

Appendix C

Amendments to 310 CMR 7.00, Definitions

Add:

BOSTON METROPOLITAN PLANNING ORGANIZATION means the organization designated for maintaining a continuing, cooperative, and comprehensive (3C) transportation planning process under Section 134 of the Federal Aid Highway Act and Section 5303 of the Federal Transit Act, as amended, in the Boston metropolitan region.

Amendments to 310 CMR 7.36: U Transit System Improvements

- (1) Applicability. 310 CMR 7.36 shall apply to the Executive Office of Transportation ~~and Construction~~, hereafter referred to as EOT~~E~~, and any successor agency to EOT.
- (2) Transit System Improvement Projects. EOT~~E~~ shall plan and construct and render available for public use, transit system improvement projects including the following projects in accordance with the schedules set forth in 310 CMR 7.36:
 - (a) Before December 31, 1992 construction of the following facilities shall be completed and opened to full public use:
 1. Lynn Central Square Station and Parking Garage
 2. North Station high platforms and new tracks
 3. Lynn Transit Station Bus Terminal
 - (b) Before December 31, 1994 construction of the following facilities shall be completed and opened to full public use:
 1. South Station Bus Terminal
 2. South Station Track #12
 3. Ipswich Commuter Rail Line extension to Newburyport
 - (c) Before December 31, 1996 construction of the following facilities shall be complete and opened to full public use:
 1. Old Colony Commuter Rail Line Extension
 2. Framingham Commuter Rail line extension to Worcester

3. 10,000 Park and Ride and Commuter Rail Station parking spaces system-wide outside of the Boston core area as defined by a report to be submitted to the Department by EOTC which identifies the location, size and market area of each facility constructed to satisfy this requirement. Said report will be submitted three months prior to the deadline for this project.
- ~~(d) Before December 31, 1997 construction of the following facility shall be completed and opened to full public use:~~
~~Green Line Arborway Restoration~~
- ~~(de) Before December 31, 1998 construction of the following facility shall be completed and shall be opened to full public use:~~
Blue line platform lengthening and modernization
- ~~(ef) Before December 31, 1999 construction of the following facilities shall be completed and opened to full public use:~~
10,000 Park and Ride and Commuter Rail Station Parking spaces system-wide outside of the Boston Core Area in addition to those spaces developed pursuant to 310 CMR 7.36(2)(c)3. as defined by a report to be submitted to the Department by EOTC which identifies the location, size and market area of each facility constructed to satisfy this requirement. Said report will be submitted three months prior to the deadline for this project.
- ~~(fg) Before December 31, 2001 construction of the following facility shall be completed and opened to full public use:~~
South Boston Piers Electric Bus Service
- ~~(h) Before December 31, 2011 construction of the following facilities shall be completed and shall be opened to full public use:~~
~~1. Green Line extension to Ball Square/Tufts University~~
~~2. Blue Line connection from Bowdoin Station to the Red Line at Charles Station.~~
- ~~(g) Before December 31, 2011, construction of the following facilities shall be completed and opened to full public use:~~
~~1. 1,000 new park and ride parking spaces serving commuter transit facilities, in addition to those required by 310 CMR 7.36(2)(c)3 and 310 CMR 7.36(2)(e), within the 101 cities and towns constituting the Boston Metropolitan Planning Organization.~~
~~2. Fairmont Line improvements consisting of expansion of existing stations, a new station at each of the following general locations: Newmarket, Four Corners, Talbot Avenue, and Blue Hill Avenue, and improved service to increase ridership.~~
- ~~(h) Before December 31, 2014, construction of the following facilities shall be completed and opened to full public use:~~
~~Green Line extension from Lechmere with service to West Medford and Union Square areas.~~

(3) Project Delays and Project Deadline Extensions.

- (a) Should a projects listed in 310 CMR 7.36(2) be delayed in their-its implementation, EOTC shall notify the Department in writing of the delay at the earliest opportunity, but in no case later than 60 days after obtaining knowledge of such delay, prior to the deadlines established in 310 CMR 7.36(2), said notification to include:
1. An eExplanation of the reasons behind- for the delay;
 2. Identification of measures being taken to reduce the delay; and
 3. A proposed alternative deadline, with intermediate milestones, for completion of the project.
- (b) Within 60 days of receiving a complete notification of a project delay, that, in the sole discretion of the Department, meets the criteria in 310 CMR 7.36(3)(a)1-3, the Department will review the proposed alternative project schedule and approve or conditionally approve said schedule in writing; provided, however, that a longer review period may be agreed to in writing by the Department and EOT. ~~-confirm the new project schedule in writing to EOTC.~~
- (c) If a project is expected to be three years or more beyond the deadline established in 310 CMR 7.36(2), EOT shall propose and implement aA substitute transit system improvement -project pursuant to 310 CMR 7.36(4) shall be investigated and proposed provided, however, that the Department may approve a project delay more than three years beyond such deadline if EOT demonstrates to the Department that the resulting delay in reductions of non methane hydrocarbons (NMHC), carbon monoxide (CO), and nitrogen oxides (NOx) emissions will be mitigated by the implementation of measures that achieve reductions of NMHC, CO and NOx emissions equal to or greater than the

reductions that would have been achieved had the project not been delayed more than three years beyond the deadline established in 310 CMR 7.36(2).

(4) Substitute Transit System Improvement Projects.

(a) EOT may petition the Department in writing to substitute new transit improvement projects for the projects listed in 310 CMR 7.36(2) provided the following conditions are met:

1. The project listed in 310 CMR 7.36(2) is removed from the list of projects in the Regional Transportation Plan for the Boston Region developed pursuant to 23 CFR 450.322 and, as appropriate, the Transportation Improvement Program for the Boston Region developed pursuant to 23 CFR 450.324;
2. The substitute project is included in the list of projects in the Regional Transportation Plan for the Boston Region developed pursuant to 23 CFR 450.322 and, as appropriate, the Transportation Improvement Program for the Boston Region developed pursuant to 23 CFR 450.324;
3. The substitute project achieves reductions of NMHC, CO and NO_x emissions in the Project Area equal to or greater than the reductions that would have been achieved by the project listed in 310 CMR 7.36(2) in the long and short term; and
4. Any delay in reductions of NMHC, CO, and NO_x emissions resulting from the substitution are mitigated by:
 - a. Implementing measures during the period of delay that achieve reductions of NMHC, CO and NO_x emission in the Project Area equal to or greater than the reductions that would have been achieved during the period of delay had the project been completed in accordance with 310 CMR 7.36(2); or
 - b. Implementing a substitute project that will achieve reductions of NMHC, CO and NO_x emissions in the Project Area equal to or greater than the reductions that would have been achieved by the project listed in 310 CMR 7.36(2) in the long and short term plus the reductions that would have been achieved during the period of delay had the project been completed in accordance with 310 CMR 7.36(2).
5. Within 90 days of receiving a complete petition for a project substitution from EOT that meets the requirements of 310 CMR 7.36 (4)(a)1-4, the Department will review the proposed substitute project(s) and approve, conditionally approve, or deny said petition in writing provided, however, that a longer review period may be agreed to in writing by the Department and EOT.
6. For the purpose of projects listed in 310 CMR 7.36(g)2 and (h), Project Area means the geographic area of the City of Boston, the City of Cambridge, the City of Somerville, and the City of Medford.

~~(a) EOTC may substitute other transit improvement projects in place of those listed in 310 CMR 7.36. To replace a project EOTC must demonstrate to the Department that a specific project listed in 310 CMR 7.36 is infeasible due to associated adverse engineering, environmental or economic impacts. An alternative project may be substituted in the following manner:~~

- ~~1. EOTC must petition the Department to accept a substitution project, said petition to include a demonstration that the alternative project achieves equal or greater emission reductions of nonmethane hydrocarbons (NMHC), carbon monoxide (CO) and nitrogen oxides (NO_x) and would provide a greater improvement in air quality for CO and NO_x in the area where the required project was to have been implemented, in both the short and long term.~~
- ~~2. Within 60 days of receipt of a complete petition and demonstration for project substitution, the Department shall review the proposed substitution and shall take action either approving or denying the proposed substitution in writing.~~
- ~~3. Within 90 days of receipt of a complete petition and demonstration for project substitution, the Department shall file a copy of the petition, supporting documentation and Department action with U.S. EPA, Region I.~~

7.36: continued

(5) Project Review and Consultation. Beginning January 1, 1992, EOTC shall consult on a quarterly basis with the Massachusetts [Highway Department](#) ~~of Public Works~~, the Massachusetts Bay [Transit Transportation Authority](#), the ~~Metropolitan Area Planning Commission~~ [Boston Metropolitan Planning Organization](#), the U.S. Environmental Protection Agency and the Department on the process of planning, directing, constructing or making transit system improvements required by 310 CMR 7.36.

(6) Transit System Improvement Studies.

(a) Before December 31, 1991, EOTC shall draft and issue for public comment an initial study of transit improvement strategies which are in addition to those specified by 310 CMR 7.00, with the intent of incorporating the findings of said study in the Program for Mass Transportation.

(b) Development of the Program for Mass Transportation shall, in addition to the requirements of 310 CMR 7.36(6)(a), include for each strategy identified in 310 CMR 7.36(6)(a), an analysis of the following:

1. An analysis of funding implications and a comprehensive funding plan for transit projects and programs.
2. Estimates of transit project impacts on cities and towns.
3. Discussion of public education efforts that will be undertaken in implementing transit projects.

(c) Before December 31, 1991, EOTC shall draft and issue for public comment, studies of other transportation system improvements including but not limited to:

1. A study of the feasibility of using toll pricing to regulate single occupant vehicle trips to Logan Airport.
2. A study of the feasibility of relocating some of the existing Sumner Tunnel Toll booth to Route 1A.
3. A study of the feasibility of providing water shuttle service between Boston and communities on the North shore.
4. A study of transit system improvements which could be made in addition to those improvements listed in 310 CMR 7.36(2).
5. A study on the feasibility of constructing a rail connection between South Station and Logan Airport.
6. Expanding the size and number of suburban locations of Logan airport express service parking and transit facilities.
7. Expanding the high occupancy vehicle lanes and services within the boundaries of Logan Airport.

(d) Before December 31, 1994, EOTC shall draft and issue for public comment a study of transit system improvements including but not limited to:

1. Connecting circumferential transit facilities and radial transit services.

2. Improving travel time and upgrading rail service to New York City, NY; Worcester, MA; Springfield, MA; Hartford, CT and Portland, ME.

3. Indexing transit fares so as to encourage maximum use of transit facilities.

(e) The studies identified in 310 CMR 7.36(6)(a) through (e) shall contain an analysis of the technical feasibility of each measure, an estimate of the time and cost involved in implementing the measure and an estimate of the potential air quality impacts of the measure. After providing an opportunity for final comment and consultation with other members of the [Boston](#) Metropolitan Planning Organization and the Department, the studies shall be released as final reports and submitted to the Department by no later than March 30 of the year following the deadline of the draft study. The final reports shall contain a recommendation and schedule for further action to be taken in regard to the measures contained in the studies.

(7) Recordkeeping and Reporting. Before March 1 of each year, beginning in 1992, EOTC shall submit a status report to the Department detailing EOTC's progress toward compliance with each provision of 310 CMR ~~7.3600~~. In addition, the report shall contain an estimate of the changes in transit system ridership in eastern Massachusetts in the context of each of the transit system improvements implemented. Copies of said report shall be submitted to the members of the [Boston](#) Metropolitan Planning Organization and any interested persons.