



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

Response to Comments on Proposed Amendments to

310 CMR 7.30

Massport/Logan Airport Parking Freeze

June 30, 2017

**REGULATORY AUTHORITY:
M.G.L. c. 111, §§142A – 142O**

6/30/17

On March 24, 2017, the Massachusetts Department of Environmental Protection (MassDEP) proposed amendments to 310 CMR 7.30 *Massport/Logan Airport Parking Freeze*, at the specific request of the Massachusetts Port Authority (Massport), to allow an additional 5,000 commercial parking spaces at Boston Logan International Airport, and to require evaluation of ways to reduce the number of vehicle trips to and from the airport.

In accordance with Massachusetts General Law Chapter 30A, MassDEP made the proposed amended regulations available to the public and held a public hearing and solicited oral and written testimony on the proposed amendments. On March 24, 2017, MassDEP published notice of the public hearing and announced the opening of the comment period in the Boston Globe, Boston Herald, El Planeta (in Spanish), the Massachusetts Register, and on MassDEP's website (in English and in Spanish). MassDEP held the public hearing on April 25, 2017 in the Noddle Island Community Room at the Logan Airport Rental Car Center in East Boston, and made Spanish translation services available at the public hearing. The comment period closed on May 8, 2017.

After reviewing and considering the public comments received, MassDEP is promulgating amendments to 310 CMR 7.30 *Massport/Logan Airport Parking Freeze* as proposed, except for minor technical corrections and the retention of 310 CMR 7.30(2)(a)3, which includes the following amendments in the final regulation:

The parking spaces within the Logan Airport Parking Freeze area may increase above ~~49,345~~**26,088** spaces in accordance with 310 CMR 7.30(5), providing that the inventory of commercial and employee parking spaces subject to the Logan Airport Parking Freeze does not exceed ~~21,790~~**26,790** parking spaces.

Below MassDEP has summarized and responded to the public comments received. MassDEP received comments in support of and opposed to the proposed amendments.

The following individuals/organizations provided oral testimony at the public hearing:

- Nick LaConte, Winthrop Board of Health
- Sarah Lee, Metropolitan Area Planning Council
- Chris Marchi, Air Impact Relief, Inc.
- Rafael Mares, Conservation Law Foundation
- Joanne Pomodoro, Orient Heights Resident Association
- Frederick P. Salvucci
- Julia Prange Wallerice, Winthrop Transportation Committee

The following individuals/organizations submitted written comments:

- Mary Ahmad
- Jessica Apel
- Christopher R. Anderson, Massachusetts High Technology Council
- Anne Arnold, U.S. Environmental Protection Agency, Region 1 (EPA)

6/30/17

- Roseann Bongiovanni, Maria Belen Power, GreenRoots Inc. (also signed on behalf of 19 Chelsea and East Boston residents)
- Stephanie Best
- Abby Buccella
- Jason Burrell
- Matthew Connolly
- Genevieve Cremaldi
- Patricia D'Amore
- Craig Dandrow
- Richard Doherty, Association of Independent Colleges and Universities in Massachusetts
- Marc D. Draisen, Metropolitan Area Planning Council
- Empower East Boston
- Peter Forman, South Shore Chamber of Commerce
- Thomas P. Glynn, Massachusetts Port Authority
- Jeffrey Goodell, Jetblue
- Emily Horwitz
- Lisa Jacobson and David Aiken
- James Linthwaite
- Richard C. Lord, Associated Industries of Massachusetts
- Rebecca Lynds
- Karen Maddalena
- Chris Marchi, Air Impact Relief, Inc.
- Rafael Mares, Conservation Law Foundation
- Timothy McMillan
- Jane O'Reilly
- Deanne R. Peterson
- Emily Peterson
- Frederick P. Salvucci
- Louis A. Silvestro, Channel Fish Co., Inc.
- Dennis Sullivan
- Kannan Thiru
- Aaron Toffler, Air Impact Relief, Inc.
- Alyssa Vangeli
- Shannon Viera
- John Walkey
- Julia Prange Wallerice, Winthrop Transportation Committee
- Elizabeth Ward
- Mary Ellen Welch
- Paul Vignoli
- John Vitagliano
- Wig Zamore

COMMENTS IN SUPPORT OF THE PROPOSED AMENDMENTS

1. Comment: Many commenters expressed support for allowing additional parking at Logan Airport in order to keep up with parking demand, provide convenience, and reduce vehicle emissions. These comments are summarized below:

- Logan Airport is the only airport in the country to operate under a Parking Freeze, which limits commercial parking regardless of demand. Despite the increased number of passengers using the airport, no parking has been added. This results in many passengers spending an inordinate amount of time and effort to have their car valeted, moved, or to circulate looking for parking. Parking capacity at Logan Airport has not come close to keeping pace with passenger growth. As a result, demand for parking exceeds supply on a regular basis. On-Airport parking is a necessity, especially for those who are not traveling from a location proximate to the city or close to public transportation.
- Logan Airport served a record 36 million passengers in 2016. Without adequate parking, there will be an increase in emissions due to what many passengers have experienced: driving around looking for parking or being diverted to overflow parking areas. Furthermore, a shortage of parking leads to an increased number of people driving friends and family to the airport, which results in four vehicle trips instead of two associated with parking. What seems to be a very common occurrence is that people drive to and from the airport to drop their family or friends off and then return home, and then again drive to and from the airport when they return—also idling while waiting to pick them up.
- Logan has one of the highest rates of passengers using public transit and other high occupancy vehicle (HOV) options. However, there are instances where travelers need to park instead, for instance, when transporting children to the airport in their car seats. Massport has made various investments to reduce emissions, from creation, support and promotion of HOV modes to a consolidated Rental Car Center bus fleet with new, fuel-efficient buses. Those efforts, coupled with the fact that additional parking will decrease the amount of emissions and circulation at the airport and on local roads, is reason to approve Massport's request to amend the Logan Airport Parking Freeze to allow 5,000 additional parking spaces.
- The proposed amendment to the Logan Parking Freeze would be environmentally beneficial, by leading to decreases in regional vehicle miles traveled (VMT) and vehicle emissions. The modification would provide for a moderate increase in the number of commercial parking spaces at Logan Airport, while requiring Massport to continue and enhance its strong commitment to maintaining, developing and supporting alternative transit and HOV modes to Logan Airport.
- The lack of parking spaces at Logan results in valet parking at different locations or customers driving around trying to find parking somewhere else. This creates needless circulation, which contributes to emissions and brings vehicles closer to residential neighborhoods. It can also increase the likelihood of missing a flight because of the added time from being diverted and then being shuttled back to the terminal from a remote lot.
- Massport has done an exceptional job investing in alternative modes for accessing the airport; however, those who cannot access alternative modes or who want to avoid being diverted to a secondary lot often ask a friend or relative to drop them off at the airport and

pick them up when they return, resulting in four vehicle trips to and from the airport whereas parking only results in two vehicle trips.

- The current situation at Logan – where the ability to park at the airport is so uncertain – results in poor customer experience, lost time, potentially missed flights as well as a decrease in air quality. Raising the parking cap would reduce the number of vehicle trips and further reduce emissions, while providing a much needed solution to Logan’s persistent parking challenges.
- Relief for airport customers, airline crewmembers and airport employees is urgently needed and the Parking Freeze increase of 5,000 spaces is a good step. Massport has done a great job investing in alternative modes of transit – including frequent bus service from multiple locations across the Boston Metropolitan Area – enabling convenient access to the airport. Many employees and customers take advantage of these services. However, there are still many circumstances where these services are not available or accessible. Without this Parking Freeze increase, future growth at Logan, and the economic and employment benefits that come with that growth, is uncertain.

Response: MassDEP acknowledges the comments in support of the amendments to allow additional parking in order to reduce vehicle emissions that result from drop off / pick up activity.

2. Comment: Several commenters noted that increased parking at Logan Airport is needed for the region’s economic growth. These comments are summarized below:

- Logan Airport is an essential economic engine for the entire region and it needs sufficient capacity in its facilities to meet its customers’ needs. Massport does this as efficiently as possible with minimal impact on the environment and the surrounding neighborhoods. Massachusetts has many economic opportunities and in order to attract businesses and residents from outside the region to fuel growth it is critical to have reliable parking and facilities at Logan.
- World-class air transportation infrastructure enables Massachusetts business to access national and international markets and commercial centers and is essential to businesses in order to compete globally and grow their businesses and workforce here in the Commonwealth.
- Logan’s location and the number of direct international flights have been credited in helping Massachusetts secure additional direct foreign investments in our economy, especially in the life sciences, advanced manufacturing and data security sectors.

Response: MassDEP acknowledges these comments in support of the amendments to ensure there is capacity for economic growth in the Commonwealth.

3. Comment: Several commenters noted that raising the cap on parking only allows Massport to pursue additional parking, and that further environmental analysis will be required and additional mitigation and benefits will be established in concert with any construction of additional parking. These comments are summarized below:

- The original Logan parking freeze was implemented some thirty-five years ago when vehicular exhaust emissions were dramatically higher than current levels. Massport’s program for adding 5,000 sorely needed parking spaces at Logan Airport would be

accommodated in state-of-the-art parking facilities that include substantial numbers of electric vehicle re-charging stations as an incentive for motorists driving emission free vehicles.

- The amendment of the Logan Parking Freeze will not, in and of itself, permit the construction of new commercial parking at Logan. Massport has prepared and submitted an Environmental Notification Form (ENF) to the Massachusetts Environmental Policy Act (MEPA) Office, describing its proposal to build 5,000 new commercial parking spaces in two garage locations at Logan. On May 5, 2017, the Secretary of Energy and Environmental Affairs (EEA) issued an ENF Certificate, setting forth the scope for the required Environmental Impact Report (EIR). Among the issues that Massport is required to address are the following:
 - Detailed description of existing conditions including on and off-Airport access, on-Airport circulation, and parking;
 - Methodology description and analysis of the potential shifts in travel mode to the Airport produced by the addition of proposed parking facilities as outlined in Massport's technical memorandum to MassDEP;
 - Updated air quality analysis of shifts in mode share away from drop-off/pick-up modes and resulting reductions in regional off-Airport VMT;
 - Construction phase impacts and mitigation;
 - Summary of beneficial measures provided by the Parking Project and opportunities for mitigation of any unavoidable adverse impacts, including Draft Section 61 Findings;
 - Detailed response to comments submitted on the ENF.

Upon completing the review of the EIR, Massport will commit, in Section 61 Findings adopted under MEPA, to undertake specific measures that will avoid, minimize, or mitigate the environmental impacts of the proposed parking facility.

- Massport, at the Conservation Law Foundation's (CLF) request, has recently agreed to add substantial transportation mitigation measures and HOV targets to its proposal. These measures and targets have been memorialized in a written agreement between CLF and Massport. As a result, Massport will incorporate some of the measures and targets in its Section 61 Findings as part of the MEPA process for the parking garages. Pursuant to the Massport-CLF Agreement, the proposed increase in parking supply at Logan Airport would not occur in isolation, but rather as one component of a multi-pronged comprehensive program to reduce the overall environmental, emissions, and traffic impact of ground transportation and ground-service equipment at the airport. This program has the explicit goal of encouraging an increasing number of passengers to travel to and from the airport by an HOV mode with a specific percentage increase required by a certain date and to increase electrification of the airport. As part of its agreement with CLF, Massport will increase the share of air passengers using HOV modes to access Logan Airport to at least a 35.5 percent mode share by December 31, 2022 (the current HOV mode share is 30.5 percent). Massport will further increase the HOV mode share to 40 percent no later than December 31, 2027. For taxi, livery, and Transportation Network Company (TNC) trips, in order to be counted in the HOV mode share, these trips must have an average of at least 2.0 passengers per vehicle per trip. In addition, as part of its agreement with CLF, Massport has agreed to the following specific improvements, projects, measures, incentives, and studies:

HOV Improvements:

- Purchase and support the operation of 16 Silver Line buses, replacing eight buses and adding another eight.
- Offer the approximately 18,000 employees based at Logan Airport free Blue Line service from the MBTA Airport Station by January of 2019.
- Increase Logan Express capacity, measured in available seats, by 10 percent by the end of 2019.

Electrification Infrastructure:

- Increase the availability of electric vehicle charging stations so that 150% of demand for such infrastructure is available at all parking facilities at all times. In other words, no more than 66.667% of electric vehicle charging stations are to be in use at any one time.
- Provide fast-charge electric vehicle charging stations at all taxi, livery, and TNC pools at Logan Airport by July 2019, so that 150% of demand for such infrastructure is available at all pools at all times. This demand will be measured as no more than 66.667% of electric vehicle charging to be in use at any time. All such electric vehicle charging stations will be provided at no cost to the user.
- Replace all ground service equipment, where commercially available electric alternatives are available by the end of 2027. By the beginning of construction of the parking garages, at least 12% of the ground service equipment will be electric. By the time construction of the second parking structure is complete at least 24% of the ground service equipment will be electric.
- For those categories of equipment for which no electric or other zero emission alternative is commercially available by the end of 2027, replace such equipment within two (2) years of it becoming commercially available, provided that the equipment to be replaced is at least eight years old.
- Implement procedures so that at least 60 percent of commercial aircraft taxiing for a re-positioning purpose is done by electric tugs by 2027.

HOV and Electrification Incentives:

- Establish a ride-share trip fee on a per-trip rather than per-person basis starting no later than January 1, 2019.
- Train ground transportation personnel to encourage passengers to share rides no later than January 1, 2019.
- Provide taxi/TNC-queue priority to electric vehicles, second only to vehicles with at least three passengers starting in January of 2019.
- Implement variable-rate parking within one year of the opening of the new structured parking, if Massport's study (see below) demonstrates a sufficient positive mode-shift impact.

Studies:

- Study the effectiveness of variable-rate pricing at the airport prior to the opening of the parking garages.
- Study the effectiveness of an airport pass-through rate prior to the opening of the parking garages.
- These analyses would be included in the studies referenced in the proposed amendment to the Logan Parking Freeze regulations and the State Implementation Plan (SIP).

Response: MassDEP's final regulatory amendments raise Massport's cap on commercial parking at Logan by 5,000 spaces. Massport's proposed Logan Parking Project currently is going through the MEPA process. During this process, Massport will commit, through MEPA Section 61 Findings, to additional mitigation measures with respect to the project's impacts. MassDEP further acknowledges that Massport has entered into a written agreement with CLF to implement transportation mitigation measures that will further increase the use of HOV modes and electric vehicles, thereby further reducing air emissions from vehicles and ground service equipment.

COMMENTS OPPOSED TO THE PROPOSED AMENDMENTS

4. Comment: Many commenters raised concerns about the overall impacts of Logan Airport, including odors from jet exhaust and noise, the cumulative public health impact of airport-related pollution sources and elevated incidences of asthma in children and respiratory illnesses in adults in the surrounding communities, traffic congestion on local roads and in the tunnels, the continued expansion of the airport, and insufficient implementation of air traffic and vehicle traffic reduction strategies, including failure to implement past commitments. Many commenters requested that no action be taken to lift the parking freeze without a comprehensive plan for the overall role of Logan airport, regional airports, and regional rail services. Commenters also stated that the regulations should not be amended until Massport has completed the Environment Impact Report for its two proposed parking garages, which should identify and analyze the best possible transit alternatives.

Response: MassDEP acknowledges the concerns regarding the overall impact of Logan Airport on local communities, including emissions from aircraft and ground service vehicles, noise, and airport-related vehicle traffic and emissions. Many of the comments on the overall impacts of Logan Airport are beyond the scope of the Logan Parking Freeze regulations, which were promulgated as one part of an overall strategy to reduce vehicle emissions in the Boston area, with the goal of achieving and maintaining the ozone and carbon monoxide National Ambient Air Quality Standards (NAAQS), which Massachusetts now meets. The intent of the amendments that allow additional parking is to reduce vehicle emissions by reducing drop off/pick up vehicle trips occurring due to inadequate parking availability. MassDEP notes that, as described in Comment #3 above, Massport has entered into a written agreement with CLF to implement specific transportation mitigation measures to increase HOV mode share and use of electric vehicles, which will address some of the impacts of the airport noted by commenters. MassDEP also notes that Massport is required to address airport-wide environmental conditions on a continuing basis and must report and analyze the cumulative environmental impacts of its operations and activities on an annual basis. This reporting takes place through Massport's Environmental Data Reports (EDR) submitted annually and the more detailed Environmental Status and Planning Report (ESPR) submitted on a five-year cycle.

5. Comment: Many commenters stated that lifting the parking freeze would be unnecessary if Massport took other actions to increase convenient alternative modes of transport, many of which would cost less than building additional parking, and stated that the parking freeze should not be amended until a comprehensive set of alternatives are developed. This would include

Massport completing the studies in the proposed amendments and implementing their recommendations before any increase in parking spaces is allowed. Alternatives suggested include:

- Construct the underpass for the Silver Line at D Street in South Boston that is needed to improve travel time reliability and capacity on the Silver Line connection to Logan Airport.
- Invest in more frequent and direct Silver Line service, including possible use of the “state police” ramp as the most direct route to Logan.
- Reinstate the direct shuttle from the Blue Line Logan Airport Station to the Logan terminals instead of going to the Car Rental Facility, which adds time.
- Increase Logan Express service (e.g., double current frequencies) and lower the cost.
- Add more remote parking lots so cars do not have to go to the airport and subsidize the cost of parking at remote “park and ride” lots to encourage ridership.
- Make additional investments in park and fly bus facilities outside of the urban core.
- Do not add parking until construction of the Route 1A and Boardman Street Flyover occurs to reduce air pollution impacts on Orient Heights residents now caused by Massport's State Police detail that prioritizes Logan traffic on Route 1A, which backs up traffic in Orient Heights.
- Connect the MBTA Red and Blue lines, which would make transit to the airport easier, and improve HOV transport options into Boston.
- Incentivize Massport employees to use public transit by providing free transit passes.
- Implement peak pricing of parking to discourage parking and use the revenue generated to increase Logan Express service.
- If parking is built, the spaces should be phased in at the same time that the agency invests in non-parking infrastructure and services.
- Promote and market the use of transportation networking companies (TNCs) as a means to access the airport now that TNCs can drop-off and pick-up passengers at the airport.
- Allow taxis from municipalities outside of Boston to pick up at the airport.
- Incentivize TNCs and taxis to not travel to and from Logan with an empty backseat.
- Work with municipalities to establish priority bus lanes.
- Install electronic toll fare collection systems to assess a fee for every vehicle entering the airport so that the drop-off/pick up option will no longer seem to be free when other options, including parking and Logan Express cost money. The revenue could be used to lower the cost of Logan Express. A less complex option could be to charge a fee to use the “cell phone” lot used by vehicles picking up travelers.
- To reduce traffic on local roads, charge an electronic fee for vehicles that choose to cut through local streets instead of using the highway to get to the airport.
- Require Massport to operate Logan with a real target of 50% or greater clean transit and HOV, 50% or less private autos and low occupancy vehicles.
- Evaluate why the Peabody Logan Express site’s ridership falls so far behind ridership from points west and south. For Lynn, Revere, Chelsea and East Boston residents it is the traffic coming from the North Shore that is congesting streets and Massport is a major cause of this traffic. Additional investments should be made in subsidized express bus transit to the airport from points on the North Shore.

- Massport itself invested in modes of transportation that do not include parking, and its own data shows that investments in Logan Express and the MBTA's Silver Line have substantially increased the use of these services. Instead of presenting a proposal to spend \$250 million on parking spaces, Massport should be required to document - now - what the impact would be on traffic and the environment if the agency invested \$250 million in transit and high-occupancy modes instead.
- If Massport wants to build parking, it should be required to invest the same amount in transit and other high-occupancy travel modes at the same time.

Response: MassDEP acknowledges the receipt of many specific suggestions for ways to increase HOV and transit alternatives for accessing Logan Airport. The parking freeze regulations have helped spur many of the HOV/transit modes that Massport, the Metropolitan Bay Transportation Authority (MBTA) and private companies have implemented. However, while the parking freeze regulations limit parking and require Massport to study and consider HOV and transit alternatives, mandating specific transportation measures is beyond the scope of the regulations. This is especially the case given that the goal of the parking freeze – to attain the carbon monoxide and ozone NAAQS – has been achieved. Nevertheless, as described in Comment #3, Massport has entered into a written agreement with CLF to implement specific HOV and airport electrification alternatives that, combined with additional parking, will provide a comprehensive strategy for addressing parking challenges and reducing vehicle emissions.

6. Comment: Many commenters questioned or disagreed with the premise that constrained airport parking is resulting in increased pick-up and drop-off behavior. Some commenters noted that the 2013 survey data used in support of the amendments is out of date. These comments are summarized below:

- While Massport's survey results show air travelers would choose drop-off and pick-up modes if parking is not available, people in the surveys are basing their response on the current lack of availability of alternatives. Without considering the possibility of different and expanded options to access Logan, and different pricing structures, the methodology pre-ordains that the only conclusion will be to expand the number of spaces.
- Massport has failed to provide any credible evidence that those who choose to park at commercial parking rates would not otherwise choose fast, affordable, convenient and comfortable mass transit options if they were available.
- MassDEP fails to recognize that the driving factor in causing people to be dropped off and picked up at the airport is the high cost of parking at Logan and the absence of convenient alternative methods to access Logan. The price of parking at the new parking garages will be high, so the drop off/pick up mode is likely to continue. The additional spaces are likely to attract riders from other transit/HOV modes such as the Logan Express.
- The analysis fails to consider the decline in proportional usage in alternatives such as Logan Express when Massport was not offering any expansion in service. When additional service is added latent public demand uses the service. For example, additional parking at the Framingham Logan Express was filled when it became available.

- Massport should release the actual data and surveys it used in its studies and models to support their request for additional parking spaces. Massport only has provided power point slides of presentation materials.
- Massport has not provided adequate data that supports lifting the parking freeze. It is an unsupported allegation that allowing construction of 5,000 parking spaces will cause a 20-25% reduction in air emissions. There are absolutely no facts or data to support the theory that more airport parking will generate a substantial reduction in the drop-off/pick-up of airport users.
- Massport should survey its passengers to understand what ground transportation services they would like to see in the future, instead of making the decision for them.
- The Air Passenger Survey is an intercept survey of passengers arriving for flights. The survey focuses solely on what mode of transportation passengers use when arriving at the airport. Massport's analysis assumes passengers arrive and depart using the same mode. There is no recognition that a number of passengers are likely to use different modes when arriving at and departing from Logan Airport. This is precisely the kind of data problem that could be solved with a more detailed analysis.
- Massport's argument for lifting the parking freeze is based entirely on the issue of so-called "kiss and fly" trips versus air travelers leaving their cars at the airport (four car trips versus two car trips respectively). What is not included in their analysis is the effect of low-cost, highly effective disincentives to the "kiss and fly" trips.
- Massport's technical analysis was based on 2013 Air Passenger Survey data. MassDEP should delay amending the parking freeze until Massport's 2016 Air Passenger Survey data can be taken into account, and additional studies can be conducted and evaluated.
- Massport should be required to use current data in its analysis. Since TNCs are a new service at Logan, Massport should be presenting data about their use and impact, and making decisions based on projections about their growth.
- Massport's survey data does not separate the many different kinds of drop-off and pick-up activities that currently occur, and includes high-efficiency taxi and TNC trips along with low-efficiency personal vehicle trips in this calculation, potentially misstating the overall impact of these trips.
- The central components of the analysis are based on questionable assumptions, which may result in a flawed analysis, and particularly fails to take into account the rise of TNCs and their impact on travel to and from Logan Airport. In fact, the data already developed through the 2016 Air Passenger Survey begins to demonstrate the TNCs may be having a salutary effect on drop-off/pick-up travel at Logan Airport and could potentially reduce the number of trips that are of most concern. Furthermore, it is unlikely that air passengers choosing to use TNCs would switch to driving and parking a private vehicle at Logan, given the convenience and low costs associated with these services. MassDEP should delay the adoption of the amendment until the 2016 Air Passenger Survey data can be taken into account, and additional studies can be conducted and evaluated. As presented, the analysis does not warrant increasing the parking freeze.
- The proposed amendments are based on a 2013 survey data developed by Massport. However, analysis of Massport's 2016 survey data shows that 14.3% of people traveling to Logan do so by TNCs, a strong indicator that this type of transportation service has an impactful presence at Logan Airport. Meanwhile, the number of private vehicles arriving at the airport declined by about 20% between 2013 and 2016. Massport has indicated

that these private vehicle trips are of the greatest concern given potential “deadhead” trips and increased vehicle emissions. The 2016 survey results, indicating a sudden rise in TNC trips and the decline in overall private vehicle trips, casts doubt upon much of Massport’s argument about inefficient drop-off and pick-up activity occurring at Logan Airport. The rise of TNC use, coupled with the recent revision of regulations that now allows Uber and Lyft to pick up passengers at the airport (when previously they were only allowed to drop-off passengers) warrants additional study before MassDEP makes a decision to increase the parking freeze.

- It is imperative that Massport analyze the extent to which TNC trips may be replacing drop-off/pick-up trips to and from Logan Airport, and therefore reducing deadhead trips. This study should also explore implementing a policy that requires taxis and TNCs not to deadhead when either arriving at or departing from Logan Airport. Requiring taxis and TNCs to carry air passengers both when entering and exiting Logan Airport could increase the efficient management of these trips, and negate all or part of the need for additional on-site parking. This analysis of both data and policy options should precede any MassDEP decision to raise the parking freeze.

Response: The intent of the parking freeze amendments is to reduce vehicle emissions by allowing additional parking, based on the premise that constrained parking at Logan is increasing private vehicle pick-up and drop-off behavior, which results in more trips to the airport and increased air emissions. As noted in the Background Document that accompanied the proposed amendments, analysis by Massport based on 2013 survey data indicates that the constrained parking supply could cause 75% of passengers who would otherwise choose to park at Logan to instead use private curbside pick-up and drop-off, which generates up to four trips as compared to two for parking, thereby increasing emissions and traffic. Those survey results were the most recently available when the amendments were proposed and are consistent with past conclusions regarding the effect of constrained parking, as when the parking freeze cap was raised in 1989. It is not surprising that 2016 passenger survey data (which Massport has not yet made publicly available) shows increasing use of TNC modes to access the airport given the growing popularity of TNC services. TNC modes have the potential to reduce VMT if they both drop-off and pick-up passengers on each trip, although it is not clear whether TNC modes currently are more efficient than other drop off/pick up modes. MassDEP agrees that further study of TNC modes is needed and has included a requirement that the studies Massport must conduct include analysis of TNCs. MassDEP also received comments regarding an agreement between CLF and Massport in which Massport commits to study the effectiveness of variable-rate pricing at the airport prior to the opening of the parking garages and the effectiveness of an airport pass-through rate prior to the opening of the parking garages.

7. Comment: Several commenters raised concerns about environmental justice:

- Our community has had to suffer too much already with poor air quality and noise; we cannot and should not have to deal with horrendous traffic as well. We are a lower-middle class community resided by mostly and immigrant population, and are again being shortchanged by Massport’s lack of producing a comprehensive plan of future expansion so that the entire gamut of health and environmental impacts to our communities may be fully assessed.

- There has been no Environmental Justice analysis of this project, nor any Title VI analysis. MassDEP must require Massport to assess the impact of this proposed project and regulatory change on the impacted Environmental Justice communities. A review of the distribution list for the Environmental Notification Form for the project reflects a lack of concern for this aspect of the project. No Environmental Justice staff at the state or federal level received a copy of the Environmental Notification Form. Before this proposed regulatory change can be approved, such an analysis must be performed. Further, depending on the type of funding that the project will require, a Title VI review may also be appropriate.
- Community support should be required for mitigation agreements between Massport and community leaders and mitigation benefits should not be contingent on community agreement for Massport's proposal to construct new parking garages.
- There have been no public meetings in Chelsea to gain resident input and to inform the public about the amendments. As an environmental justice community, expanded efforts including public meetings held in the evening with translation should have been the baseline for public outreach. Yet no meeting was held in Chelsea and many residents are unaware of this proposal. Moreover, the air emissions exacerbate Chelsea's and East Boston's poor air quality. Chelsea and East Boston are severely impacted by environmental injustice.
- Chelsea and East Boston are environmental justice communities and are transit dependent. We should be investing in clean transportation rather than encouraging additional vehicles.

Response: The 2017 Environmental Justice Policy of the Executive Office of Environmental and Energy Affairs directs agencies to enhance public participation opportunities for activities that potentially affect Environmental Justice communities. MassDEP held two stakeholder meetings at its Boston Office on September 22 and November 29, 2016, and invited environmental justice organizations and community representatives and residents to attend. Several representatives from those groups did attend the meetings. MassDEP published notice of the public hearing on the proposed amendments in Spanish in the El Planeta newspaper and posted the Spanish notice on its website. MassDEP held the public hearing on the proposed amendments from 4 p.m. – 6 p.m. in East Boston and provided Spanish translation services at the hearing. The intent of the regulations is to reduce air emissions by reducing drop-off and pick-up activity at the airport. Reduced emissions would have a positive effect on nearby communities. MassDEP notes that separate from the parking freeze regulatory process, Massport has provided many public participation opportunities for the local communities as it developed the proposed Logan Parking Project. Massport is currently going through the MEPA process and has committed to implementing transportation mitigation measures that will benefit local air quality and residents of nearby communities. Massport also has committed to mitigation measures in its agreement with CLF that will benefit neighboring communities.

TECHNICAL COMMENTS ON THE PROPOSED AMENDMENTS

8. Comment: As noted on page 7 of the "Background Document on Proposed Amendments to 310 CMR 7.30," dated Feb 16, 2017, (Background Document) 310 CMR 7.30(5) allows Massport to increase the parking spaces within the Logan Airport Parking Freeze by

6/30/17

acquiring Park-and-Fly spaces that were contained in the East Boston Parking Freeze Area inventory. The SIP-approved version of 310 CMR 7.30(2)(a)(3) sets a cap on the number of total parking spaces subject to the Logan Airport Parking Freeze even after any Park-and-Fly spaces are acquired. Therefore, 310 CMR 7.30(2)(a)(3) should not be deleted as depicted in the draft amendments, and instead be amended to read as follows:

"The parking spaces within the Logan Airport Parking Freeze area may increase above ~~19,315~~**26,088** spaces in accordance with 310 CMR 7.30(5), providing that the inventory of commercial and employee parking spaces subject to the Logan Airport Parking Freeze does not exceed ~~21,790~~**26,790** parking spaces."

This will appropriately reflect the 702 Park-and-Fly spaces remaining in the East Boston Parking Freeze area inventory, as referenced on page 7 of the Background Document.

Response: MassDEP agrees and has made the suggested revision in the final amendments.