MA 02125

Attachment C: Distribution List
Attachment D
Chapter 91 Application/Plans

➢ Chapter 91 License Application
➢ Chapter 91 License Plans
Your unique Transmittal Number can be accessed online: [http://mass.gov/dep/service/online/trasmfrm.shtml](http://mass.gov/dep/service/online/trasmfrm.shtml)

Massachusetts Department of Environmental Protection
Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: DEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

   Copy 1 - the original must accompany your permit application.

   Copy 2 must accompany your fee payment.

   Copy 3 should be retained for your records.

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

   MassDEP
   P.O. Box 4062
   Boston, MA 02211

* Note: For BWSC Permits, enter the LSP.

---

A. Permit Information

WW15- Application under CWS #w11-3467N

1. Permit Code: 7 or 8 character code from permit instructions
   Interim Parking Lot

2. Name of Permit Category
   Non-Water Dependent

3. Type of Project or Activity
   Interim Parking Lot

---

B. Applicant Information – Firm or Individual

University of Massachusetts Boston

1. Name of Firm - Or, if party needing this approval is an individual enter name below:
   100 Morrissey Boulevard

2. Last Name of Individual
   Zehra Schneider-Graham

3. First Name of Individual
   Zehra

4. MI
   @

5. Street Address
   Boston, MA 02125

6. City/Town
   6172875445

7. State
   672875445

8. Zip Code
   6172875445

9. Telephone #
   6172875445

10. Ext. #
   6172875445

---

C. Facility, Site or Individual Requiring Approval

University of Massachusetts Boston

1. Name of Facility, Site Or Individual
   100 William T. Morrissey Boulevard

2. Street Address
   Boston, MA 02125

3. City/Town
   6176072985

4. State
   6176072985

5. Zip Code
   6176072985

6. Telephone #
   6176072985

7. Ext. #
   6176072985

8. DEP Facility Number (if Known)

9. Federal I.D. Number (if Known)

10. BWSC Tracking # (if Known)

---

D. Application Prepared by (if different from Section B)*

Vanasse Hangen Brustlin, Inc.

1. Name of Firm Or Individual
   99 High Street, 10th Floor

2. Address
   Boston, MA 02110

3. City/Town
   6176072985

4. State
   6176072985

5. Zip Code
   6176072985

6. Telephone #
   6176072985

7. Ext. #
   6176072985

8. Contact Person
   Daniel Padien

9. LSP Number (BWSC Permits only)

---

E. Permit - Project Coordination

1. Is this project subject to MEPA review? ☑ yes ☐ no
   If yes, enter the project’s EOEA file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:
   14623/14660 (Joint Filing)
   EOEA File Number

---

F. Amount Due

DEP Use Only

Special Provisions:

1. ☐ Fee Exempt (city, town or municipal housing authority) (state agency if fee is $100 or less).

2. ☐ Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).

3. ☐ Alternative Schedule Project (according to 310 CMR 4.05 and 4.10).

4. ☐ Homeowner (according to 310 CMR 4.02).

Reviewer:

Check Number

Dollar Amount

Date

License requested under Consolidated Written Determination (w11-3467N). No Further fee Required.
**A. Application Information (Check one)**

**NOTE:** For Chapter 91 Simplified License application form and information see the Self Licensing Package for BRP WW06.

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B. Applicant Information

1. Applicant:

   University of Massachusetts Boston                      Zehra@umb.edu
   Name
   100 Morrissey Boulevard
   Mailing Address
   Boston, MA
   City/Town
   6172875445
   Telephone Number

   Note: Please refer to the "Instructions"

2. Authorized Agent (if any):

   Daniel Padien, Vanasse Hangen Brustlin, Inc.
   Name
   99 High Street, 10th floor
   Mailing Address
   Boston, MA
   City/Town
   6176072985
   Telephone Number

C. Proposed Project/Use Information

1. Property Information (all information must be provided):

   Commonwealth of Massachusetts
   Owner Name (if different from applicant)
   1303400000
   Tax Assessor’s Map and Parcel Numbers
   42 18'53.9" 71 02'09.7
   Latitude Longitude
   200 William T. Morrissey Blvd
   Street Address and City/Town
   MA
   State
   02125
   Zip Code

2. Registered Land
   ☐ Yes
   ☒ No

3. Name of the water body where the project site is located:
   Dorchester Bay

4. Description of the water body in which the project site is located (check all that apply):
   
<table>
<thead>
<tr>
<th>Type</th>
<th>Nature</th>
<th>Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Nontidal river/stream</td>
<td>☐ Natural</td>
<td>☐ Area of Critical Environmental Concern</td>
</tr>
<tr>
<td>☐ Flowed tidelands</td>
<td>☐ Enlarged/dammed</td>
<td>☐ Designated Port Area</td>
</tr>
<tr>
<td>☒ Filled tidelands</td>
<td>☒ Uncertain</td>
<td>☐ Ocean Sanctuary</td>
</tr>
<tr>
<td>☐ Great Pond</td>
<td>☐ Uncertain</td>
<td>☐ Uncertain</td>
</tr>
<tr>
<td>☐ Uncertain</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
C. Proposed Project/Use Information (cont.)

5. Proposed Use/Activity description
   Restoration of 100 parking spaces on University of Massachusetts Property, in the location of former University Lot A, for visitors of the Edward M Kennedy Institute.

6. What is the estimated total cost of proposed work (including materials & labor)?
   $TBD

7. List the name & complete mailing address of each abutter (attach additional sheets, if necessary). An abutter is defined as the owner of land that shares a common boundary with the project site, as well as the owner of land that lies within 50’ across a waterbody from the project.
   Please see Chapter 91 Plans for Abutters
   Name: ____________________ Address: ____________________
   Name: ____________________ Address: ____________________
   Name: ____________________ Address: ____________________

D. Project Plans

1. I have attached plans for my project in accordance with the instructions contained in (check one):
   - [ ] Appendix A (License plan)
   - [ ] Appendix B (Permit plan)

2. Other State and Local Approvals/Certifications
   - [ ] 401 Water Quality Certificate
   - [ ] Wetlands
   - [ ] Jurisdictional Determination
   - [ ] MEPA
     - Date of Issuance: ____________________
     - File Number: ____________________
   - [ ] EOEA Secretary Certificate
     - File Number: ____________________
     - Date: ____________________
   - [ ] 21E Waste Site Cleanup
     - RTN Number: ____________________

X266067
Transmittal No.
E. Certification

All applicants, property owners and authorized agents must sign this page. All future application correspondence may be signed by the authorized agent alone.

"I hereby make application for a permit or license to authorize the activities I have described herein. Upon my signature, I agree to allow the duly authorized representatives of the Massachusetts Department of Environmental Protection and the Massachusetts Coastal Zone Management Program to enter upon the premises of the project site at reasonable times for the purpose of inspection."

"I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge."

Zehra Schneider Graham, UMass Boston

5/18/15
Date

Daniel J. Padien, Vanasse Hangen Brustlin, Inc.

5/18/15
Date
LICENSE ISSUED PURSUANT TO CONSOLIDATED WRITTEN DETERMINATION FOR 25-YEAR MASTER PLAN, DATED MAY 15, 2014 WATERWAYS APPLICATION W11-3467N
FILLED TIDELANDS AUTHORIZED SEE LICENSE 13771, PAGE 2 FOR FULL LICENSE HISTORY

MEAN HIGH WATER LINE EL. 4.33 (NAVD 88) SOURCE: NOAA STATION COLUMBIA POINT

NOTE: ALL ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM (NAVD) 1988.

I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
I CERTIFY THAT THIS PLAN, AS PREPARED, CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

SIGNATURE  DATE

LIMIT OF UNIVERSITY DRIVE NORTH LICENSE AREA (LICENSE NO. 131771)

LIMIT OF FORMER UNIVERSITY LOT A

HISTORIC HIGH WATER LINE

EDWARD M. KENNEDY INSTITUTE (LICENSE NO. 13108)

PROPOSED IMPROVEMENTS

SHEET 2 OF 4

DATE: MAY, 2015