

September 20, 2019

Via Electronic Mail to okane@mbta.com

The Honorable Stephanie Pollack
Secretary and Chief Executive Officer
Massachusetts Department of Transportation

Joseph Aiello
Chair, Fiscal and Management Control Board
Massachusetts Bay Transportation Authority

10 Park Plaza
Boston, Massachusetts 02116

Subject: Allston Multimodal Project Impacts

Dear Secretary Pollack, Chair Aiello, Massachusetts Department of Transportation Board (“MassDOT Board”) and Fiscal and Management Control Board (“FMCB”):

We write jointly to express our deep concerns about the proposed construction plans for the Allston Multimodal Project, which involve construction of an impermanent trestle structure, or mid-river highway, to support Soldiers Field Road and the Paul Dudley White Path. While we appreciate Secretary Pollack’s decision to select the hybrid alternative design that permits an at-grade interstate 90 and elevated Soldiers Field Road to include cycling and pedestrian options, we have limited information about the design, permitting, and construction requirements. The publicly-available information about impacts suggests that there will be significant disruption to the Charles River for a ten-year period and that MassDOT has not planned for sufficient and appropriate mitigation.

We urge the MassDOT Board and FMCB to: (1) direct Allston Multimodal Project staff to provide you and the public with information about the mid-river highway alternatives and river impacts prior to filing an environmental impact statement and; (2) direct staff to provide the public and relevant agencies with plans for construction-period and permanent park, path, and transit uses; and (3) include this issue as an agenda item for the October 21 joint MassDOT Board and FMCB meeting.

In fall 2018, MassDOT declared that the temporary effects on parks and open space of the Hybrid design would be limited to fully occupying the throat area and relocating the Paul Dudley White Path. Subsequently in [May 2019](#), the MassDOT consultant team announced that the design required construction that extended beyond the banks into the Charles River to accommodate an 8-10 year trestle structure during the construction period. Federal law prohibits agencies from using land from public parks, recreation areas, wildlife and waterfowl refuges, and public and private historic properties, unless there is no feasible and prudent alternative to that

use and that the use includes all possible planning to minimize harm.¹ Section 4f planning requires aligning with the requirements of the National Environmental Policy Act.² Thus, MassDOT must avoid harm, and if it cannot do so, then minimize the harm, and mitigate associated impacts. We seek written confirmation that the agencies cannot avoid erecting one or more structures in the Charles River, detailed alternatives assessments, and mitigation that results in a functional Paul Dudley White Path during the construction period, an expanded Paul Dudley White Path upon project completion, a continuous two-track operation of the Worcester Line during the construction period, and permanent improvements to the bank, restoration of the Charles River, watershed-based climate resiliency, and multimodal transportation and traffic management options.

MassDOT must balance avoiding and minimizing environmental, climate, and health impacts with ensuring robust transit, cycling, pedestrian, and other transportation options during the construction period and on a permanent basis. To date, MassDOT has not provided enough information or supporting evidence indicating that it has determined that there is no feasible alternative to building a ten-year mid-river highway. MassDOT has not yet committed to improving the park, river, and transit conditions as required mitigation for this project. Moreover, the forthcoming federal and state environmental impact review processes require consideration of multiple alternatives to avoid impacts, if possible, or to minimize such impacts and mitigate them prior to selecting the appropriate alternative.

Finally, it is imperative that MassDOT consider the transportation needs and permanent park and river mitigation plans prior to filing an environmental impact statement. The complexity of the Allston Multimodal Project requires mitigation measures as outlined in the following letters from WalkBoston and Charles River Conservancy and position paper from Charles River Watershed Association to be considered as early in the project as possible to facilitate the adequacy of federal and state environmental agency reviews.

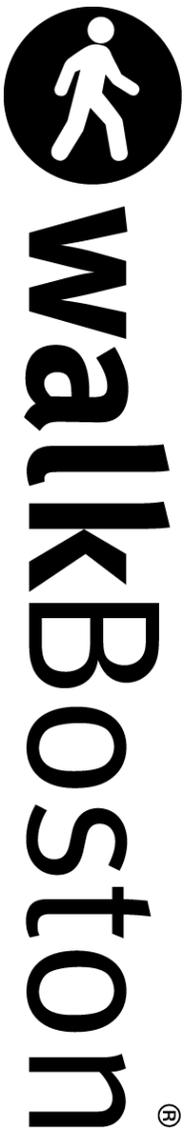
We thank you for your urgent attention to this issue and look forward to seeing this issue on the October 21 joint MassDOT Board and FMCB meeting agenda.

Sincerely,

Laura Jasinski, Charles River Conservancy
Emily Norton, Charles River Watershed Association
Staci Rubin, Conservation Law Foundation
Wendy Landman and Bob Sloane, WalkBoston
Galen Mook, MassBike
Jarred Johnson, TransitMatters

¹ 23 U.S.C. § 138 (“Section 4f”); 23 C.F.R. § 774.3.

² 42 U.S.C. § 4321 et seq.. See 23 U.S.C. § 138(c)(1)(A).



Memorandum

Re: 190 Allston Multimodal Project: Summary of WalkBoston's Critical Questions and Concerns about the Planning and Design of the Project

To: MassDOT Secretary Stephanie Pollack
MassDOT and FMCB Board Members

Date: September 16, 2019

WalkBoston appreciates the many changes that MassDOT has made in the 190 Allston Multimodal Project over the past five years, and are especially pleased with the recent decision that the I90 mainline will be at, or slightly below, grade and that Soldiers Field Road (a.k.a. Storrow Drive) will be above the I90 eastbound lanes. Thank you also for committing to providing the continuous availability of a Paul Dudley White Path during the construction period, an important component of the region's walking and biking network.

WalkBoston has written and co-signed many comment letters over the last five years. Rather than burden MassDOT staff and leadership with a detailed reiteration, we have summarized our most significant ongoing concerns below.

We hope that this summary is useful and urge the Secretary and the Board to lead MassDOT toward resolution of these many questions so that the project can both repair our crumbling infrastructure and add significant regional and local transportation, parkland, water quality and land use benefits.

Long-Term Project Wide Issues

- 1) Urban design of the entire Beacon Yards area should result in an environment that feels like a part of the city – including streets, air rights deck, West Station, parcelization etc.
 - a) Minimize streets widths, turning radii and ROW
 - b) Landscaping
- 2) Parkland
 - a) The DEIR and DEIS for the project must include at least one alternative that includes some additional space for the park/riverbank restoration in the throat area so that the long-term impacts of the continued highway presence, and the extensive construction period impacts, are in some measure mitigated by an improved future park and river condition in this location.
 - b) A comprehensive and beautiful plan for the parkland must be undertaken in coordination with the road and rail design, and the transportation designs must be responsive to the needs of the park
 - i) Separate walking and biking paths
 - ii) Trees, benches and landscaping
 - iii) Access to the water
 - iv) Noise and visual buffers

- c) Use the changes required for construction to maximize the long-term improvement of the park, river and bank environment, water quality and resiliency
 - i) Minimize the construction in the river, and make long-term use of some or all of that space for parkland improvement
- d) Safety and access for boating
- e) Coordination with plans for the Cambridge side of the river and changes to Memorial Drive
- 3) River and riverfront environment
 - a) Restoration of the bank, water quality, storm water etc. must be included in the project design (CRC and CRWA are leading on these questions)
 - b) Plan for the mitigation 4(f) and Section 106 impacts as part of the project planning and design
- 4) Transit – maximize future opportunities
 - a) West Station
 - i) Build West Station as early as possible
 - ii) Integrate Worcester Line and Grand Junction Line opportunities for ease and simplicity of passenger transfers
 - b) Buses – to and through West Station
 - c) Maximize ease of access to the station for walkers and bicyclists (see below)

Long Term Walking Issues – The devil is in the details

- 1) Charles River paths
 - a) Separate walking and biking paths
 - b) Provide visual and noise buffers to the highway and Storrow Drive/Soldiers Field Road
 - c) Design and build a high-quality park design commensurate with this premier regional park and historic district
- 2) Multiple connections to the River
 - a) Cambridge Street - Need to include a path from Cambridge Street to the river path system (whether through the “flip” or other solution) to connect Allston to the river
 - b) At-grade crossing from Beacon Yards (included in the project design already!)
 - c) Agganis Way pedestrian and bicycle connection
 - d) BU Bridge/Comm Ave area pedestrian and bicycle connection
 - e) Grand Junction Bridge Cambridge-Boston pedestrian and bicycle connection
- 3) West Station walking access needs to feel comfortable, safe and attractive
 - a) Direct access from Commonwealth Ave.
 - b) Direct access from Cambridge St. via walkway along southern border of project
 - c) Direct access to and from river via Agganis Way pedestrian and bicycle bridge
 - d) Direct access to development parcels

Construction Period of 10+ years

- 1) Soldiers Field Road and Paul Dudley White Path in the river
 - a) We seek written confirmation that agencies cannot avoid going into the River and the alternatives analysis should consider whether it is possible to reduce the amount of space in the River by taking space on BU side.
 - b) A temporary structure and other alternatives in the river must be fully detailed in terms of impacts on river uses, health and future.

- c) The alternatives analysis must explain potential impacts on two-track Worcester rail service and stops during the construction period.
 - b) If space in the River must be used for construction, the possible long-term benefits to parkland and river restoration of added land are must be considered in project planning,
 - c) Ensure that project planning yields long-term park, riverine and water quality benefits
- 2) Transit as mitigation for the project
- a) Transit improvements must come first, because all highway options will take a very long time in progressing through this complicated project and timeline. Ten or twelve years is too long to wait for better transit, because improvements in transit service are already needed. An overall plan for all construction period service improvements is essential and must be included as mitigation for the impacts of the project.
 - a) Metrowest Corridor
 - i) Commuter rail service must be maintained and upgraded, with improvements such as the new platforms in Newton.
 - ii) Additional suburban parking to serve Metrowest transit stations (bus and rail) is essential – study all stations for more space, add new bus service immediately
 - iii) Examine providing a new parking lot at intersection of Route 128/95 and I-90, with connections to express bus service and to rail (if feasible).
 - b) Local transit service
 - i. Early construction of Malvern St. overpass would ensure bus service has major connection into and through project area.
 - ii. Preservation and upgrading of local bus services is essential to help people move through the area while it is under construction.
 - iii. A high priority on new bus lines (especially Harvard – Longwood services) added as street network takes shape.
 - d) Walking and biking - Safe walking and biking access on both sides of the river must be maintained, and ENCOURAGED, throughout the construction process. Issues that need to be addressed include
 - i. Path width to accommodate bikes and pedestrians
 - ii. Street crossings
 - iii. Connectivity to the street and bridge network
 - iv. Lighting and personal safety
 - e) Traffic management – detailed management plans are needed to minimize vehicle intrusion into neighborhoods from Newton to Boston to Cambridge
 - i. Special attention is needed for freight services which are critical to the region and whose diversion to local roads raises critical safety and quality of life concerns



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Dear Secretary Pollack, MassDOT Board Members, and Fiscal Management Control Board Members,

As active participants in the I-90 Interchange Project, The Charles River Conservancy (CRC) has been closely tracking the potential impacts to the river and adjacent parkland. We feel strongly that MassDOT must avoid, minimize, and mitigate impacts to the river and adjacent parkland, both short and long term. As such, the announcement of MassDOT's proposal to build a "mid-river highway" to support Soldiers Field Road and the Paul Dudley White Path for the duration of a decade-long construction project was alarming. We would like to clarify that the absence of official written comment to this point does not signal acceptance of these methods and plan. Rather, we ask that MassDOT address the following:

Evaluate a range of construction strategies, including at least one with minimal river impacts. Until the June 20, 2019 Task Force meeting, avoiding river impacts was the MassDOT project team's mantra. The presentation of a ten-year trestle structure was a significant leap from this position and deserves further due diligence and discussion by the Task Force and broader community. The bridge proposal was absolute, lacking evidence of analysis. Evaluation of alternatives by the MassDOT project team should be done in an open, collaborative setting with the Task Force, DCR, the Department of Environmental Protection and other appropriate agencies.

Perform all possible planning to minimize construction impacts to the river. If deemed necessary, any harm to the river must be as minimal as possible. Undoubtedly, the contamination levels, habitat disturbance and other impacts to the Charles River will be many and depend on if the bridge is constructed on piles or fill, if dredging or capping is involved, volume of traffic, etc. All options, including creating additional fill or structures that could be used to increase parkland in the final condition, should be considered with the Task Force.

Commit to community-driven mitigation solutions for permanent impacts. For too long, a public conversation on mitigation and community benefits has been postponed. Considering the proposal for a temporary, ten-year bridge on the table and the impending resumption on State and Federal environmental review, it can no longer be dismissed. We must have an open discussion about river and riverbank restoration and *improvement* that 1) prioritizes the integration of park design and management; 2) is based on robust, ecological data; and 3) provides for recreation, flood resilience, stormwater control and storage.

The CRC, standing with other respected community members and mission-driven organizations, hopes that the MassDOT Board and Fiscal Management Control Board take action and advantage of the opportunity in front of us – to collectively envision and plan a future for the Allston Multimodal Project that we can be proud of.

Sincerely,

Laura Jasinski
Executive Director, Charles River Conservancy



I-90 Interchange Project

CRWA's Priorities for Design Decision-Making for the I-90/Allston Intermodal Project (July 2019)

Prior to 1908, the Charles River was an estuary open to the Boston Harbor, with twice daily tide cycles. In what is now the I-90/Allston Intermodal Project area ("Project Area"), salt marshes and freshwater meadows buffered the main stem of this estuary, providing natural flood control by storing excess water volume and filtering out nutrients and pollutants. Today, the Project Area is mostly covered by human-made impervious surfaces that have severely disrupted the natural hydrology, and stormwater runoff drains to a series of outfalls and directly into the River.

As the design and regulatory processes necessary to advance the preferred alternative for the I-90/Allston Intermodal Project move forward, MassDOT, DCR, MassDEP and others will be making critical decisions that will have significant, long-term impacts on the future of the Charles River Basin—both its ecology, water quality and overall resiliency, and the ecosystem of the land bordering the River on both sides. Directly addressing these impacts must continue to be an integral part of the ongoing discussions among all stakeholders involved in the Project.

Charles River Watershed Association ("CRWA") takes the position that up-to-date, robust scientific data should drive the design of what will happen in and along the banks of the Charles River between the Boston University Bridge and the River Street Bridge, including the "Throat Area." **Specifically, the following science-based objectives should be adopted as the measuring sticks by which proponents, opponents, federal, state and local regulators, Task Force members and other stakeholders evaluate all Project design elements that have the potential to impact the River and its banks:**

1. Preventing further River bank degradation.
2. Restoring aquatic and riparian habitat, especially along the River bank, including by re-establishing more natural shorelines, planting vegetation to provide fish habitat, and enhancing floodplain connectivity within the Project Area.
 - a. Much of the existing River bank is degraded and eroding, with the result that once productive fish habitat has largely disappeared. This is a serious problem, because the Charles River is an important fish run for alewives, blueback herring and American shad, all of which are migratory fish that return to the River each year to spawn.
3. Reducing or fully eliminating stormwater runoff that currently discharges to the River via overland flows and outfalls (including 13 outfalls along Soldiers Field Road in the Throat Area).
 - a. The entire Project Area should be treated as a single "stormwater management district" to be addressed through a sub-watershed green infrastructure plan. As CRWA has previously proposed, green infrastructure systems could include "blue greenways" (bioretention/wet weather corridors) and constructed wetlands, which would have the capacity to capture stormwater runoff from 1" - 5" rain storms.
 - b. The stormwater management elements of the Project design must have the ultimate goal of improving water quality in the River by reducing erosion, sedimentation and pollution, and increasing flood storage capacity.

c. Increases in wetland habitat within the Project Area could improve stormwater management by redirecting stormwater flows out of the existing combined sewer overflows (“CSOs”). Wetland enhancements could also serve as habitat for multiple species while naturally treating and retaining water that would normally enter the CSOs, thereby preventing potential contamination of the River.

4. Ensuring compliance with the phosphorus limits established in the state’s Lower Charles River Basin Nutrient Total Maximum Daily Load (the “Nutrient TMDL”)

a. The Project design must include a stormwater management system that achieves the 64% phosphorus load reduction established in the Nutrient TMDL.

5. Providing for flood resilience, control and storage capacity for the precipitation-based inland flooding that is anticipated based on current and expected climate change impacts.

a. As MassDOT recognizes, climate change will result in increased precipitation and overbank flooding in the Project Area. The Throat Area in particular is a critical piece of land for flood resiliency planning. It is already vulnerable to flooding and inundation from extreme storms, and this risk will only increase over time. The Project design must consider both how to protect the Project Area from the risk of flooding and how to utilize the Project Area to increase flood storage and capacity at the sub-watershed and watershed levels.

6. Creating multi-functional blue-greenways (linear open space corridors) and green streets that can filter stormwater runoff to reduce pollution from entering the river, increase groundwater recharge and provide open space to absorb excess precipitation and flood conditions.

7. Addressing historical contamination in compliance with applicable requirements.

a. Historical development in and in the vicinity of the Project Area has resulted in contaminated soils in the landside riparian zone and contaminated sediments in the River bed. These contaminants can be dispersed into the River during flooding, high flow or storm water runoff events, impacting water quality and habitats through ongoing releases.