



March 31, 2021

Secretary Kathleen A. Theoharides
Executive Office of Energy and Environmental Affairs
Attn: MEPA-regs@mass.gov

Dear Secretary Theoharides:

WalkBoston appreciates the opportunity to provide comments on the MEPA Regulatory Review effort. As you are aware, we frequently provide comments on projects that are submitted for MEPA review and feel that this step in the Massachusetts regulatory system is vital for maintaining the quality of the environment in the state, and that issues are often surfaced that result in project changes that are beneficial in many areas of environmental quality.

Our comments on the regulations themselves are focused on the transportation requirements of the process. For clarity, where we have pasted text directly from the MEPA forms or regulations the text is shown highlighted in a text box.

**Project Notification Form
(Page 2)**

Summary of Project Size & Environmental Impacts	Existing	Change	Total
TRANSPORTATION			
Vehicle trips per day			
Parking spaces			

We suggest that the summary table be modified to reflect all modes of travel to ensure that project proponents and all reviewers are thinking about the range of transportation demands that projects will generate. In turn, as discussed later in this letter, the review thresholds should be redefined to include transit trips as well as vehicle trips and parking spaces.

This will also address the issue that, in asking for Vehicle trips per day (based on the ITE Trip Generation Manual), the availability and use of other non-auto modes of transportation, including car-pooling/ride-sharing, transit, walking and biking, is not acknowledged or included quantitatively in the PNF. By “adjusting” the ITE trips, all person trips (i.e. the total demand for travel) are accounted for.

Further, we suggest that the form should also ask for peak hour vehicle and transit trips, as in some locations peak hour trips are a better indication of impact than daily trips. We understand that this may require some new modeling tools that make better estimates of non-vehicle trips, but we believe that this is an appropriate step for Massachusetts to be taking with respect to transportation thinking. The reporting of trip generation in the ENF table should include the following:

TRANSPORTATION

1. Daily Vehicle trips
2. Peak Hour* Vehicle trips
3. Daily Transit trips
4. Peak Hour* Transit trips
5. Daily Walking trips
6. Daily Bicycle trips
7. Parking spaces

* Typically, the peak hours would be weekday commuter peaks but can include other periods or weekends for some land uses such as Retail, Recreation, Entertainment etc.

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TRANSPORTATION SECTION (TRAFFIC GENERATION)

Please delete the qualification phrase “Traffic Generation” from the title - this section is about all transportation modes.

I. Thresholds / Permit

- B. Does the project require any state permits related to **state-controlled roadways**? ___ Yes
___ No; if yes, specify which permit:

We recommend deleting this question as a threshold question. If a project does not require state permits, but does meet the review thresholds due to the numbers of vehicle trips and transit trips, the proponent should still be required to complete the traffic multi-modal transportation impact questions on the form. The environmental impacts of the transportation demands generated by the project do not disappear if no state permits related to state-controlled roadways are required.

II. Traffic Impacts and Permits

Title - replace “Traffic” with “Transportation” to encompass all transportation modes.

Question identification - please correct the lettering system so that there is only one question per letter. The questions are presently shown as A, B, C, D, C, D, E.

A. Describe existing and proposed vehicular traffic generated by activities at the project site:			
	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Number of parking spaces	_____	_____	_____
Number of vehicle trips per day	_____	_____	_____
ITE Land Use Code(s):	_____	_____	_____
B. What is the estimated average daily traffic on roadways serving the site?			
<u>Roadway</u>	<u>Existing</u>	<u>Change</u>	<u>Total</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
C. If applicable, describe proposed mitigation measures on state-controlled roadways that the project proponent will implement:			
D. How will the project implement and/or promote the use of transit, pedestrian and bicycle facilities and services to provide access to and from the project site?			

The table in **Section A** should be modified to include daily transit as well as vehicle trips, and peak hour trips by vehicles and transit. The peak hour trips should be appropriate for the land use of the project (e.g. M-F commuting for office use, and Saturday for retail, etc.).

While daily vehicle and transit trips are useful proxies for the scale of transportation impacts and as general thresholds, we believe that projected peak hour trips are a better indicator of potential impacts by each mode. We suggest therefore that the impacts called for in **Section B** should be based on peak hour trips assigned to the roadway network and the transit network.

Similarly, we suggest that **Section C** should be modified to include proposed mitigation measures on all transportation infrastructure that the project proponent will implement.

Please add detail to **Section D** on transit, walking and biking - for example by adding the following questions.

- Are sidewalks provided along all road frontages of the project?
- Are sidewalks provided along all roadways within the project site?
- Are bike facilities provided on all of the roads around the site?
- Are bike facilities provided on all of the roads within the site?
- Provide a map showing where the nearest transit facilities are provided.
- Are sidewalks and bike facilities available to get to the nearest transit?
- Do sidewalks within the project site connect to the local sidewalk/trail network or other sidewalks?

TRANSPORTATION SECTION (ROADWAYS AND OTHER TRANSPORTATION FACILITIES)

We suggest that the title be changed to “TRANSPORTATION SECTION (for Transportation Infrastructure Projects)” to clarify the purpose of this section and the need to complete it.

**Section 11.03 Review Thresholds,
(6) Transportation**

(a) ENF and Mandatory EIR.

6. Generation of 3,000 or more New adt on roadways providing access to a single

We urge that MEPA review the 3,000 adt threshold in order to look at two questions, both of which we believe are important to understanding how projects will affect the multi-modal transportation systems into which they fit.

- (1) We believe that the threshold should include both vehicle and transit trips/day to reflect the importance of transit trips to the functioning of Massachusetts’ transportation systems. Congestion and capacity on some portions of our transit system are of greater importance than roadway congestion and capacity, so we urge that it be measured and included as a threshold. Further, the first or last part of a transit trips involves walking to arrive at, or depart from, a development, and are therefore important in considering the adequacy of the pedestrian infrastructure supporting the project.
- (2) Is 3,000 the appropriate number of vehicle and transit trips generated that cause such a small impact on area transportation conditions that review beyond an ENF is not needed? Or, have conditions changed since that threshold was established (greater levels of development, greater awareness of the impacts of traffic on human health, water quality etc.) that a lower threshold should be established?

(a) ENF and Mandatory EIR.

7. Construction of 1,000 or more New parking spaces at a single location.

The number of parking spaces included in a project is a proxy for many potential impacts on the environment including transportation, use of land (about 8 acres of paving would be required for a 1,000-car surface parking lot), water quality, habitat, and others.

We recommend reducing the threshold for parking spaces to 500 spaces which still represents a very significant impact that should be reviewed in full through an EIR.

As a result of the new climate bill signed by Governor Baker this week, we will be looking to EEA and MEPA (and others) for guidance on how the new Climate Bill environmental justice requirements will address cumulative transportation impacts and not simply the new impacts that result from an individual project. We believe that the guidance may require significantly greater review of both impacts and mitigation measures.

Thank you for the opportunity to comment on these important regulations. We would be pleased to speak with the MEPA staff if they have any questions about our comments.

Best regards,



Stacey Beuttell
Executive Director



Wendy Landman
Senior Policy Advisor